

## **Train derailment brings fire and delays but no injuries**

By Gretchen Wenner, Californian staff writer  
Bakersfield Californian, Monday, Feb. 22, 2010

A weekend train derailment and fire on the tricky Tehachapi Loop east of Bakersfield sent toxic smoke skyward, prompting evacuation of nearby residents.

No one was hurt.

The freight route between Bakersfield and Barstow remained shut Sunday night, backing up at least 18 trains. A blaze remained active inside the tunnel where the incident occurred.

Railroad officials hoped to have a coastal detour operating sometime today, while fire officials hoped to contain the remaining fire by midnight Sunday.

Whether the derailment or fire came first still wasn't known Sunday night.

Carin Enovijas, 45, said her family was woken up by sheriff's deputies around 11:30 p.m. Saturday and told to leave.

"The deputy came to the door wearing a mask," said Enovijas, who remained at a Tehachapi hotel Sunday night with her husband and children, aged 6 and 8.

Having small children -- and the flu -- made the Fairfield Inn more appealing than a shelter set up at Tehachapi High School, she said.

About a half-dozen families within a mile of the accident site were told to evacuate Saturday night, said Kern County Fire Department Engineer Justin Corley.

On Sunday, officials expanded the evacuation radius to two miles. But residents in the expanded area didn't have to leave their homes -- they were simply advised to stay inside and shut windows and doors, Corley said.

The BNSF Railway train derailed around 9:30 p.m. Saturday in a tunnel outside Keene, about 30 miles east of Bakersfield.

A tanker car carrying denatured alcohol was allowed to burn out overnight on its own.

The fire spread to two other cars, one holding corn meal, the other polystyrene plastic pellets.

The plastic fire sent black smoke into the sky Sunday and required a more aggressive response than the alcohol, said the fire department's Corley. Fire crews doused the car with twin sprays of foam after it was pulled from the tunnel.

County fire crews worked with railway firefighters, county environmental health staff and specialized contractors at the accident scene Sunday. Huge trucks and earth movers carved a muddy swath through a farmer's field next to the tracks. The surrounding hills, green from recent rains, were brightened by occasional patches of colorful wildflowers.

Brian Pitts of the Kern County Environmental Health Department said his main concern was keeping people away from the smoke. He saw little risk left at the accident site.

"We think everything burned up," he said of potential environmental toxins.

Lena Kent, spokeswoman for BNSF, said 18 of the railway's trains were backed up on the single-track route Sunday. With the fire still alive inside the tunnel, officials didn't know the full extent of damage.

The incident will be investigated jointly by BNSF, which owns the derailed train, and Union Pacific Railroad, which owns the tracks.

The Tehachapi Loop, where the accident occurred, is a popular attraction for train buffs. A looped section of track that allows travel over the Tehachapi Pass is considered an engineering marvel. The front of a long train will pass over its rear cars as it travels the segment. Enthusiasts travel to Keene or an overlook off Woodford Tehachapi Road to watch trains roll up and down the helix.

Aaron Hunt, spokesman for Union Pacific, said the railway will reroute freight trains through coastal tracks that run through the Ventura, Santa Barbara and San Luis Obispo areas. The detour should be fully functional by Monday night, he said.

Neither Hunt nor Kent could say when when the inland route might reopen.

## **Kern Co. fire from derailed train extinguished**

By The Associated Press

In the Fresno Bee, Sunday, Feb. 21, 2010

KEENE, Calif. -- Firefighters late Sunday put out a stubborn fire sparked by a freight train derailment in central California, allowing residents evacuated because of a toxic cloud to return home, officials said.

The blaze burned for nearly 24 hours after cars went off the tracks Saturday at a tunnel entrance near Keene, a small town about 15 miles east of Bakersfield.

Seven homes in Keene were evacuated and the residents of 30 others were advised to stay indoors with the windows closed for most of the day Sunday, said Kern County Fire Department Engineer Justin Corley.

Two cars from the long Burlington Northern Santa Fe Corp. freight train ran off Union Pacific tracks on the well-known Tehachapi Loop.

Three train cars carrying alcohol, plastic pellets and cornmeal caught fire, and the blaze spread into the tunnel, making it very difficult to put out, Corley said.

Corley said the car carrying plastic was "putting out a heavy, dark smoke" that made for dangerous conditions and brought the evacuation of everything in a 2-mile radius.

