

Air quality: Unhealthy for sensitive groups

Visalia Times-Delta and Tulare Advance-Register, Monday, April 20, 2009

With the warm temperatures comes the smog.

The Valley's air quality forecast is "unhealthy for sensitive groups" today, with the smog continuing for most of the week.

Dairies to ignore rules suspension Study of air regs' public health effects ordered

By John Holland

Merced Sun-Star and Modesto Bee, Saturday, April 18, 2009

A dairy farmer group based in Modesto has pledged to keep following air quality rules even if they are suspended next month.

The rules deal with smog-forming emissions from manure and other dairy sources in the San Joaquin Valley. They were challenged by an environmental group that wants them toughened.

The critics won a court order directing the San Joaquin Valley Air Pollution Control District to suspend the rules pending further study of how they affect public health.

The district board on Thursday set a May 21 hearing where it could take this action. The board is scheduled to review the revised study June 18 and could decide to change the rules or restore them as is.

The farmers group, Western United Dairymen, said members have invested in measures aimed at complying with the three-year-old rules.

"This is not a responsibility that dairy families will shy away from," Turlock area farmer Ray Souza, the group's president, said in a news release. "We are proud of the role that we play, along with our fellow Californians, in making our state a better place to live."

The rules cover volatile organic compounds, which mix with other pollutants and sunlight to form smog. Following the standards would remove 28 percent of these substances at affected dairies and 5 percent of the total from all valley sources, district officials said.

The rules apply to farms that have 1,000 or more milking cows and were built before 2004, about two-thirds of the cows in the valley. Farms built since then are under another set of rules.

Dairy farmers generally supported the 2006 action because they got more than 70 options for meeting the standards. These include installing pollutant-trapping devices in cattle enclosures, covering feed and promptly tilling manure into fields.

The rules were challenged by the Association of Irrigated Residents, based in Kern County. A court rejected most of its claims but did say the public health issue needed more study.

The plaintiffs' lawyer, Brent Newell, said the rules did not mandate any practices beyond what dairy farmers already were doing. The Fresno Bee contributed to this report.

Small fire linked to cow burning

By Joe Johnson

Hanford Sentinel, Saturday, April 18, 2009

A dairy operator was reported to local air pollution authorities on Saturday for setting fire to several dead cows, Kings County firefighters said.

Thick black smoke in the vicinity of 15th and Elder avenues just outside Hardwick drew county firefighters to a spot where a local dairy owner was burning at least four cow carcasses, rather than having them shipped off the property.

"I've been doing this for quite some time and I can't think of the last time I've seen something like this," Battalion Chief Clay Smith said on Saturday evening. "This kind of thing is not allowed."

The name of the dairy involved in the burning was not immediately available, but Smith said firefighters reported the incident to the Central Valley Air Pollution Control District and the Kings County Agricultural Commissioner.

Today is a Spare the Air day in Bay Area

By Mark Gomez, Mercury News

In the Contra Costa Times, Tri-Valley Herald and other papers, Monday, April 20, 2009

With record-setting temperatures expected today, the Bay Area Air Quality Management District has a Spare the Air advisory, the first of the season.

Air quality in the region is expected to be unhealthy today and the Bay Area Air Quality Management District is urging people to drive less and reduce their energy use. The official Spare the Air season begins May 1.

Transit is not free today, the district announced.

Long-term exposure to ozone can reduce lung function and high levels of ozone pollution are particularly harmful for young children, seniors and those with respiratory and heart conditions, according to the district.

Vigorous outdoor exercise should take place in the morning when ozone concentrations are lower.

The Bay Area Air Quality Management District recommends people bike or take public transit to work, telecommute or carpool to work, link errands to reduce driving, avoid using gas-powered lawn movers and leaf blowers, cook indoors and not on a barbecue and avoid the use of aerosol-powered sprays.

It's back: First Spare the Air alert issued this year for Monday

By Lisa Vorderbrueggen, Bay Area News Group

In the Contra Costa Times, Tri-Valley Herald, Monday, April 20, 2009

POOR AIR QUALITY EXPECTED: The Bay Area's first Spare the Air alert this year has been issued for Monday as the region experiences unseasonably warm weather and stagnant air conditions.

The Bay Area Air Quality Management District reminds residents wood-burning is not permitted during the alert and asks everyone to cut back on driving and energy use.

The district also urges residents to avoid vigorous outdoor exercise as high ozone levels can trigger health problems, particularly among young children, the elderly and those with lung-related illnesses.

They recommend residents bike or take public transit to work, telecommute or carpool, avoid the use of gas-powered lawn movers and leaf blowers, cook indoors rather than on an outside barbecue and defer the use of aerosol-powered sprays.

Unlike past alerts, however, transit is not free Monday.

Solar panels cast new power on Del Monte plant

By Seth Nidever

Hanford Sentinel, Saturday, April 18, 2009

Del Monte Food's giant tomato products storage facility south of Hanford has a new roof covering: Thousands of solar panels with the capacity to generate more than a megawatt of electricity.

The panels were dedicated at a ceremony Friday held inside the cavernous, 675,000-square-foot warehouse on Jackson Avenue that supports the panels.

Company officials said the panels would provide 100 percent of the warehouse power needs and 30 percent of the adjacent processing plant during periods when the plant isn't operating at full capacity.

The company also installed solar panels at its fruit canning facility in Kingsburg.

We at Del Monte are very proud of what we're doing ... to protect the environment," said Scott Butler, vice president of operations and technical services.

State Sen. Dean Florez, D-Shafter, made a brief appearance.

"This is one of the few examples (in Sacramento) where we can talk about a project ... that is actually implemented," Florez said.

Butler, Florez and other speakers stood at a podium inside the warehouse next to a big banner reading "Enriching Lives with Light: Del Monte Foods is now solar powered."

He was surrounded by stacked pallets of Del Monte cans filled at the Hanford facility, which is one of Kings County's largest private employers.

The Hanford facility employs 1,200 people at peak operating capacity from July to October, with 320 full time employees, according to Dave Withycombe, Del Monte Foods vice president of operations.

The Kingsburg facility has 1,300 peak season employees and 72 year-round.

Together, the two solar powered facilities can produce up to 2 megawatts of clean electricity.

Oakland schools near Caldecott Tunnel get \$3 million for air pollution, noise mitigation

By Angela Hill, Oakland Tribune

In the Contra Costa Times, Tri-Valley Herald and other papers, Friday, April 17, 2009

OAKLAND — Specialized air-filtration systems and thick banks of trees near Chabot Elementary School and Claremont Middle School in North Oakland should ease some concerns about air quality when construction begins this year on the fourth bore of the Caldecott Tunnel, state officials said Friday.

With money from a settlement reached in January between Caltrans and concerned Oakland residents of the Fourth Bore Coalition, state Sen. Loni Hancock, D-Berkeley, and Assemblywoman Nancy Skinner, D-Berkeley, presented a check for \$3 million to Oakland Unified School District officials Friday morning on the baseball field at Chabot Elementary.

"What do we hear in the background?" Skinner asked the group of students who attended the news conference. "That's right, cars," she said. "Sadly, the cars we use still cause a lot of pollution. So we want to make sure you are protected from that, and from the noise they make, also."

School officials said they were pleased with the funds, especially during the recession.

"We are going through very difficult times right now for schools, so it's a wonderful thing to come out here on this beautiful day and celebrate this kind of additional funding," said David Chambliss, principal of Claremont Middle School.

Of the funds, \$2 million comes from the state Air Resources Board for upgrades to the ventilation systems of all buildings and classrooms at both schools. An additional \$1 million grant was provided by CalFire's Urban Forestry Program for landscape barriers to mitigate noise expected from construction of the new tunnel and increased traffic.

The settlement also calls for more mitigations from Caltrans, such as \$2 million in improvements to Highway 13 in Berkeley, and conducting a \$250,000 study to consider charging tolls or using carpool lanes on Highway 24.

Bay Area Air Quality Management District concludes air study in West Berkeley

By Kristin Bender, Oakland Tribune

In the Contra Costa Times, Tri-Valley Herald and other papers, Saturday, April 18, 2009

BERKELEY — The Bay Area Air Quality Management District has concluded its' yearlong monitoring of the air near Pacific Steel Casting, a West Berkeley steel foundry, and the air quality meets federal and state standards, according to information from the air district.

A trailer was set up in December 2007 at Sixth and Camelia streets, about two blocks from Pacific Steel Casting, in the wake of complaints from neighbors about foul odors, health concerns and several lawsuits against the foundry.

Equipped with air monitors on top of the trailer and computerized monitoring equipment inside, data was collected through the end of 2008.

The analysis of the "data indicates that the West Berkeley air quality met all of the applicable state and national ambient air quality standards" with the exception of a small particulate matter sample that was collected over a 24-hour period and "the very stringent annual state particulate matter standards, similar to most other Bay Area locations," according to a letter and data from the air district.

The letter says that small particulate matter levels are elevated in the Bay Area because of secondary ammonium nitrate and wood smoke. Secondary ammonium nitrate forms in the atmosphere, and is primarily a result of nitrogen oxides emissions from vehicles and other types of fossil fuel combustion, according to the air district. Wood smoke emissions are being addressed through the air district's recent push to reduce it.

