

## **EPA exec meets worried parents**

By Rebecca Plevin / Vida En El Valle

Vida en el Valle Wednesday, February 10th, 2010

KETTLEMAN CITY -- Magdalena Romero told the new regional director of the Environmental Protection Agency all about her daughter, América, from the moment the baby was born with birth defects until her death about four months later.

During a private meeting at her Kettleman City home last Wednesday, Romero also showed Jared Blumenfeld, the newly appointed EPA Region 9 director, the altar in her home that honors América's short life.

She even showed him pictures of the baby in her casket.

In an unprecedented show of support for the residents of the rural farmworker community, Blumenfeld traveled to Kettleman City last week to meet area mothers whose babies were born with birth defects between September 2007 and November 2008.

Six babies, out of 63 live births, were born with birth defects in less than two years, according to recently updated figures provided by the Kings County health department.

"Today's meeting gave us lots of hope," Romero said in Spanish. "They promised to help us, and I think they are going to keep their promise. I hope they keep their promise."

Blumenfeld has ordered an internal investigation of the EPA's actions regarding Kettleman City, to ensure the agency has done everything in its authority to minimize environmental exposures in the community.

And Gov. Arnold Schwarzenegger has ordered the state Department of Public Health and the state EPA to conduct an investigation into the birth defects, including interviews with affected families, [studies of the air](#), water and soil, and a review of medical records.

News of the official investigations came as a relief to Romero and other residents, who have been begging local and state officials to conduct a comprehensive health study in Kettleman City for more than a year.

"I feel calmer," Romero said. "I feel like a weight within me has been lifted. I feel relieved, because we are going to have answers soon."

During his visit to Kettleman City, Blumenfeld toured Chemical Waste Management's Kettleman Hills facility, about three-and-a-half miles from the community.

Residents suspect the community's health problems could be attributed, in part, to operations at the facility, which is home to the largest hazardous-waste landfill in the state.

The county Board of Supervisors in late December approved a proposal to expand the landfill.

Blumenfeld then visited two Kettleman City homes and met with the mothers who gave birth to babies with birth defects, as well as with other residents involved in the community's environmental-justice movement.

"I am deeply moved by their honesty and ability to speak so candidly about their heartbreaking experiences," Blumenfeld said in a news release after his visit. "In consideration of their privacy, I will not share the details of those stories, but I will say that I have a better understanding of the issues that confront the residents of Kettleman City."

After meeting with Blumenfeld at her home and telling him about her son, Emmanuel, who was born with birth defects, Maura Alatorre said she felt confident that Kettleman City residents' pleas are finally being heard.

"He told us that he has many places to visit, but he still placed a priority on Kettleman City," Alatorre said in Spanish, after the press conference.

Alatorre said she was impressed by what she considered Blumenfeld's sincere manner during the meetings.

"He listened to everybody with lots of patience," she said. "He behaved in an incredible manner. He is somebody I admire very much."

Lizbeth Canales said she heard Blumenfeld's promises, and she now wants to see the EPA take action.

"I want action, not just words," said Canales, who was six months pregnant when her baby died in her womb in summer 2009.

She said her baby would have been born with heart problems and a badly formed head, hands and feet, making it the seventh baby born with birth defects in the community.

Canales' miscarriage occurred outside the 14-month window between September 2007 and November 2008 when the other babies were born.

"I don't want nobody to go through what I went through, and I hope you guys never do," she said, as she held her 4-year-old son in her arms.

The state public health department was scheduled to report its initial findings at the Kings County Board of Supervisors meeting Tuesday morning and at a public meeting that evening.

## **Loss of stimulus aid hurts ethanol pump plan**

### **Pearson regrouping after bid is rejected**

By Onell R. Soto, Union-Tribune Staff Writer

San Diego Union-Tribune Thursday, Feb. 11, 2010

A San Diego alternative fuels company is scrambling after ethanol politics sideswiped its efforts at securing millions in stimulus funds.

Pearson Fuels, based in City Heights, was behind an application for \$11 million from the federal and state governments to subsidize construction of 55 ethanol pumps across California, including two in San Diego County.

But the regional agency in Los Angeles that would have received the money for the project voted last week to reject it, in part because its members don't believe that ethanol is a worthy alternative to gasoline.

The rejection by the Southern California Association of Governments has meant big changes at Pearson, said owner Mike Lewis, who started the business when he built an alternative-fuel station in City Heights.