The cause of the blaze remained under investigation, and railroad officials were examining the tunnel for structural damage, Corley said.

The train was bound for Stockton from Barstow, BNSF spokeswoman Lena Kent said.

Firefighters were assisted by the Kern County Environmental Health Agency, the Kern County Sheriff's Department and the California Highway Patrol.

## **Huge chicken ranch facing six violations**

### **After years of complaints, Humane Society spurs probe**

By Jason Dearen, The Associated Press

In the Stockton Record and Capital Press Sunday, Feb. 21, 2010

FRENCH CAMP - At the end of a remote road lined by houses, children play in yards just a short distance from a stagnant, 16.5-acre lagoon filled with the waste sludge of a factory egg farm.

Flies hover over the pond as chicken urine and feces get pumped daily through white pipes connected from Olivera Egg Ranch's huge laying facilities, which can house more than 700,000 caged chickens.

Residents say they've complained for years to San Joaquin County air and environmental regulators about the waste lagoon, saying the stench and eye-burning fumes give them headaches and nausea. They say nothing changed.

Now, after the Humane Society of the United States petitioned state air regulators for an investigation last month, Olivera Egg Ranch is facing six violations for expanding and operating its facilities without proper permits.

The Humane Society has also filed a lawsuit on behalf of 10 area residents, accusing Olivera of failing for years to report its air emissions to federal and state agencies.

On Thursday, a federal judge found that Olivera had "spoiled evidence" by dredging the manure lagoon before a site visit by society scientists.

"I don't necessarily think the lawsuit is fair or on any solid basis," said Edward Olivera, the farm's owner. Olivera would not comment on the violations, and referred further questions to his lawyer.

The lawyer, Jared Mueller, did not return calls seeking comment but in court papers denied the suit's allegations.

The San Joaquin Valley Air Pollution Control District has referred odor complaints over the years to the county Board of Health.

Robert McClellon, a program coordinator for the board, said Olivera had been cited for violating manure-management practices and unacceptable fly breeding. But he said his agency does not regulate ammonia or handle odor complaints.

Although some of the egg farm's neighbors have moved out of the area since it was founded in the late 1990s, others stayed on, farming and raising families.

"My husband and I farmed from sunrise to sunset, we're out there exposed to the smell and whatever else was out there coming from the Olivera farm," said Lita Galicinao, 79, whose late husband, Sam, built their home when they bought land after relocating from the Philippines in 1954.

"So it was really hard to work in the heat plus with the smell, a lot of times you feel nauseated, but that's our livelihood. We have to go out there and work."

Prompted by a Humane Society petition for an investigation, the air-pollution control district issued a string of violations Feb. 5 to the Olivera farm for failing to file a number of permits required by state law. The permits, if filed, would have spurred regular inspections over the years and could have led to changes.

"Based on our investigation to this point, we feel they were in violation of our rules and regulations," said Morgan Lambert, director of compliance for the air district.

He declined to comment further.

Upon completion of the investigation, the company could be subject to fines of up to \$10,000 a day for each of the six violations.

The lawsuit, which seeks a cleanup and unspecified damages, alleges that "Olivera has systematically and continuously released unlawful levels of ammonia from the hen houses and manure lagoon into the local community without reporting them as required by (federal law) since at least 2004."

Such suits against waste lagoons can be difficult for complainants. Just before leaving office, the Bush administration issued a regulation exempting farms from reporting to federal regulators the releases of air pollution from animal waste. The regulation is being challenged by environmental groups in federal court.

Meanwhile, the people who live near the lagoon here say the recent regulatory action gives them hope.

Janice Magaoay, 55, who along with her husband is a plaintiff, said she tired of complaining about the lagoon.

"We're all people and we all deserve to be treated with respect and our children are here and we want to live here," she said. "We shouldn't have to leave because of (the stench) and it shouldn't be legal."

## **Stimulus funds to create barge service between West Sacramento, Stockton, Oakland**

By Mark Glover

Modesto Bee and Sacramento Bee, Monday, Feb. 22, 2010

It's not exactly like digging the Panama Canal, but local officials say federal funds intended to make the Port of West Sacramento a milepost on an inland marine highway will boost Northern California agriculture and local businesses.

The U.S. Department of Transportation last week awarded \$30 million in stimulus funds to a partnership that will link shipping among the ports of West Sacramento, Stockton and Oakland.