The findings say that West Berkeley air quality levels were "below all applicable state and national ambient air quality standards for gaseous criteria pollutants including ozone, carbon monoxide, sulfur dioxide and nitrogen dioxide."

What's more, the West Berkeley carbon monoxide and sulfur dioxide levels were among the lowest for all Bay Area locations. Also, West Berkeley lead levels were less than 1 percent of the state standard, less than 10 percent of the recently revised national standard and similar to levels in San Francisco.

Mayor Tom Bates said he received a letter Thursday from the air district with a copy of the results of the air monitoring study.

"I'm deeply relieved that the comprehensive study found that West Berkeley residents are not exposed to increased cancer or other health risks," Bates said.

Pacific Steel Casting spokeswoman Elisabeth Jewel said the results are consistent with the Health Risk Assessment completed last year by the company and reinforces its findings.

She said she agrees with the findings that say the problem is diesel particulate from the nearby freeway and wood smoke. Jewel also said manganese levels are significantly lower than a level that could cause health effects, even among sensitive populations, such as elderly people and children.

What's more, Jewel said the data show that a December 2008 USA Today newspaper report singling out Pacific Steel Casting as a contributor to unhealthy air at school sites is "clearly wrong."

"If these are the results two blocks from PSC then clearly PSC is not contributing to unhealthy air quality more than a mile from the plant at the school sites," Jewel said.

The USA Today story said that three Berkeley schools are on top of a nationwide list for bad air quality, according to a report on 127,800 schools conducted by the newspaper using data from the U.S. Environmental Protection Agency.

USA Today spent eight months examining the impact of industrial pollution on the air outside American schools and found that Black Pine Circle School, a private school on Seventh Street, Nia House Learning Center, an early childhood center and day care center on Ninth Street, and Via Center, a school for developmentally disabled students on Sixth Street, all ranked in the first percentile. The study said that the air is only worse at 377 of the 127,800 schools studied.

The air monitoring trailer near Pacific Steel Casting was put in place after independent testing by volunteers with the Global Community Monitor of San Francisco. From April to November 2008, a group of volunteers used a portable particulate monitor to conduct 66 tests on rooftops in two dozen locations near the steel foundry.

Earlier, the group — headed by Denny Larsen — had released preliminary data showing levels of manganese and nickel at a much higher rate than that deemed safe by the World Health Organization and the U.S. Environmental Protection Agency.

Those findings have now been deemed untrue by the air district.

A February letter from air district executive officer Jack Broadbent says, "Over the course of GCM's project in West Berkeley, our staff discovered serious technical deficiencies in Mr. Larsen's work. Based on our own expertise in air quality monitoring, data analysis, and risk assessment, we have concluded that Mr. Larsen's findings are not technically valid and have resulted in misinformation provided to the public."

Larsen did not return a phone call and two e-mail requests for comment.

Residents want more tests on fire debris after asbestos detected

By Peter Hegarty, Alameda Journal

In the Contra Costa Times, Tri-Valley Herald and other papers, Sunday, April 18, 2009

Some Alameda residents are calling on city officials to carry out more environmental tests on debris from last month's fire at the former U.S. Navy base after they said an independent laboratory found asbestos in a chunk that landed in a front yard.

The piece blew a mile from the scene of the March 29 fire before it drifted down outside Denise Lai's Pacific Avenue home.

"It was like black snow," Lai said. "I had heavy, nonfriable asbestos in my yard. Can you imagine what was landing between my property and the fire?"

City officials said they believed the debris was not a health hazard after they met Monday with representatives of the Bay Area Air Quality Management District and other agencies. But they also pledged to investigate any reports from residents who have safety concerns.

"The amount of debris that possibly contained asbestos was minimal," fire Chief Dave Kapler said. "And asbestos isn't easily released into the air unless it's broken up or something else happens to it."

Officials last week were waiting for the final report from the air district.

The agency noted that it did not receive any complaints during the fire from nearby residents, despite about a seven-mile-per-hour wind blowing ash and debris westward, according to its initial report.

The two-alarm fire gutted the former military storage facility and burned for about 19 hours before it was extinguished.

The three-story structure was vacant since the late 1990s and did not have electrical power or utilities. Youths frequently broke into the property for parties, painted graffiti and committed other acts of vandalism.

Just hours before the blaze, firefighters responded to two smaller "nuisance" fires at the 63-year-old building.

The cause of the fire remains unknown.

Investigators consider it suspicious, however, Fire Marshall Ken Rankin said.

After the fire began, flames could be seen from as far away as the Oakland hills, where Kapler said residents called 911, thinking the fire was at Jack London Square.

Oakland firefighters were the first on the scene, the chief said.

Alameda residents reported falling ash and debris as far away as Otis Drive, a road linking the city's main Island with Bay Farm Island and Oakland International Airport.

The drifting smoke led firefighters to issue a health advisory for everyone within a mile east of the building as they worked to contain the blaze.

Lai said she had debris that landed in her front yard tested by the Western Analytical Laboratory, based in Arleta.

The piece, measuring about 2 inches by 1 inch, contained about 10 percent nonfriable asbestos, according to the report. It came from the building's roof.

"The fear is that, even though it's nonfriable asbestos, it will be disturbed and broken apart and then it gets free," said Liz Williams, who lives on a houseboat near the scene. "And then it becomes microscopic particles and gets into people's lungs."

Power deal brings proposed Hayward plant closer to approval

By Eric Kurhi, The Daily Review

In the Contra Costa Times, Tri-Valley Herald and other papers, Friday, April 17, 2009

HAYWARD — An oversight committee on Thursday approved a business agreement regarding the sale of power from the Russell City Energy Center, moving the proposed 600-megawatt facility a step closer to opening along the Hayward shoreline.

The California Public Utilities Commission's unanimous decision came partly because the plant would offer "much-needed local reliability benefits to the Bay Area" and "emit less greenhouse gases per unit of electricity than existing fossil fuel plants," said commission President Michael Peevey, who made the motion to approve the power-purchase agreement.

The deal allows San Jose-based Calpine to sell the energy produced by the plant to Pacific Gas & Electric Co.

There is a 30-day appeal period, and the agreement was not the final hurdle before construction can begin, acknowledged Calpine project manager Richard Thomas.

The Bay Area Air Quality Management District, acting as a delegate of the federal Environmental Protection Agency, is currently reviewing and responding to public concerns voiced regarding a pending permit.

That permit would essentially state that the facility wouldn't have significant effects on air quality in the area, a position with which opponents vehemently disagree.

More than 400 public comments have been made via letters, phone calls and e-mails, and the air district must respond to each of them.

"We could not be more pleased with the fact that so many people were willing to notify (the district) about their opposition," said Audrey LePell of Citizens Against Pollution, a group of Hayward residents against the plant.

Other opponents include the Sierra Club, Audubon Society, U.S. Rep. Pete Stark and Alameda County Supervisor Gail Steele. Numerous union affiliates have spoken in favor of the plant because of jobs that would be created.

The air district previously approved the permit, but after a lawsuit contended that the panel did not follow federal guidelines for notifying the public about the permitting process, the permit was remanded in July.

Thomas said Calpine remains optimistic that the plant will open.

"I think the air district will issue the final permit for the project," he said. "We're working very closely with them to get it out in short order, but we can't predict when that will be."

Air district officials did not return calls for comment Friday.

If the permit is approved, opponents can file an appeal with the federal Environmental Appeals Board.

According to the agreement approved Thursday, the power plant would go online in 2012. Thomas said that means construction on the 17-acre gas-fired facility would begin early next year.

Calif. governor calls for stronger energy policy

The Associated Press

In the Merced Sun-Star and other papers, Monday, April 20, 2009

DETROIT -- California Gov. Arnold Schwarzenegger says the U.S. needs a clear energy policy so automakers can develop cleaner, more fuel-efficient vehicles.

Speaking at the Society Automotive Engineers 2009 World Congress in Detroit on Monday, Schwarzenegger said Washington has failed to create an energy policy that would help automakers develop fuel-efficient or alternative fuel vehicles more quickly.

Schwarzenegger says he wants California to lead the country when it comes to setting low emission standards, calling the current U.S. policy "embarrassing."

Schwarzenegger also says he favors government and industry efforts to help Detroit's ailing auto industry. He volunteered to be the first to film a television commercial supporting Detroit car companies.

Congress weighs far-reaching global warming bill

By Dina Capello, The Associated Press

In the Washington Post, S.F. Chronicle and other papers Saturday, April 18, 2009

WASHINGTON -- The last time Congress passed major environmental laws, acid rain was destroying lakes and forests, polluted rivers were on fire and smog was choking people in some cities.

The fallout from global warming, while subtle now, could eventually be even more dire. That prospect has Democrats pushing legislation that rivals in scope the nation's landmark anti-pollution laws.

Lawmakers this coming week begin hearings on an energy and global warming bill that could revolutionize how the country produces and uses energy. It also could reduce, for the first time, the pollution responsible for heating up the planet.

If Congress balks, the Obama administration has signaled a willingness to use decades-old clean air laws to impose tough new regulations for motor vehicles and many industrial plants to limit their release of climate-changing pollution.

The Environmental Protection Agency on Friday said rising sea levels, increased flooding and more intense heat waves and storms that come with climate change are a threat to public health and safety. The agency predicted that warming will worsen other pollution problems such as smog.