"The administrative assistant I had working here is running the cash register at the gas station today, the people at the gas station got their hours cut back immediately," he said.

He said Pearson is still planning to expand its network of ethanol pumps in California, but the loss of the stimulus funding is a blow.

Lewis was going to use the money to install pumps for E-85 ethanol at existing gas stations. The fuel, 85 percent ethanol and 15 percent gasoline, can be burned in flex-fuel vehicles, hundreds of thousands of which have been sold in California in recent years.

Proponents of ethanol say it is better than gasoline because it is derived from plants or other renewable sources and pollutes less.

But opponents say it is bad for the environment because production of corn — the primary raw material — uses copious amounts of water and petroleum-based fertilizers and lots of energy is used to cook the corn and then distill the alcohol after fermentation.

Federal and state officials have decided to push for ethanol fuels to lower pollution and greenhouse gas emissions, plus reduce the use of foreign oil.

The people charged with fighting smog in Los Angeles backed the idea. People need access to biofuels if they are to take advantage of their smog-fighting qualities, said Paul Webb, clean fuels officer for the South Coast Air Quality Management District.

The big problem is the infrastructure, he said. Ethanol can't be put in the pipelines that move oil and gasoline around the country, nor can it be sold out of the same pumps. So new pumps are needed.

But that wasn't convincing to members of the Southern California Association of Government's Regional Council, which is made up of elected officials from Los Angeles area municipalities and government agencies, including transit districts.

"I don't think it's feasible," said Larry Nelson, a city councilman from Artesia, in Los Angeles County. "I don't think it's sustainable. I think it's morally bankrupt," he said.

Internal politics at the government association also complicated matters. Lewis took the lead in the grant applications, but the staff people he was working with hadn't told the politicians at the organization about the application.

While oil companies and agriculture interests have fought over ethanol's value at the national level for years, most local government debates have been the not-in-my-backyard variety concerning particular plants, said Matt Hartwig, a spokesman for the Renewable Fuels Association, a coalition of ethanol makers.

He called the decision to turn down the funds shortsighted.

"It's the only alternative to gasoline we have today," he said. "Those drivers in Southern California who have a flexible-fuel vehicle, who would like to drive on ethanol, have just been told they're not going to be given that opportunity. They've been told, no, we think you should use more gasoline."

Not everyone looks at it that way. Stephen Mayfield, director of the San Diego Center for Algae Biotechnology at the University of California San Diego said ethanol is inferior to biofuels just around the corner because it requires new infrastructure and has less energy per gallon.

He co-founded a local company, Sapphire Energy, which is using algae to make fuels that have been tested in cars and airplanes.

"They are indistinguishable from existing fuels," he said. "(They go) into the same pipelines, to the same refineries. You would not notice one difference at the gas station."

It's not necessary, he said, to make massive changes in infrastructure if companies like his can take advantage of what's already there, he said.

Lewis, whose Pearson Fuels was ready to build dozens of gas pumps, said the policy debate is valid, but the vote in Los Angeles was the wrong place to have it. (He did point out that the stations were planning to get ethanol distilled from old juice and soda, and then from agricultural waste, not corn.)

Federal and state policymakers have decided to back ethanol, Lewis said. His company was ready to put people to work building the stations. "It's really the subcontractors who get hurt the most," he said.

## **Flavor plant's smells aren't sweet to AQMD**

By Brittany Levine, staff writer

The Orange County Register, Wednesday, Feb. 10, 2010

A food-flavoring company that produces the smells of butterscotch and vanilla that waft in the air near Rancho San Clemente Business Park must install an odor- and smog-blocking filter due to recent orders from the South Coast Air Quality Management District.

Flavorchem, which makes flavorings for snacks and frozen desserts, applied for a permit to install the carbon filter in December, according to AQMD records. One month later, the district received four complaints in the same week about odors surrounding the plant – two on Jan. 27. The city of San Clemente has received two complaints about the smells in the past few years, according to city records.

One cause of the odors could be a piece of equipment known as a spray drier, used during the flavoring process. When Flavorchem installed the drier, it didn't put in a carbon filter, which catches volatile organic chemical compounds that the drier releases, said Sam Atwood, an AQMD spokesman. One can't operate without the other, according to AQMD rules.

The compounds, which come from a variety of products, including paints and pesticides, can enter the atmosphere and produce smog, the AQMD says. The compounds can be toxic, but the ones coming from the Flavorchem plant are not, Atwood said.