The funds will be used to start a container barge service among the three ports, an alternative to current rail and truck shipping.

Officials said the barge service, which they hope to launch this year, would be used primarily to ship consumer goods and agricultural products grown in Central and Northern California.

Mike McGowan, chairman of the Sacramento-Yolo Port District Commission, said the port's share of the DOT funds is nearly \$10 million, which will go toward a port crane, barges and facilities to house shipping containers.

McGowan said the partnership "makes the ports part of a system instead of separate" entities. Locally, he characterized the potential benefits as enormous.

"It opens up the Sacramento region. It opens our market up to the world," he said. "I think that opportunity goes a long way toward enhancing the importance of the Port of West Sacramento."

McGowan said he did not know how many construction jobs will be added locally, but he speculated that "it also will add secondary jobs and help stimulate the external economy outside the (local) port.

"I'm not exactly sure how comprehensive it could be, but small businesses in the area will be able to use it to ship containers down to Oakland, bound for China, Japan or Australia."

West Sacramento Mayor Christopher Cabaldon was likewise upbeat.

"Our vision for the port's future as a key Northern California goods-movement hub is coming to fruition," he said. "We've worked hard to develop a strategy for long-term success, and it's exciting for the port, city and region to see those efforts paying off."

But one expert said it's uncertain whether the barge service will be economically viable. Jock O'Connell, the University of California Center Sacramento's international trade and economics adviser, noted that a past Port of West Sacramento study raised concerns about shipping costs associated with barge service.

O'Connell said International Longshore and Warehouse Union personnel charge for each time a shipping container is moved. A trip to Oakland might involve loading a container from a truck to a barge in West Sacramento, unloading it at a staging area at the Port of Oakland and then loading it onto a ship at that port.

"Those costs add up for the shipper, and we don't know how often those barges come by (in West Sacramento)," O'Connell noted. "If you have to have your (cargo) on a ship leaving in two days, you might want to make sure it gets there by putting it on a truck."

O'Connell said he likes the idea of enhanced California ports and noted that "it would likely provide multiple social and environmental benefits.

However, he added, "It is irresponsible for public officials to go down this river without being candid with the public about the costs involved and, more specifically, without acknowledging that the scheme is probably not economically feasible unless it is subsidized by container fees designed to discourage Central Valley businesses from using trucks to move their containers to and from the Port of Oakland."

O'Connell said a fee on goods shipped by truck could subsidize the barge program, make barges more economically attractive to shippers and produce environmental benefits. Such a fee could be levied by state air-quality regulators or the Port of Oakland, he said.

The "green" benefits of the barge plan – fewer trucks making long hauls on interstate highways, thereby [reducing greenhouse gas emissions](#), cutting fuel use and relieving roadway congestion – have been lauded by the Obama administration and local officials.

But O'Connell wonders how far shippers' green concerns might last: "You might have a businessman who wants to be a good citizen and do what's right for the environment. But if I'm your competitor and I know I can get my container on a truck and have it on a ship leaving Oakland in two days, that's what I'm going to do."

Most of the federal money awarded to the partnership, more than \$18 million, will go to the Port of Stockton, which plans to purchase two new harbor cranes, construct cargo-storage facilities and construct new rail lines. Stockton officials projected that construction and installation will create more than 300 jobs.

## **Mostly sunny, 57 degrees**

Staff Reports

Visalia Times-Delta and Tulare Advance-Register, Monday, Feb. 22, 2010

The forecast calls for mostly sunny skies today and a chance of rain later this week.

Temperatures will remain mild with a high of 57 and a low of 40 today. Expect temperatures to rise into the 60's by tomorrow.

Today's air quality is good. It is a burn day for all areas of the San Joaquin Valley.

## **Oakdale set for livestock forum**

### **Focus On Ag**

By John Holland

Modesto Bee, Saturday, Feb. 20, 2010

Beef producers will discuss the planet's health along with that of their cattle at the 58th annual Oakdale Livestock Forum, set for March 2. Experts will speak on cattle's contribution to climate-changing emissions and how rangeland grasses might help capture them. The forum also will feature a discussion of agritourism — ways ranchers can make money from visitors. Pinkeye prevention and other management topics also will be covered. The forum, sponsored by the University of California Cooperative Extension and several partners, is for ranchers in Stanislaus, San Joaquin, Tuolumne and Calaveras counties. It will be from 9:30 a.m. to 3:30 p.m. at the Gene Bianchi Community Center, 110 S. Second St., Oakdale. The \$15 fee includes a barbecue lunch. For more information, call Theresa Becchetti at 525-6800.