"The EPA concluded that our health and our planet are in danger. Now it is time for Congress to create a clean energy cure," said Rep. Ed Markey, D-Mass., one of the sponsors of the American Clean Energy and Security Act.

If passed, it would be the first major environmental protection law in almost two decades. In addition to attempting to solve a complex environmental problem associated with global warming, the bill also seeks to wean the nation off foreign oil imports and to create a new clean-energy economy.

"It's a big undertaking," said the chairman of the House Energy and Commerce Committee, Rep. Henry Waxman, D-Calif. Waxman and Markey presented their 648-page bill last month.

From 1969 to 1980, Congress passed more than a dozen environmental bills tackling everything from air and water pollution and garbage, as well as protections for fisheries, marine mammals and endangered species. In 1990, the Clean Air Act was overhauled to address the problem of acid rain created by the sulfur dioxide released from coal-burning power plants.

"We had two decades of extraordinary legislation and almost two decades of nothing," said Richard Lazarus, a Georgetown University law professor and author of "The Making of Environmental Law." "If this one passes, it will certainly be an outburst."

There are many reasons why Congress' chances to succeed in passing global warming legislation are improved this year, but by no means assured.

After President George W. Bush did little about global warming in his two terms, there is "a lot pent up demand" for action on climate, said William Ruckelshaus, the first administrator of the Environmental Protection Agency.

Both the Democratic-controlled Congress and President Barack Obama agree that legislation is needed to limit emissions of greenhouse gases and radically alter the nation's energy sources. They want to pass a bill by the end of the year.

"For the first time ever, we have got the political actors all aligned," said Lazarus. "That is not enough to get a law passed, but that is a huge start. We haven't been close to that before."

Unlike the 1970s, when the first environmental laws passed nearly unanimously, Republicans are opposed. They question whether industry and taxpayers can afford to take on global warming during an economic recession.

Then there is the question whether the public will have the appetite to accept higher energy prices for a benefit that will not be seen for many years. Climate change ranks low on many voters' priority lists.

Every year since 2001 has been among the 10 warmest years on record. Sea ice in the Arctic and glaciers worldwide are melting.

But the problems are not as apparent as they were in the 1970s, or even the early 1990s, when Congress addressed acid rain and depletion of the ozone layer.

"If carbon dioxide were brown, we wouldn't have the same problem," said Gus Speth, who organized the Natural Resources Defense Council in 1970. "But it's a subtle issue. ... The problems are chronic not acute, and it is largely invisible to people unless they're reading the newspaper or checking the glaciers or going to the South Pole."

In 1969, oil and debris in the Cuyahoga River in Cleveland burst into flames, an incident that led to the passage of the Clean Water Act. That same year, a blowout at an offshore oil platform off Santa Barbara, Calif., spilled millions of gallons of oil onto beaches. And long before that, a smog episode in Donora, Pa., in 1948 killed 20, sparking a crusade against air pollution.

"There was so much evidence _ sort of smell, touch and feel kind of evidence _ that the environment was really in trouble," said Ruckelshaus. "We had real problems, real pollution problems that people could see on the way to work. And there were rivers catching on fire and terrible smog events."

With climate, "you are asking people to worry about their grandchildren or their children," he said. "That is why it will be so tough to get something like this through."

EPA calls greenhouse gases a danger to public

Jennifer A. Dlouhy, Hearst Newspapers
In the S.F. Chronicle, Saturday, April 18, 2009

Washington - -- The Environmental Protection Agency's declaration Friday that greenhouse gases endanger the public paves the way for new federal regulations for cars, power plants and factories that spew pollutants blamed for climate change.

The agency's proposed finding, set to be finalized after a 60-day review period, also intensifies pressure on Congress to pass legislation with new limits on the emissions of carbon dioxide and other heat-trapping gases.

"The EPA is demonstrating that it will act expeditiously to address climate change," said Sen. Dianne Feinstein, D-Calif. "This is a major reversal of Bush administration policy."

The EPA concluded Friday that there is overwhelming and compelling evidence that "greenhouse gases in the atmosphere endanger the public health and welfare of current and future generations" by spurring climate change that can lead to rising sea levels, more wildfires and degraded air quality. The endangerment finding applies to carbon dioxide and five other greenhouse gases, including hydrofluorocarbons and methane.

The EPA's move was compelled by a 2007 Supreme Court ruling that greenhouse gases qualified as pollutants under the Clean Air Act and could be regulated if the government decided they threaten the public. But the EPA under former President George W. Bush did not make a determination about greenhouse gases.

'A game changer'

Rep. Ed Markey, D-Mass., the head of the House Committee on Energy Independence and Global Warming, called the EPA's ruling "a game changer."

"It now changes the playing field" for lawmakers, who recognize that some regulation of the pollutants is inevitable, even if Congress doesn't act, Markey said. The only question is whether the limits would be imposed solely by the EPA or set by lawmakers on Capitol Hill.

"It is now no longer a choice between doing a (climate change) bill or doing nothing," Markey said. "It is now a choice between regulation and legislation."

Sen. Barbara Boxer, D-Calif., who chairs the Senate committee dealing with climate legislation, agreed. She called the decision "a wake-up call for Congress." If Congress doesn't move, Boxer said she would press EPA to take swift action.

Environmentalists cheered the EPA finding and said it demonstrates that the Obama administration is committed to combatting climate change.

Obama's EPA is "putting science back in its rightful place at the forefront of environmental policy" and "has embraced the basic facts on global warming that scientists around the world have acknowledged for years," said Luke Metzger, director of Environment Texas, an environmental advocacy group. "Common sense prevailed over pressure from 'big oil' and other big polluters to deny the obvious in order to maintain the status quo on energy."

The finding is the first step toward EPA regulation of greenhouse gases. The agency likely would begin with cars and trucks, which produce about 30 percent of the nation's carbon dioxide emissions, before moving on to stationery sources, such as power plants and industrial operations.

Congress could act

Congress, which is in the early stage of a debate over broad energy and climate change proposals, could pre-empt federal regulations by enacting new emissions limits and allowing oil

refineries, manufacturers and other industrial operations to comply with the limits by buying and selling emissions allowances.

Business leaders warned that the EPA's finding - and nationwide emissions limits - could devastate the already ailing U.S. economy, and give a competitive advantage to manufacturers in countries that do not set similar limits.

EPA "regulations could impose complex, costly requirements on restaurants, colleges, schools, shopping malls, bakeries and many other businesses and institutions," said Jack Gerard, president of the American

Petroleum Institute. He called the Clean Air Act "fundamentally ill-suited to addressing the challenge of global climate change."

Sen. Lisa Murkowski of Alaska, the top Republican on the Senate Energy and Natural Resources Committee, said she is disappointed by the EPA action.

"Placing a mandatory cap on carbon emissions has serious implications for every corner of our already fragile economy," Murkowski said. "The Clean Air Act was not designed to address carbon emissions, and is, at best, a very blunt instrument."

Oil industry objection

Charles Drevna, president of the National Petrochemical and Refiners Association, said that if the EPA decides to regulate greenhouse gas emissions, it would be a huge "assertion of authority over the U.S. economy and Americans' lifestyles."

"Before moving forward with regulation, the United States must ensure that other major global contributors are similarly committed to reducing their ambient greenhouse gas concentrations," Drevna said. Otherwise,

"American economic competitiveness would be compromised."

New pollution limits seen for cars, big plants

By H. Josef Herbert, The Associated Press

In the Washington Post, the S.F. Chronicle and other papers, Saturday, April 18, 2009

WASHINGTON -- Cars, power plants and factories could all soon face much tougher pollution limits after a government declaration Friday setting the stage for the first federal regulation of gases blamed for global warming.

The Environmental Protection Agency took a big step in that direction, concluding that carbon dioxide and five other greenhouse gases are a major hazard to Americans' health. That was a reversal from the Bush administration, which resisted such a conclusion and said it would be costly for companies to meet new emission limits and therefore could harm the national economy.

"In both magnitude and probability, climate change is an enormous problem (and) the greenhouse gases that are responsible for it endanger public health and welfare," said the EPA, concluding the dangers warrant action under federal air pollution laws.

It was the first time the federal government had said it was ready to use the Clean Air Act to require power plants, cars and trucks to curtail their release of climate-changing pollution, especially carbon dioxide from the burning of fossil fuels.

The agency said the science pointing to man-made pollution as a cause of global warming is "compelling and overwhelming." It also said tailpipe emissions from motor vehicles contribute.

EPA Administrator Lisa Jackson cautioned that regulations are not imminent and made clear that the Obama administration would prefer that Congress address the climate issue through a broader "cap-and-trade" program that would limit heat-trapping pollution.

But she said it was clear from the EPA analysis "that greenhouse gas pollution is a serious problem now and for future generations" and steps are needed to curtail the impact.

Even if actual regulations are not imminent, the EPA action was seen as likely to encourage action on Capitol Hill.

It's "a wake-up call for Congress" _ deal with it directly through legislation or let the EPA regulate, said Sen. Barbara Boxer, D-Calif., who chairs the Senate committee dealing with climate legislation. If Congress doesn't move, Boxer said she would press EPA to take swift action.