Flavorchem also never applied for a permit to operate the drier or some other pieces of equipment, Atwood said.

When the AQMD discovered what was happening during a recent routine permit review, it slapped about \$4,500 in fines on the company and told it to install the carbon filter.

When asked about the complaints and the AQMD mandate, Connie Sprovieri, a Flavorchem spokeswoman at the company's headquarters in Illinois, declined to comment. Calls to the San Clemente plant at 271 Calle Pintoresco were not returned.

An AQMD inspector went out several times last month and tracked the odors to Flavorchem. The inspector filed reports of his findings every time, but since Flavorchem has applied for a filter, it is considered in compliance with AQMD rules, Atwood said.

It's the AQMD's job to make sure about 28,000 businesses in the area comply with federal Clean Air Act standards. The AQMD has not issued Flavorchem a Clean Air Act violation notice.

"We can't take any enforcement action until we issue a violation," Atwood said. "But if someone gets one to two to three complaints every month, they will rise to a higher level on our radar screen."

AQMD issues violation notices when it classifies something as a nuisance. That happens when six complaints come on the same day from different sources. When complaints are made, AQMD inspectors meet with the complainants and try to track the origin of the problem. For odors, like in this case, inspectors use their noses.

Local resident Jeremy Mitchum said he often smells butterscotch while driving down Avenida La Pata to take his pet to a dog park below the plant, but the smell doesn't last long.

"It doesn't bother me, but if I smelled it every day, then it might be a factor," said Mitchum, who lives a few miles from the plant.

"I like the smell. Sometimes it smells like vanilla cake," said Thais Murdoch, who lives in Talega and often drives by Flavorchem on her way to the Baron Von Willard Memorial Dog Park.

But Katrina Meyer, another Talega resident, said she hates fruity smells coming from Flavorchem because the scent of perfume bothers her.

From the AQMD's standpoint, the big issue is the effect of smog, or ground-level ozone, in the area. Smog can cause a variety of respiratory problems, including coughing, wheezing and chest pain, especially in children, the elderly and people with asthma, according to the U.S. Environmental Protection Agency.

"We have the worst pollution in the nation," Atwood said of the region that includes Orange, Riverside, Los Angeles and San Bernardino counties.

Many businesses have complained that the slumping economy has made it tough for them to afford AQMD permits. The government agency's South Coast office initiated a temporary program this month that waives fees for permit violations. Flavorchem doesn't qualify because it was cited before the program began.

In 2006, the EPA cited the company's location in Downers Grove, Ill., after Flavorchem did not get construction and operating permits for the plant. The company paid about \$75,000 in penalties a year later.

The EPA has reported no issues with the San Clemente plant, according to Francisco Arcuate, an EPA spokesman in Los Angeles.

### **'Bad actor' pollution bill fails in House**

By Susan Montoya Bryan, Associated Press

In the Tri-Valley Herald, Contra Costa Times, and other papers Wednesday, Feb. 10, 2010

SANTA FE, N.M.—An effort by the Richardson administration to crack down on polluters with a track record of air quality violations was narrowly defeated Wednesday in the House.

The measure would have added a so-called "bad actor" clause to the state Air Quality Control Act. State laws that govern water, solid wastes and hazardous materials already include such a clause.

The legislation would have given the New Mexico Environment Department the authority to deny new air permits or revoke existing ones if a permit holder or applicant met certain conditions, including having a felony conviction related to an environmental crime.

The state also could deny a permit if a business knowingly misrepresented a material fact in its application or refused to disclose information required under the air quality act.

Rep. Brian Egolf, D-Santa Fe, the bill's sponsor, said the majority of businesses with air permits in New Mexico would not be affected by the legislation because they abide by state and federal air quality laws.

However, he said New Mexico has at least a half-dozen bad actors.

"Let's be honest, there are companies operating in the state of New Mexico that shouldn't be," he said. "There are companies in the state of New Mexico that have been fined hundreds of thousands of dollars repeatedly for poisoning our air and for poisoning our water and for putting particulate matter into the air that is breathed in by the lungs of our children.

We've got to stop it."

Opponents questioned why the bill was not reviewed by House judicial and energy committees before being presented to the full House since it could have significant legal implications and impact on coal-fired power plants and other energy developers. \

Rep. John Heaton, D-Carlsbad, said the measure would send a message to business and industry that New Mexico was an unfriendly place.