## **Fairbanks considers fines for wood, coal stove use**

The Associated Press

Contra Costa Times & Tri-Valley Herald, Saturday, Feb. 20, 2010

FAIRBANKS, Alaska—A proposed new rule in Fairbanks would fine people at least \$300 for using wood-and-coal-fired stoves that belch out dense smoke, part of an attempt to curb air pollution in the area.

The Fairbanks News-Miner reports that Fairbanks North Star Borough Mayor Luke Hopkins is sponsoring the measure, which is a response to federal pressure to bring down pollution levels.

The federal government notified the borough that levels of a fine particulate matter known as PM 2.5 must be brought down by 2014, and that the primary contributor of this particle is wood stoves. PM 2.5 has been linked to health problems.

The measure will now be considered by the borough assembly. The new rule also includes subsidies and tax breaks for people who make improvements for better air quality. The proposal was posted on the borough's Web site Friday. The mayor could not be reached for comment.

"The big thing is just getting people to burn their stoves as efficiently as possible," said Nathan Sapp, a floor manager at The Woodway, a local store that hold free weekly classes on proper wood-burning techniques.

If approved, the new chimney regulations would take effect Sept. 1, 2011. The new rule would affect about 83,000 residents.

The measure also obliges sellers to educate customers on emissions regulating, or face a \$1,000 fine.

"People are demanding help in dealing with this community problem," said Air Quality Director Glenn Miller.

He said that the borough and city of Fairbanks have received numerous complaints about bad air in recent months.

Under the proposal, only solid fuel burning devices approved by the borough or the Environmental Protection Agency can be installed. Already-installed systems would be grandfathered in.

## **In western Wyoming, gas industry faces crossroads**

By Mead Gruver, Associated Press Writer

Contra Costa Times & Tri-Valley Herald, Saturday, Feb. 20, 2010

PINEDALE, Wyo.—Drilling rigs on the horizon underscore that cattle ranching and tourism no longer drive the economy in this picturesque town at the foot of the Wind River Range.

But the future of the natural gas industry in the Pinedale area—scene of a decade of intense drilling into two of the nation's richest gas fields—has become less certain because of the recession and because the Obama administration has said it will make changes, unspecified at this point, to Bush-era drilling policies.

Environmentalists have long argued that the frenetic drilling pace should be slowed in the heart of prime habitat for antelope, mule deer and sage grouse.

Industry officials, however, say they worry that tighter federal leasing rules could discourage drilling on Wyoming's public lands in favor of less-regulated private land in the East and South when the economy picks up again.

"It's certainly a concern," said Bruce Hinchey, director of the Petroleum Association of Wyoming, an oil and gas lobbying group. "We've seen companies take their dollars and put them elsewhere because they had permits in hand and were able to drill and explore and develop."

First, the recession sapped gas demand and prices, slowing drilling significantly compared to its peak in 2008.

Then Interior Secretary Ken Salazar announced in January that he will order changes to how public lands are leased for oil and gas development. He said leases need more scrutiny and the public should be more involved in the process.

If the changes make drilling more restrictive, as anticipated, Sublette County, a Connecticut-sized sagebrush expanse flanked by snowcapped mountains and veined with world-class trout streams, is likely to feel the impact.

Much of the community welcomed the drilling frenzy and economic boom that occurred during the Bush era.

"It's a helluva good thing," Sublette County Commissioner John Linn said. "My kids have jobs here."

But not everyone thinks the rapid development has been done as wisely as possible.

"Great things have come from the gas development, but there's also concerns," said Pinedale Mayor Stephen Smith.

One concern is how the 2005 Energy Policy Act waived environmental review for new oil and gas drilling under a handful of exceptions called categorical exclusions. In places where drilling has occurred within the past five years, for example, the U.S. Bureau of Land Management doesn't have to do additional environmental review for more wells in the same area.

The BLM, which oversees oil and gas leasing over much of the interior West, has applied categorical exclusions for nearly every new gas well in the Pinedale area over the past few years. Since 2007, the agency used categorical exclusions 1,329 times in approving 1,521 drilling permits for the Jonah Field and Pinedale Anticline, a rate of more than 87 percent.