Rep. Ed Markey, D-Mass., whose House Energy and Commerce subcommittee hopes to craft legislation in the coming weeks, called the EPA action "a game changer."

"It now changes the playing field with respect to legislation. It's now no longer doing a bill or doing nothing. It is now a choice between regulation and legislation," said Markey.

Republicans and some centrist Democrats have been critical of proposed cap-and-trade climate legislation, arguing it would lead to much higher energy prices. Such a measure could impose an economy-wide limit on greenhouse gas emissions but let individual companies or plants trade emission allowances among each other to mitigate costs.

House Republican leader John Boehner of Ohio called EPA's move toward regulation "a backdoor attempt to enact a national energy tax that will have a crushing impact on consumers, jobs and our economy."

But environmentalists called the EPA action a watershed in addressing climate change.

"It's momentous. This has enormous legal significance. It is the first time the federal government has said officially the science is real, the danger is real and in this case that pollution from cars contributes to it," said David Doniger, climate policy director for the Natural Resources Defense Council, an advocacy group.

Reaction from energy intensive industries was quick and critical.

"The proposed endangerment finding poses an endangerment to the American economy and every American family," declared Jack Gerard, president of the American Petroleum Institute.

A spokesman for the Edison Electric Institute, Dan Riedinger, said under the EPA approach "the process won't be pretty ... fraught with uncertainty." The group, which represents investor-owned electric utilities, prefers action by Congress rather than federal regulators.

The Bush administration strongly opposed using the Clean Air Act to address climate change and stalled on producing the so-called "endangerment finding" that had been ordered by the Supreme Court two years ago when it declared greenhouse gases pollutants under the Clean Air Act.

The court case, brought by Massachusetts, focused only on emissions from automobiles. But it is widely assumed that if the EPA must regulate emissions from cars and trucks, it will have no choice but to control similar pollution from power plants and industrial sources.

The EPA wants to unleash a "regulatory barrage that will destroy jobs, raise energy prices for consumers, and undermine America's global competitiveness," complained Sen. James Inhofe, R-Okla., one of Congress' most vocal skeptics of global warming.

In addition to carbon dioxide, a product of burning fossil fuels, the EPA finding covers five other emissions that scientists believe are warming the earth when they concentrate in the atmosphere: Methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

EPA paves way for broad emission limits

The agency's proposed 'endangerment finding' may result in regulation of automobiles and other greenhouse gas producers.

By Jim Tankersley and Margot Roosevelt, staff writers

L.A. Times, Sat., April 18, 2009

Reporting from Los Angeles and Washington -- The Environmental Protection Agency on Friday declared that industrial greenhouse gases are a danger to human health and well-being, opening

the way to broad new regulations to reduce carbon dioxide and other planet-heating gases. The finding could lead to far-reaching rules that are likely to heavily affect cars and trucks, which account for nearly a quarter of the nation's greenhouse gas emissions, and utilities, which are responsible for more than a third.

Virtually all major areas of the economy could be affected, including oil, chemicals, cement, steel, forestry and large-scale farming.

The EPA finding marks a sharp change in direction from the Bush administration, which cast doubt on the science behind climate change and sought to delay government intervention. It also sends a strong signal to other nations that the U.S. is prepared to slash its contribution to greenhouse gas emissions as diplomats prepare for a December gathering in Copenhagen to negotiate a new treaty on climate change.

It also exerts pressure on Congress to move forward on comprehensive climate change legislation. Rep. Henry A. Waxman (D-Beverly Hills), co-author of a bill to create a national market to cap emissions and allow trading of credits, praised the EPA action but said it would be up to Congress to "break our dependence on foreign sources of energy and help transform our economy."

EPA Administrator Lisa P. Jackson said addressing the climate issue would "create millions of green jobs and end our country's dependence on foreign oil."

But opponents of such regulation warn that it will further hurt an ailing economy. The House's top-ranking Republican, Rep. John A. Boehner of Ohio, called the EPA's finding "a backdoor attempt to enact a national energy tax."

The proposed "endangerment finding," which would be finalized after a 60-day comment period, was prompted by a Supreme Court decision in 2007 that ordered the EPA to review scientific evidence for regulating climate-altering gases under the Clean Air Act. If Congress failed to pass legislation, the agency could move forward on its own.

"The Obama administration now has the legal equivalent of a .44 magnum" to force congressional action, noted Frank O'Donnell, president of Clean Air Watch. "The bullets aren't loaded yet, but they could be."

President Obama has said he wants to put the country on a course to slash greenhouse gas emissions 80% by mid-century, a level scientists say is necessary to prevent the worst effects of climate change, including heat waves, flooding, sea-level rise, ocean acidification, water shortages and the widespread extinction of wildlife and plant species.

The next test of Obama's resolve, environmentalists noted, will be the EPA's decision on whether to grant California's petition to proceed with its first-in-the-nation rules to cut carbon dioxide pollution from automobile tailpipes. The agency is set to make a decision by June 30.

But with a massive restructuring of the auto industry under negotiation, carmakers argue the decision on California's auto rules should be postponed.

If it is not, 13 other states and the District of Columbia have committed to adopting California standards. That would essentially require a major increase in fuel efficiency across 40% of the U.S. car market.

"While the federal government was asleep at the wheel for years, we in California have known greenhouse gases are a threat to our health and to our environment," Gov. Arnold Schwarzenegger said Friday. "That's why we have taken such aggressive action."

As a practical matter, officials said a federal endangerment finding would have little effect on California, which, in 2006, passed a comprehensive law to slash the state's greenhouse gas emissions to 1990 levels by 2020.

Besides passing carbon dioxide rules for vehicle tailpipes, California is well along on determining how much carbon each industry is responsible for cutting.

The state has committed to obtain a third of its electricity from solar, wind and other renewable sources by mid-century. And next week it is expected to pass the world's first regulation to ratchet down the carbon intensity of gasoline and other transportation fuels, from production to combustion.

"We welcome the federal government into the field, so the rest of the country can have the same benefits," said Mary D. Nichols, chairwoman of the California Air Resources Board.

Cutting emissions nationwide will be far more difficult because half of the nation's electricity is generated by coal, the most carbon-intensive fuel. Coal states, including Obama's home state of Illinois, are lobbying heavily against tough rules on their plants.

This week, a group of eight leading conservative and free-market activists, including Grover Norquist of Americans for Tax Reform, also warned that "an endangerment finding would lead to destructive regulatory schemes that Congress never authorized. . . .

"The administration will bear responsibility for any increase in consumer energy costs, unemployment and GDP losses."

However, William Kovacs, a vice president of the U.S. Chamber of Commerce, said that even with an endangerment finding, the EPA would be able to delay emission limits until technology improves and compliance costs fall to avoid what he called "disastrous" regulations that would all but put the agency in charge of the entire economy.

The EPA has scheduled public hearings on the finding, in suburban Washington and in Seattle. On Friday, the Sierra Club launched a campaign to generate half a million comments in support of Obama's climate agenda.

EPA declares carbon dioxide danger to public Move overturns policy of Bush administration

By John M. Broder

San Diego Union-Tribune, Saturday, April 18, 2009

WASHINGTON – The Environmental Protection Agency yesterday formally declared carbon dioxide and five other heat-trapping gases to be pollutants that endanger public health and welfare, setting in motion a process that will lead to the regulation of the gases for the first time in the United States.

The EPA said the science supporting the proposed endangerment finding was "compelling and overwhelming."

Although the finding had been expected, supporters and critics said its issuance was a significant moment in the debate on global warming. Many Republicans in Congress and industry representatives warned that regulation of carbon dioxide emissions would raise energy costs and kill jobs; Democrats and environmental advocates said the decision was long overdue and would bring long-term social and economic benefits.

The EPA administrator, Lisa Jackson, said: "This finding confirms that greenhouse gas pollution is a serious problem now and for future generations. Fortunately, it follows President Obama's call for a low-carbon economy and strong leadership in Congress on clean energy and climate legislation."

The EPA announcement did not contain specific targets for reductions of heat-trapping gases or new requirements for energy efficiency in vehicles, power plants or industry. Those will come after a 60-day period of comment or in any legislation that emerges from Congress.

The United States has come under international criticism for trailing other industrialized nations in regulating emissions of carbon dioxide and other pollutants tied to global warming. With this move and steps by Congress toward a cap-and-trade system to curb heat-trapping gases, the U.S. government can now point to progress as nations begin to write a new international treaty on climate change.

The European Union already has a system of trading permits for industrial emissions of heat-trapping gases in which polluters can meet limits either by reducing emissions or buying credits from more efficient producers. Europe also has a system for regulating emissions of heat-trapping gases from vehicles.

Japan and several other nations have programs limiting tailpipe pollution that are more stringent than the limits expected to be proposed by the EPA.

Sen. Christopher Bond, R-Mo., said the agency's regulation of heat-trapping gases would be expensive and cumbersome.

"The Obama administration's actions today," Bond said, "will do more to endanger families, farmers and workers with new energy taxes and lost jobs than it does to protect the environment."

As the EPA begins the process of regulating the climate-altering substances under the Clean Air Act, Congress is writing wide-ranging energy and climate legislation that would alter, combine with or override the actions taken by the agency. Obama and Jackson have said they much prefer that Congress address global warming rather than have the EPA tackle it through administrative action that could be subject to lawsuits.