The measure was defeated 33-32.

In addition to the bad actor clause, the legislation would have required some permit applicants to file a disclosure statement. The disclosure provision would have exempted federal, state and local government applicants as well as corporations registered with the Securities Exchange Commission.

The bad actor bill is HB276.

### **Errors in climate report prompt a push for reform**

**Some scientists are calling for changes in how the Intergovernmental Panel on Climate Change conducts its future work.**

By Associated Press  
In the L.A. Times, Thursday, Feb. 11, 2010

Washington - A steady drip of unsettling errors is exposing what scientists are calling "the weaker link" in the Nobel Peace Prize-winning series of international reports on global warming

The flaws -- and the erosion they've caused in public confidence -- have some scientists calling for drastic changes in how future United Nations climate reports are done. A push for reform is being published in Thursday's issue of the scientific journal Nature.

The work of the Intergovernmental Panel on Climate Change is often portrayed as one massive tome. But it is four separate reports on different aspects of global warming, written months apart by distinct groups of scientists.

No errors have surfaced in the first and most well-known of the reports, which said the physics of a warming atmosphere and rising seas are man-made and incontrovertible. Four mistakes have been discovered in the second report, which attempts to explain how global warming might affect daily life around the world.

"A lot of stuff in there was just not very good," said Kevin Trenberth, head of climate analysis at the National Center for Atmospheric Research and a lead author of the first report. "A chronic problem is that on the whole area of impacts, getting into the realm of social science, it is a softer science."

The second report at times relied on government reports or advocacy group reports instead of peer-reviewed research.

The problems found include:

\* In the Asian chapter, five errors in a single entry on glaciers in the Himalayas say those glaciers would disappear by 2035 -- hundreds of years earlier than other information suggests -- with no research backing it up. An advocacy group was used as a source.

\* A section about agriculture in northern Africa says global warming and normal climate variability could reduce crop yields. But it gets oversimplified in later summaries so that lower projected crop yields are blamed solely on climate change.

\* The report says there are more weather disasters than before because of climate change and that they are costing more. But debate continues over whether increased disaster costs are because of global warming or other societal factors, such as increased development in hurricane-prone areas.

In Thursday's issue of the journal Nature, four climate change panel authors call for reform, including longtime skeptic John R. Christy of the University of Alabama, Huntsville, who suggests the outright dumping of the panel in favor of an effort modeled after Wikipedia, the online encyclopedia.

A fifth author, writing in Nature, argues that the climate change panel's rules are fine but need to be enforced better for future reports, the next of which are to be produced starting in 2013.

Many scientists on the climate change panel say it's impressive that only four errors have been found in 986 pages of the second report.

However, former panel Chairman Robert Watson said, "We cannot take that attitude. Any mistakes do allow skeptics to have a field day and to use it to undermine public confidence, private-sector confidence, government confidence in the IPCC."

[Note: The following clip in Spanish discusses public health officials promise to investigate the birth defects in Kettleman City. For more information on this Spanish clip, contact Claudia Encinas at \(559\) 230-5851.](#)

**Funcionarios de salud pública prometen investigar defectos congénitos en Kettleman City**

Zaidee Stavely  
Noticiero Latino  
Radio Bilingüe, Wednesday, February 10, 2010

Las dos senadoras federales de California están pidiendo que se detenga la expansión de uno de los vertederos tóxicos más grandes del país, hasta que se agote una investigación para ver la causa de un número elevado de defectos congénitos en un pequeño pueblo agrícola del centro de California. Funcionarios del Departamento de Salud Pública presentaron anoche a la comunidad los primeros resultados de su estudio. Dicen que el número total de casos en los últimos 22 años no es inusual. Sin embargo, sí hubo un número elevado de casos en el 2008.

“En los 21 años anteriores, habíamos identificado cero casos en la mayoría de los años. Hubo cinco años con un caso, y hubo un año con dos casos. Cuatro casos en el 2008 es más de lo que esperábamos, y por eso tenemos que tomar el próximo paso,” dijo Kevin Reilly, director de política del Departamento de Salud Pública de California, quien dirige la investigación.

El próximo paso del Departamento estatal de Salud Pública será entrevistar a fondo a las mamás de los bebés, para ver si pueden encontrar algún hilo conductor entre los casos. Reilly afirma que todavía no descartan que los defectos puedan tener algún vínculo con el medio ambiente.