The BLM's Pinedale Field Office has approved more categorical exclusions than any other BLM field office in the U.S., according to a 2009 Government Accountability Office report, which criticized the bureau for frequently applying the law incorrectly.

The number of gas wells in the Pinedale Anticline, the nation's third richest gas field in proven reserves, and the Jonah Field, the eighth richest, has increased from about 200 to more than 2,600 in the past decade, according to the BLM.

Since 2000, the population of Sublette County has grown more than 40 percent to around 8,500 people, and the county has been flush with tax revenue, enabling impressive projects such as the 2008 opening of a \$19 million public aquatic center.

County Commissioner Linn said the gas industry-fueled growth helped his son and daughter get good jobs near home, which in years past would have been a challenge.

Mayor Smith, who describes himself as "neither for or against industry," told a U.S. House committee last year that use of categorical exclusions has been excessive.

"The previous administration sort of waved a wand on categorical exclusions and said just move forward," he said.

Over time, allowing new drilling without fresh review results in more cumulative environmental harm than originally anticipated, said Linda Baker, an environmentalist in Pinedale.

"The people of Sublette County, Wyoming, are collateral damage and the largest mule deer, pronghorn and sage grouse herds and flocks in the state and nation are declining as a result," Baker said.

[Air pollution](#) from drilling rigs and other equipment, meanwhile, has created a peculiar problem for such a remote and sparsely populated area: smog, which for five years now has smudged what used to be a crystal-clear view. The murk also is unusual for happening not in the heat of summer but during the winter, when temperature inversions and sunlight reflected from snow on the ground create the right conditions for turning air pollution into ozone, a precursor to smog.

But industry argues that environmentalists overstate the harm. They point out that many wells approved under categorical exclusions, especially on the Pinedale Anticline, are being added to existing well pads and therefore cause minimal new disturbance.

New environmental review under those circumstances doesn't really establish anything new and only slows down approval of drilling, said Darci Sinclair, Denver-based spokeswoman for Shell Oil Co., one of the Anticline's major operators.

"If they had to go back and do the original environmental analysis for every well on the same pad, it would be redundant," she said.

As for the smog, industry officials say they've installed pollution-control equipment, switched from diesel-burning to natural-gas-burning drilling rigs and taken other steps to reduce emissions.

Just how Salazar intends to change leasing practices hasn't been announced, with officials saying they're still hashing out the details.

Gas prices are down about 40 percent in the recessionary economy from their 2008 peak, and the number of active drilling rigs in the Pinedale area is down to about 24 from 60 in 2008.

## **Senate Weighs Final Push to Move Climate Bill**

By Reuters

In the N.Y. Times and Washington Post, Monday, Feb. 22, 2010

WASHINGTON (Reuters) - A last-ditch attempt at passing a climate change bill begins in the Senate this week with senators mindful that time is running short and that approaches to the legislation still vary widely, according to sources.

"We will present senators with a number of options when they get back from recess," said one Senate aide knowledgeable of the compromise legislation that is being developed. The goal is to reduce emissions of carbon dioxide and other greenhouse gases that scientists say threaten Earth.

The options will be presented to three senators – Democrat John Kerry, independent Joseph Lieberman and Republican Lindsey Graham -- who are leading the fight for a bill to battle global warming domestically.

The aide said the Senate's drive for a bill got a boost last week with President Barack Obama's announcement of an \$8.3 billion government loan guarantee to help start expanding the nuclear power industry, a top Republican priority. "The administration is really putting their money where their mouth is," the aide said.

The Senate trio's success or failure likely will have a profound impact on international efforts to reduce carbon emissions and prevent Earth's temperature from exceeding a possibly dangerous 2 degree Celsius (3.6 Fahrenheit) increase from pre-industrial times.

For Wall Street, the Senate has the power to make or break the start-up of what eventually could be a \$1 trillion market for power plant, oil refinery and factory pollution permits traded on a regulated exchange.

Congressional elections will be held on November 2 and there is wide agreement that if the Senate cannot pass a climate bill by mid-year, already hard-edged political partisanship will become hyperactive, making it nearly impossible for Congress to move on much of anything.