In 2007, the Supreme Court, in *Massachusetts v. EPA*, ordered the agency to determine whether heat-trapping gases harmed the environment and public health. The case was brought by states and environmental groups to force the EPA to use the Clean Air Act to regulate heat-trapping gases in vehicle emissions.

Agency scientists were virtually unanimous in determining that those gases caused such harm, but top Bush administration officials suppressed their work and took no action.

In his first days in office, Obama promised to review the case and act quickly if the findings were justified. The announcement yesterday is the result of that review.

According to the EPA announcement, the finding was based on rigorous scientific analysis of six gases – carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride – that have been widely studied by scientists. The agency said its studies showed that concentrations of the gases were at unprecedented levels as a result of human activity and that it was highly likely that those elevated levels were responsible for an increase in average temperatures and other climate changes.

Among the ill effects of rising atmospheric concentrations of the gases, the agency found, were increased drought, more heavy downpours and flooding, more frequent and intense heat waves and wildfires, a steeper rise in sea levels and harm to water resources, agriculture, wildlife and ecosystems.

Auto companies, utilities and others tied to polluting emissions had long dreaded this day but generally reacted with caution because the regulatory process had just begun and they hoped to address their concerns in the legislation before Congress.

The Alliance of Automobile Manufacturers, comprising 11 major vehicle makers, said its members were developing cars and trucks to meet the expected tougher emissions standards.

A utility lobbyist in Washington, Scott Segal, said that while the finding arose from a case involving automobile emissions, its effects would be widely felt, particularly among industries dependent on fossil fuels.

The EPA ruling will not have an immediate effect on California's application for federal permission allowing the state to regulate greenhouse gas emissions from vehicle tailpipes, said Mary Nichols, chairwoman of the state Air Resources Board.

But she said the EPA move "only strengthens the basis for our action."

In 2002, the state passed a law to regulate such auto emissions but needed a federal waiver to do so. The Bush administration had blocked the waiver. Obama administration officials have suggested they would approve it.

Republican Gov. Arnold Schwarzenegger also applauded the EPA's action.

"Two years after the Supreme Court declared greenhouse gas emissions a pollutant, it's promising to see the new administration in Washington showing signs that it will take an aggressive leadership role in fighting climate change," he said in a statement.

Much left to do as Earth Day approaches

By Dana Bartholomew, staff writer

L.A. Daily News, Monday, April 20, 2009

Ellen Mackey sits in the garden behind her house. Mackey and her daughter Alexi live in a very environmentally friendly house in Sun Valley, CA 4/14/2009. Photos by John McCoy/staff photographer Ellen Mackey circles the paradise of drought-tolerant plants edging her model eco-home and pauses before its electric meter, triumphant.

Its wheel is turning backward - her 36 rooftop solar panels injecting juice back into the city's power grid.

"I use so little electricity the DWP tells me I'm one of their worst customers," said Mackey, 57, of Sun Valley. "If every L.A. homeowner set up solar ... we could severely limit our use of electricity, reduce fossil fuels, limit global warming and stop giving money to people who hate us."

Back on April 22, 1970, the ecologist had joined 20 million Americans in a grass-roots call for environmental action they named Earth Day. They were angry that acid rain fell in the East, rivers burned in the Midwest, and Los Angeles choked beneath a thick brown blanket of smog.

This week, Mackey will join a projected 1 billion people around the world on Wednesday for an Earth Day rally to safeguard Mother Earth.

Nearly 40 years after the first widespread call for environmental protection helped spawn a tangle of regulations against pollution, the air looks cleaner, the waters appear bluer and the roads seem to draw less litter.

But despite such gains - and a global consciousness gone green - many scientists say the planet is in jeopardy. Oceans are sick. Forests are clear-cut. And plant and animal species face extinction from climate change and a critical loss of habitat.

"We all agree that we're in much worse shape than in 1970," said Kathleen Rogers, president of the Earth Day Network, the group that organized Earth Day.

"We've cleaned up the stuff we can see. But it's the stuff we can't see - particulates in the air, toxins, the impact of persistent organic pollutants that turn male fish into female fish - that are more prevalent.

"We have a major battle ahead of us."

Earth Day festivals in the San Fernando Valley this weekend featured attractions from yogis to zero-emissions cars.

But can individual contributions like curbside recycling, canvas shopping bags or native plants help avert a pending environmental cataclysm?

"It takes one person at a time," said Stephanie Lallouz, producer of the Topanga Earth Day Festival. "It's an awakening."

Flashback to 1970.

Protests against the Vietnam War spilled over to outrage about industrial pollution: Oil that fouled Santa Barbara beaches. Bald eagles threatened by DDT. The Cuyahoga River in Cleveland again aflame.

In response, U.S. Sen. Gaylord Nelson, D-Wis., proposed Earth Day, the first nationwide environmental protest. A modern green movement was born.

"It sounds as if the land has gone mad, and in a way some of it has - mad at man's treatment of his environment," said Life magazine following the first Earth Day event.

The green-flag event helped launch the Environmental Protection Agency and passage of the Clean Air, Clean Water and Endangered Species acts.

Since then, the smog alert has largely vanished from Los Angeles.

But environmental action did not, necessarily, make for an entirely healthier environment.

Global warming, habitat loss and hunting put one out of four mammals - including the Tasmanian devil - at risk of extinction by the end of this century, according to a 2008 report by the International Union for Conservation of Nature.

In addition, overfishing and acidification of the seas threaten coral reefs and marine species such as the Chinook salmon. Dead zones now lurk off the West Coast.

"In many ways, things have gotten better, in many ways, they've gotten worse," said Ashwani Vasishth, professor of urban planning at California State University, Northridge, and founder of the year-old Institute for Sustainability.

While Southern California's air is visibly cleaner, with fewer extremely smoggy days, Vasishth said that overall particulate levels have increased.

"What we call pollution is shifting," he said. "How we measure harm to the environment is changing. We're better informed. We're more aware of our risks.

"If there's one thing we need to be concerned about, it's climate change. We're running out of water, we're running out of arable fertile land, of topsoil, we're running out of carrying capacity of our oceans. We've been losing species at an accelerated rate."

In 1970, the Earth was home to 3.7 billion people; today, there are 6.7 billion, an 80 percent increase. In the same period, the U.S. population grew from 205 million to 306 million, while California's population nearly doubled to 40 million.

Meanwhile, climate change has boosted the average Earth temperature by 0.7 degrees Fahrenheit, enough to melt polar ice caps and raise the sea level 3 inches.

Carbon dioxide, a greenhouse gas blamed for global warming, has increased 18 percent. The impact of climate change, according to federal environmental regulators, ranges from drought to floods to more intense storms, in addition to harming water resources, agriculture, wildlife and ecosystems.

"It's the population, it's killing us," said Bill Patzert, a research oceanographer at NASA's Pasadena-based Jet Propulsion Laboratory, who for a decade has lectured on the dangers of climate change. "We're worse off than we were before.

"The bottom line is that, in spite of all the good intentions of Earth Day - and all the do-gooders like me - we've dug ourselves into a deeper hole than we were in 40 years ago."

Rogers, of Earth Day Network, says it's incumbent upon the environmental and corporate communities to invest in green technology.

"We all need to become political," she said. "I believe in volunteerism, but 99 percent of Earth Day is civic action, it's public policy. It's getting out there and telling other people in charge, 'We're not going to put up with it any more.'

"Because of climate change, we don't have the luxury of sitting around anymore as citizens and waiting for something to happen."

Mackey and her daughter, Alexia, weren't about to wait before transforming their 1950s tract house into a model eco-home.

Ellen Mackey was 19 when she demonstrated in the 1970 Earth Day in Haverhill, Mass.

"We didn't know what to do," she said. "So we picked up trash. We talked about whales. About clean water. Clean air. Pollution. Healthy issues.

"We wanted to change the world, to make a difference. I guess I never grew up. I still believe that one person can make a difference - that I, and my daughter, can make a difference."

Mackey, now a senior ecologist for the Metropolitan Water District, has co-authored a book on Southern California native plant gardens. She's also a past president of the Theodore Payne Foundation of Sun Valley and the Eco-Home Network of Silver Lake.

When she bought her 1950s home 12 years ago, her first water and electricity bill was \$238.

That was before she converted the 1,800-square-foot house on a suburban cul-de-sac to an affordable-energy and water-conservation home.

First came the \$17,000 solar energy system - funded by a 70 percent rebate from the Department of Water and Power.

Then came \$10,000 in double-pane windows. Nearly \$1,700 in insulation in the attic, walls and floor. And a host of personal touches, including a recycled glass-and-granite countertop, composite wood hot tub deck and a needlepoint that reads "Reduce Reuse Repair Recycle."

Outside her home is an extensive low-water garden that includes native flowers like purple sage interspersed with organic foods like tomatoes, blackberries and crook-neck squash.

Today, her highest utility bills are \$70 for two months of winter heat. In summer, she employs a swamp cooler, but pays no power bill. When it's 100 degrees outside, it's a temperate 75 inside.

"We have a planetary problem," said Mackey, standing next to a barrel used to catch rainwater. "We need people to know they can do this, on their budget, reducing their consumption of water and electricity.

"It'll make a difference, to the state, to the nation, all the way to the polar bears. ... You have to believe you can make a change.

"Or you'd give up."

Legacy for the planet

By Maritza Velazquez, staff writer

L.A. Daily News, Friday, April 17, 2009

Earth Day 1970 was the end of innocence. Before that, not many people realized how their activities affect the environment, and exactly what the implications were to the entire planet.

But the end of innocence launched a growing awareness, according to Robert Neher, University of La Verne dean of the natural sciences division, and environmental science professor.

"For the developed countries, we realized how much damage we had done to the earth at that point," the professor of 51 years said. "And we have made a lot of progress since that time."

On April 22, 1970, more than 20 million people participated in community activities and talks about environmental issues, such as pollution and climate change.

It was an idea spurred by former Wisconsin Senator Gaylord Nelson, who called upon environmental lawyer Dennis Hayes to organize the first Earth Day. Hayes took a cue from "teach-ins" happening at college campuses across the country to protest the Vietnam War. The idea was to orchestrate a large grass-roots movement to try to reverse the damage humans have caused our planet and to learn ways to treat the Earth better.

"I was satisfied that if we could tap into the environmental concerns of the general public and infuse the student anti-war energy into the environmental cause, we could generate a demonstration that would force this issue onto the political agenda," Nelson wrote not long before his death in 2005. "It was a big gamble, but worth a try."

It worked. Political leaders took notice and the Environmental Protection Agency was created the same year. In 1972, Congress amended the Clean Air Act, which set standards on emissions and air quality.

"(These laws) were bare framework or still on the drawing table, but after Earth Day, everything moved amazingly fast," said Kathleen Rogers, president of the Earth Day Network, an organization that seeks to promote a "healthy and sustainable environment, through education and Earth Day events."

According to its Web site, the organization coordinates thousands of Earth Day events every year, which now draw more than 1 billion participants all over the world.

But although Earth Day produced swift results after the first year, Rogers said the "honeymoon" didn't last long, and the movement slowed.

"I think in one way, one of the things the environmental community hasn't done terribly well is take our message out to all the people in the country" who need to understand the threat and change their ways, she said.

Rogers said the world needs innovation and the help of political leaders to push new infrastructure to support the green technologies like solar and wind power.

"I will not put up with the idea that America can't lead" the world, she said. "To get out in front and be in charge of innovation."

The passionate environmentalist said there are many things that the general public can do, like installing wind turbines and solar panels, and buying hybrid vehicles and approved Energy Star products.

"Certainly by next Earth Day, I expect to see a radical shift in the environmental landscape," she said. "And all of us need to get a piece of it."

It will be Earth Day's 40th anniversary in 2010.

This year, Citrus College in Glendora is hosting its very first Earth Day event on April 24. It will feature workshops on various topics, such as carpooling and public transportation, greening your home, paperless offices, and endangered and drought-resistant plants.

It was organized by The Green Team on campus, which pushes for a curriculum that focuses on the environment, while developing ideas on how to make the campus more eco-friendly.

"I know that just talking to different people on campus, they say that they're more aware of what they do now," said Algie Au, biology professor and Green Team coordinator. "That's something that I'm hoping the Earth Day event will trigger - for people to think more about the environment."

The University of La Verne has had an annual Earth Day event on every year since 1970, when author of "The Population Bomb," Paul Ehrlich, was the keynote speaker.

"The earth is what we have to depend on," Neher said. "It's a day we get together and we celebrate the fact that we haven't destroyed everything and that we've made progress. We don't want to forget that."

Evacuation order of entire Minn. town lifted

By Liz Riggs, Associated Press

In the Contra Costa Times, Tri-Valley Herald and other papers, Saturday, April 18, 2009

ST. CHARLES, Minn.—Residents have started returning to a town in southeastern Minnesota after city officials lifted an evacuation order prompted by a large fire at a meat-processing plant.

The 3,600 residents of the town of St. Charles were evacuated Friday because the fire at North Star Foods Inc. threatened tanks of anhydrous ammonia inside the plant.

City Administrator Nick Koverman said Saturday the evacuation order was lifted after an inspection found the tanks were safe and air quality in the area was acceptable.

About 75 percent of the plant appeared to have been substantially damaged.

The state fire marshal's office was investigating the cause of the blaze.

Plant manager Mark Eads said the fire started above an oven where chickens are cooked.

China backpedals on green policies

Economic issues cause priorities to be reorganized

By Jonathan Ansfield, New York Times News Service
In the San Diego Union-Tribune, Sunday, April 19, 2009

DUANJIANG, China – Less than a year ago, officials were pressing mines and factories along this limestone belt of northern China to shut down or move away to clear the air of dust and smog for the Beijing Olympics.

Now, amid the global economic downturn, priorities have shifted.

Cumbersome environmental reviews have been accelerated, state bank loans are flowing freely again and workers are welding the grinding mills of Sanhe Yongsheng Cement, one of the new cement plants under construction not far from China's capital.

"It's a good thing that officials are working faster," said a manager at the Sanhe site, who asked not to be identified because he wasn't authorized to speak for the company. "The economy is looking better now."

In the rush to invest \$585 billion in stimulus spending and revive flagging industrial production, China has backpedaled on some environmental restraints imposed, although with limited impact, during the country's long boom.

The Ministry of Environmental Protection, citing the urgency of fighting the downturn, adopted a new "green passage" policy that speeds approval of industrial projects. In one three-day stretch late last year, it gave the green light to 93 investment plans valued at \$38 billion.

Provincial environmental agencies quickly followed suit, cutting the allotted time limit to review environmental impact assessments from the maximum 60 days to as few as five days in one province. In Hebei, the parched, dust-bowl province that surrounds Beijing, officials announced approval of four cement plants in a single day in January.

Environmentalists said they're worried that the government has squandered a chance to use the downturn to put China on a cleaner growth path, and has instead laid the foundation for another toxic cycle of hypergrowth.

"This is the moment to decide whether we want to keep the old growth model or change it," said Ma Jun, director of the Beijing-based Institute of Public and Environmental Affairs. "But people worry that this new round of development might generate more pollution for the future."

The ministry has acknowledged local abuses of the green-passage policy and issued at least two directives since December aimed at stemming further problems. Zhang Boju, a researcher at the Chinese nongovernmental organization Friends of Nature, said the policy would only make it easier for local regulators to gloss over reports and ignore rules on public disclosure.

But the government's drive to carry out greener standards remains plagued by bureaucratic conflicts of interest and poor coordination. The Environment Ministry, for example, is mired in a bureaucratic tussle over raising vehicle emissions standards by next year. And China's powerful state oil companies are pushing hard to postpone the nationwide rollout scheduled for 2010 because it requires them to invest billions of dollars in their refineries to produce clean diesel, environmentalists said.

[Fresno Bee Smog Blog, Sunday, April 19, 2009:](#)

Two certainties in April: Smog and taxes

By Mark Grossi

The first real warmth arrived in the San Joaquin Valley. So did the first federal ozone violation. Smog and taxes. They both seem pretty certain to get headlines in mid-April around here.

The first violation was in Arvin, which is the Valley's hot spot. That was Saturday.

Today, three monitors showed a federal violation: Arvin, Visalia and Clovis.

Fresno tied a 59-year-old heat record and had a state violation, which means the city's reading was not as high as the other three cities mentioned.

[L.A. Daily News commentary, Monday, April 20, 2009:](#)

My Word: Port of Oakland commissioners need to show true leadership

By Anthony Iton, Brian Beveridge and Jack Broadbent

WE APPLAUD the Oakland Tribune editorial, urging that Port of Oakland commissioners "Must get serious about clearing the port's air." (April 15)

On April 7, Port of Oakland — the fourth-largest container port in the United States — fumbled badly on a critical opportunity to show true environmental leadership when commissioners voted to ignore strong scientific and experience-based clean air recommendations from the Bay Area Air Quality Management District, California Air Resources Board, U.S. Environmental Protection Agency, local environmental, labor and community groups, neighborhood residents and Alameda County Public Health and Environmental Health departments.

In a 5-1 vote, the port adopted a toothless and noncommittal Maritime Air Quality Improvement Plan, effectively devaluing the health of those who work at or live near the port and its major transportation routes, and deferring instead to large retailers and global shipping interests who prefer to avoid responsibility for cleaning up the pollution created in the course of moving their goods.

True, the commissioners funded a two-year stakeholder process specifically intended to develop an air quality plan that reduces emissions and improves the health of Oakland residents. But the port's plan ultimately does little more than reiterate a statewide goal of 85 percent reduction in health risk by 2020.

Port management and the commissioners refused to act on the recommendations of many task force members (including two of the four co-chairs) and all regulatory agencies to include measurable programs to achieve clean air goals.

West Oakland residents are exposed to three times more diesel particulate matter (soot) than other Bay Area residents. West Oakland residents have the highest rates of asthma hospitalizations in Alameda County, 2.5 times greater lifetime risk of cancer, and live on average 14 fewer years than other Oakland residents who live only a few miles away.

West Oakland residents and truck drivers are literally subsidizing the transportation of goods with their health. The price they are paying is in lung cancer, emphysema, heart attacks and premature death. There is no need for this.

Cleaner fuels, exhaust emission reduction technologies, and alternative power systems exist for reducing harmful impacts of maritime shipping on workers and local neighborhoods alike. The Port of Los Angeles has proactively addressed air quality; the Port of Oakland can do the same.

The next defining opportunity for the port commissioners to show leadership in improving air quality and remedy this injustice, will be through the June adoption of a comprehensive truck management program. This program must include clear actions, time lines and funding mechanisms to clean up truck emissions. Without such specifics, it remains unclear what

directives the Port is willing to offer local trucking businesses, which face new state regulations Jan. 1, 2010.

What is needed is a sustainable, economically viable air quality plan that ensures the cost of reducing airborne toxins and carcinogens is borne by the shipping industry and the retail sector whose products are being transported and not low-income truck drivers and community residents. Oakland deserves better.

Dr. Anthony Iton is director of Alameda County Public Health Department. Brian Beveridge is community co-chair of Maritime Air Quality Improvement Plan. Jack Broadbent is executive officer of Bay Area Air Quality Management District.

[Fresno Bee editorial, Sunday, April 19, 2009:](#)

Economy warrants slower implementation of AB 32

Leaders must ensure that it doesn't impose crushing burden on business.

California has been a leader in the effort to reduce greenhouse gas emissions with the adoption of the state's landmark Global Warming Solutions Act of 2006. We have supported this plan, but we are concerned about the aggressive implementation schedule of what is referred to as AB 32.

Business leaders have resisted this measure and other state mandates, especially in this terrible economy. The concern over cost is a legitimate one, and we urge a balanced approach to rolling out this sweeping act.

We agree with AB 32's goals, and there's persuasive evidence of the long-term risks associated with greenhouse gases. That was underscored Friday with the Environmental Protection Agency's announcement that carbon dioxide and other greenhouse gases will be listed as pollutants.

However, California's new regulations are coming too fast and at too high a price tag. Some want to stop implementation in its tracks, but that's not a wise course either.

There's a bill in the state Senate, SB 295, that would delay AB 32 regulations until more thorough cost analyses are done and until the statewide unemployment rate is closer to the normal 5 to 6%. Currently it's twice that for the state and even higher for Valley counties.

SB 295 is scheduled to be heard in the Senate Committee on Environmental Quality Monday. It has little chance of passing. But this might be a good vehicle to start a discussion on how best to enact AB 32. Gov.

Arnold Schwarzenegger, a big proponent of AB 32, should be leading this inquiry.

It's more important to implement AB 32 effectively, rather than rushing regulations onto the books that may not accomplish what they're supposed to or may impose crushing burdens on businesses and farms.

Even some AB 32 supporters are asking reasonable questions about the scoping plan adopted in December by the Air Resources Board.

The independent Legislative Analyst's Office found serious weaknesses in the economic analyses done by the air board, and air board leaders agreed to more thorough estimates by the end of 2009. Meanwhile, the board has started adopting rules that will go into effect as soon as 2010.

There are strong arguments for the state to move deliberately rather than hastily. The goals of the Global Warming Solutions Act must be achievable to be effective.

[Modesto Bee editorial, Sunday, April 19, 2009:](#)

Go slow on enacting global warming regs

Agriculture, business and local government leaders in the valley regularly resist state mandates -- and often with good reason.

There's a predictable resentment toward being told what to do. But on top of that, there's usually a larger -- and more legitimate -- concern over cost. The sense is that Sacramento orders big steak dinners and the locals have to provide them on hamburger budgets.

The recession has only exacerbated these feelings. Now, business and governments face myriad regulations to implement the state's sweeping Global Warming Solutions Act, known as Assembly Bill 32.

The legislation, passed in 2006, makes California a worldwide leader in addressing the impact of climate change. We agree with the goals. There's persuasive evidence of the long-term risks associated with greenhouse gases. That was underscored Friday with the Environmental Protection Agency's announcement that carbon dioxide and other greenhouse gases will be listed as pollutants.

However, we share the concerns of ag, business and local governments that the state's regulations are coming too fast and with too high a price tag in this horrible economy.

This month, the Modesto City Council and the Stanislaus County Board of Supervisors voted to support Senate Bill 295, which would delay AB 32 regulations until more thorough cost analyses are done -- and until the statewide unemployment rate is closer to the normal 5 percent to 6 percent. Currently, it's twice that for the state and three times that for Stanislaus County.

SB 295 will be heard Monday in the Senate Committee on Environmental Quality. It's given little chance to be enacted for a number of purely political reasons: It was written by a Republican; it would require two-thirds approval to pass as an urgent matter; and, ultimately, because global warming is one of the governor's pet projects.

We understand all that, but we hope that state leaders, including the governor and the California Air Resources Board, will nonetheless hear the message of SB 295.

It's more important to implement AB 32 effectively than it is to rush into regulations that may not accomplish what they're designed to do or that may impose crushing burdens on businesses and farms.

Even AB 32 supporters are asking reasonable questions about the scoping plan adopted in December by the air board.

The independent and reliable Legislative Analyst's Office found serious weaknesses in the economic analyses done by the air board. It agreed to more thorough estimates by the end of 2009. Meanwhile, however, it has started adopting rules that will go into effect as soon as 2010.

Assemblyman Bill Berryhill, R-Ceres, has signed on as a co-author of SB 295. He says his goal is not to gut AB 32 but to slow it down so that the rules don't end up eliminating jobs in a state where the unemployment rate has hit 11 percent. Furthermore, he believes the technology is close to being able to achieve many of the greenhouse gas reduction goals.

Those are both good arguments for the state to move deliberately rather than hastily.

The Global Warming Solutions Act is admirable, but the solutions must be achieved without crushing the fragile budgets of businesses, farmers and local governments.

[L.A. Times editorial, Monday, April 20, 2009:](#)

California's proposed Low Carbon Fuel Standard It isn't perfect, but it's an ambitious and worthy effort.

Until somebody comes up with a way to power a car with garbage, like the time-traveling DeLorean in "Back to the Future," our options are limited: gasoline and diesel, electricity, natural gas, liquid coal, hydrogen or plant-derived biofuels such as ethanol. Most people on both the right and the left agree that if we want to decrease our reliance on foreign oil and/or slow the progress of climate change, we're going to have to use less of the first two and focus on some combination

of the remaining five. Yet pursuing the alternatives can cause environmental and economic damage that's as bad as, or worse than, that of oil and gasoline. So how do we come up with regulations that encourage cleaner fuels and discourage destructive ones, without making technology decisions that are better left to the free market?

That's the challenge the state of California is taking on by creating a Low Carbon Fuel Standard, which after more than a year of development and hearings by the state Air Resources Board is slated for approval Thursday. It's a daunting task, all the more so because the state is trying to do something that hasn't been tried before: regulate not just the direct "life-cycle" emissions from producing, transporting and using fuels, but the indirect emissions that result when land is converted to grow crops for biofuels.

This matters a great deal, because not all biofuels are created equal. Some of them, particularly ethanol produced from corn, raise food prices, pollute waterways as more fertilizer is spread over the fields, and encourage farmers in places such as Latin America to cut down more rain forest to grow crops. Yet measuring these indirect effects relies on untested and possibly unreliable science, which is why the biofuels industry is in an uproar over California's proposed regulation.

The goal of the Low Carbon Fuel Standard is to lower the "carbon intensity" of fuels sold in California 10% by 2020. It does this by using complex formulas to score each type of fuel based on its life-cycle emissions; carbon intensity is calculated by comparing the amount of greenhouse gases emitted by a fuel over its life cycle with the amount of energy it produces. Starting in 2011, companies that sell fuel in California will have to lower the overall carbon intensity of their various fuels at a rate that will increase every year until 2020, or else buy credits from companies that sell cleaner fuels.

Oil company lobbyists have sought to persuade the air board to delay adoption of the rule, saying it could raise fuel prices and disrupt supplies because there may not be enough low-carbon fuel available to meet the standards. Yet state analysts believe that the rule will actually lower wholesale fuel prices, producing a "savings" of \$11 billion over a 10-year period. Whether this money will be passed on to consumers in the form of lower prices or collected as profit by fuel providers is an open question.

Actually, the questions don't end there. Fuel prices are affected by a host of unpredictable variables, so trying to predict them a decade in advance is usually a waste of time. And the new state standard is flexible; if it does produce price and supply disruptions, the air board can simply push back the schedule, giving fuel suppliers more time to comply.

The objections from biofuel producers are more troubling. They focus on a penalty for "indirect land use change" that would be applied only to biofuels when calculating their carbon intensity. This is triggered when production of a certain biofuel causes a rising demand for the plants it's made from.

There are two types of biofuels: the first-generation fuels in mass production today, which are mostly made from food crops, and the second-generation fuels still under development. The latter can be made from nearly any kind of plant material, including wood chips, agricultural waste or native plants that require little watering or fertilizer, such as switchgrass and miscanthus.

Clearly, second-generation fuels -- also called "advanced biofuels" or "cellulosic ethanol" -- will have less negative environmental and economic impact than first-generation fuels. The indirect land use change penalty would give the advanced fuels a boost and discourage food-based fuels by calculating the carbon emissions that result when farmers convert land to grow biofuel crops and adding that number to the fuel's carbon intensity score.

Corn ethanol, by far the most common biofuel in the United States, serves as an instructive example. Because of congressional mandates, ethanol production has risen dramatically in recent years. As American farmers began growing more of their crops for fuel instead of food, U.S. corn exports dropped and world corn prices rose sharply. Fields that were formerly used for crops such as soybeans and wheat were converted to corn, causing prices for those commodities

to rise too. That prompted farmers in other countries to clear more forest land, which serves as a "sink" for storing atmospheric carbon, to grow corn, soybeans and wheat.

California plans to use a sophisticated computer model to calculate the environmental damage that results from such land use changes, and apply the penalty to land-intensive biofuels. According to some scientists, this model is inadequate. It can't predict changes in weather, politics or agricultural technology that can have big impacts on land use. Further, the biofuels industry argues that it's being unfairly singled out, because there is no indirect penalty charged to other fuels, such as petroleum or electricity.

That last argument has little merit; the industry hasn't identified any indirect effects from those fuels that are anywhere near as significant as the emissions created by land-use changes. And while the potential unreliability of the computer model is troubling, biofuels backers are overstating the problem. The model is based on the best science available, and it will improve over time as the science improves. Just because it isn't perfect doesn't mean it isn't good. Moreover, it's vital to include indirect land use changes in the fuel standard, because failing to do so would encourage environmentally unfriendly fuels and defeat the purpose of the initiative.

California's efforts to regulate fuels are being watched very closely by other states and countries, many of which will base their own programs to clean up fuel supplies on the Golden State's. It's an ambitious and extremely worthy project that deserves to be approved Thursday.

[Bakersfield Californian commentary, Saturday, April 18, 2009:](#)

Shut 'er down: Redevelop refinery land

The fiscal crisis gripping the country, and the entire globe, is hitting Bakersfield in increasingly dramatic ways. Local unemployment is growing, especially in the oil sector, which has been a local mainstay for decades. Closing businesses and deteriorating property values are socking the Bakersfield and Kern budgets as well, resulting in cutbacks in services and bleak forecasts for the future.

Big West's recent bankruptcy filing embodies a low point for our community, but the fact of the matter is that the facility is outdated and beyond its years. Big West would need an investment of hundreds of millions of dollars in order to begin operating efficiently again. As a community, we cannot realistically count on this happening.

The old refinery now has about as much life in it as the decommissioned, and rusting, PG&E facility across Coffee Road. Add to that the adjacent 250-plus dormant acres that once was home to the Sunland Oil refinery, and you have nearly 1,500 acres of fallow land in the heart of northwest Bakersfield primed for economic development.

All of this prompts the question: Do we transform these huge, centrally located properties into a modern use that can symbolize Bakersfield's economic future, or do we let this central core continue to decay and stand as a symbol of our city's economic past?

The choice is obvious. The Big West refinery should be dismantled and sold off piece by piece, and the PG&E eyesore should be taken down as well. Removing these industrial dinosaurs will pave the way for new, modern industry and commerce. It is time for civic, business and elected leaders to look at these properties as a catalyst to attract job-producing businesses.

The city should develop an economic plan for this land, chock full of incentives, while supporting development of office parks and light manufacturing facilities that meet the needs of solar, wind and other sustainable energy companies.

And we have to move the impediments to economic growth out of the way. The fees imposed by the air quality district and the transportation fees being assessed by the City and the County will likely mean that no economic development can occur.

Our elected leaders need to fix this. And our leaders have to get projects approved more quickly. Businesses cannot wait years for environmental impact reports, [air quality studies](#) and traffic studies to be approved. That is plain economic suicide.

Plans are underway to transform the property at Coffee and Brimhall roads into a thriving district with offices, manufacturing and retail stores, parks and open space. Let's give it a chance to succeed.

Succeeding there could have positive, long-term impacts for the entire county. If today's economic meltdown is to provide any lesson, it is this: Bakersfield needs to look to the future and embrace new ways of doing business, and that includes getting projects approved and providing economic incentives to create jobs.

This is an edited version of Lou Gomez's March 27 Community Voices article, which has been selected as the March Letter of the Month.

[Orange County Register editorial, Monday, April 20, 2009:](#)

Consider costs of environmental edicts

There's potentially good news on the environmental front out of Washington D.C., but it's probably more than offset by a devastating announcement Friday.

First, the good news. The U.S. Supreme Court ruled 6-3 that the Environmental Protection Agency, when upgrading older power plants, may consider costs before demanding use of the most advanced technology, as required by law. The ruling was a defeat for environmentalists, who challenged the Bush administration's discretionary practice.

Hans Bader, special projects counsel for the Competitive Enterprise Institute think tank, told us the ruling permits continued cost-benefit analysis as an option in upgrades such as at issue in the lawsuit brought by New York-based environmental group Riverkeeper. The group sued under the Clean Water Act's requirement that upgrades must include "the best technology available for minimizing adverse environmental impact."

Water drawn from U.S. waterways to cool power-plant machinery kills billions of fish and other small aquatic creatures that are crushed against intake screens or sucked into cooling systems. Newer plants with advanced technology reduce the kill rate by 98 percent.

If government required the "best technology available" in every case it would cost \$3.5 billion a year, according to the EPA's estimate. While the ruling let stand the Bush administration's weighing of costs against environmental benefits, it is unknown how President Barack Obama's EPA will use that same discretion.

The bad news is that the EPA on Friday declared carbon dioxide and five other so-called greenhouse gas emissions to be harmful, under similar discretion provided by a previous high-court ruling. Finding the naturally occurring CO₂ harmful gives government the authority to regulate the gas as it does truly harmful air pollutants.

CEI and other free-market advocates had written EPA Administrator Lisa Jackson, warning that such a finding would "set the stage for an economic train wreck." The EPA's determination that CO₂ endangers the environment by contributing to the greenhouse gas effect – a point disputed among scientists – triggers a rule-making procedure that will affect "1.2 million previously unregulated entities, office buildings, big box stores, enclosed malls, hotels, apartment buildings, even commercial kitchens," said the letter from Marlo Lewis, CEI senior fellow, and others.

The EPA can use its CO₂ finding to pressure Congress to pass cap-and-trade regulations to limit emissions, and to require businesses to buy "permits" for annually declining emissions levels. If Congress balks, as it did last year, the Obama administration could threaten to achieve the same restrictions by administrative edict.

Unlike the power-plant case, the law doesn't give the EPA cost-benefit discretion for air quality matters. By the agency determining CO₂ to be harmful, it necessarily triggers rule-making that explicitly may not take costs into account, Mr. Bader told us.

Nevertheless, in both cases, the Obama administration has the power to determine how much economic pain to inflict. It can and should weigh the high economic cost of protecting tiny fish, but also should minimize the regulatory damage regarding CO2 until the scientific question is settled.

[Letter to the Lodi News Sentinel, Monday, April 20, 2009:](#)

Let's rescind Endangered Species Act regulations

Just before leaving office, the Bush administration issued rules eviscerating the central consultation process of the Endangered Species Act; exempting greenhouse gas-emitting projects from regulation under the Act; and specifically banning federal agencies from protecting the polar bear from greenhouse gas emissions, the primary threat to its continued existence.

These rules gutted our nation's most important wildlife protection law, which has been safeguarding species for more than 35 years, and fail to use this successful law to fight the greatest future threat to endangered species — global warming.

On March 11, President Barack Obama signed into law an omnibus appropriations bill giving Secretary of the Interior Ken Salazar 60 days to rescind the Bush rules with the stroke of a pen and restore the Endangered Species Act to its former glory. This is a golden opportunity for Secretary Salazar to fulfill President Obama's campaign promises to bring science back to federal agencies. As global citizens, we must urge Salazar to do what is right and take the first steps in repairing the environmental damage of the Bush administration by immediately rescinding these Endangered Species Act regulations by May 9.

Call Salazar today at (202) 208-7351 or go to savethepolarbear.org to send him a letter. The survival of endangered species across the planet depends on it.

Jeffrey Womble, Lodi

[Note: The following clip in Spanish discusses the Valley Air District recognizes valley children for their efforts in encouraging adults to help clean our air. Kids for Clean Air contest brought in more than 7,500 pledges to make a change and live a healthy air life from Valley residents. For more information on this Spanish clip, contact Claudia Encinas at \(559\) 230-5851.](#)

Reconocen autoridades ambientales a niños del Valle de San Joaquín que promueven entre adultos cuidar el aire

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Friday, April 17, 2009

Niños de cuarto y quinto grados de escuelas del Valle de San Joaquín en California reunieron casi siete mil 500 firmas de adultos que se comprometieron a cuidar el aire en la región, con medidas que van desde reducir los viajes que hacen automóviles a tiendas y otros sitios hasta prometer que ya no van a quemar leña o madera por ningún motivo.

La oficina distrital de Control de la Contaminación en el Valle reconoció en la reunión de su mesa directiva a los estudiantes y maestros de escuelas de ocho condados quienes en la últimas semanas convencieron a familiares, amigos y conocidos para que adquirieran compromisos saludables.

La portavoz de la Oficina, Claudia Encinas, detalló los premios:

“Cada estudiante recibió en las clases ganadoras un IPOD y las maestras y maestros recibieron una beca de 250 dólares”

Los más de mil 700 niños participantes tienen entre nueve y once años de edad.