"We're getting to the point where I think we need to start seeing senators coalesce around an approach," said Eileen Claussen, president of the Pew Center on Global Climate Change, which wants comprehensive greenhouse gas emissions control.

### **SKEPTICISM ABOUNDS**

There is plenty of skepticism about whether Kerry, who is spearheading the effort, can pull off passage of such a difficult bill in an election year since the bill would increase future energy prices. But supporters are not giving up as they draw parallels to the last major environmental fight.

"In 1990, we had a midterm president, a Mideast war, a banking crisis following a real estate bubble and a recession, yet Congress still passed updates to the Clean Air Act by overwhelming margins," said Representative Edward Markey, the co-author of the Waxman-Markey climate bill that narrowly passed the House of Representatives last June.

Tested over 20 years, those Clean Air Act updates are credited with effectively cutting "acid rain" air pollution through a cap-and-trade system that some now want to employ to reduce the carbon emissions blamed for global warming.

Under cap and trade, companies need government permits to emit an ever-dwindling amount of pollution. Fuel-efficient firms that end up holding more permits than they need can sell them to companies that are bigger polluters.

For carbon dioxide, cap and trade would eventually make the cost of using coal and other dirty-burning fossil fuels so high that cleaner, more expensive energy sources such as wind and solar power would emerge.

In recent months, many conservatives who do not want the federal government to mandate pollution reductions, have seized upon newly discovered errors in scientific reports underpinning the link between human activity and climate problems such as drought, flooding and rising sea levels.

Republican Senator James Inhofe, a leading critic, said the U.N. Intergovernmental Panel on Climate Change had fallen victim to "outright fraud" and deceit. It is further evidence Congress should not rush legislation, he has argued.

### **SIDE ISSUES**

Meanwhile, "so much political juice" is now being expended by U.S. environmental groups on a side-issue to the climate bill, said Frank O'Donnell, president of Clean Air Watch. He was referring to green groups' attempts to stop Republican Senator Lisa Murkowski from advancing her bill blocking the Environmental Protection Agency from regulating carbon emissions, starting with vehicles.

The Obama administration would prefer to let Congress set climate change policy. But if it is unable to, the White House wants the EPA as a fallback.

Graham has talked about cobbling together a "hybrid system" for reducing carbon emissions.

Claussen said, "If I was going to guess, it's probably cap and trade for electricity," which accounts for about 40 percent of carbon emissions, and maybe a separate oil industry tax or fee, with consumers being protected from price increases.

Tackling carbon emissions from factories making steel, cement, paper, glass and other large manufacturers either could be put off "for much later" or they could be given options for participating, she said.

Such an approach could gain the support of Midwestern senators who fear U.S. factories could be put at a competitive disadvantage against foreign manufacturers under a cap-and-trade program.

But it also has risks, others say, underscoring splits among Washington interest groups, politicians and others who want a climate change bill.

Robert Shapiro, chairman of the Climate Task Force and an advocate of a carbon tax, said a dual system would not make economic sense and could make for more volatile energy prices.

## **Asia-produced ozone making its way to U.S., study finds**

By Les Blunenthal - McClatchy Newspapers

In the Modesto Bee, Sunday, February 21, 2010

WASHINGTON -- A new study further bolsters concerns that pollution blowing across the Pacific Ocean from China and other rapidly developing Asian nations may swamp efforts to clean up the air in the Western United States and make it difficult for states and cities to meet federal standards.

The study, based on 100,000 measurements over 25 years and a computer model tracking air-flow patterns, found that during the spring, ozone from Asia reaches Washington, Oregon, California and other states west of the Rocky Mountains.

For the first time, the study links ozone in the air above the United States with Asian pollution, said Dan Jaffe, a professor of atmospheric and environmental chemistry at the University of Washington-Bothell and one of the study's authors.

"It is possible that emissions from emerging economies like China, with relatively limited emissions controls, are outpacing reductions in the developing countries," the report concludes. It says that the Asian emissions may "hinder the USA's compliance with its own ozone air-quality standard."

Previous studies have detected such pollutants from Asia as mercury, soot and PCBs reaching the United States. A National Academy of Sciences study last year pointed to increasing unease among regulators about a growing problem.

"Any air pollutant with an atmospheric lifetime of at least three to four days may be transported across most of a continent, a week or two may get it across an ocean, a month or two can send it around the hemisphere and a year or two may deliver it anywhere on Earth," the National Academy of Sciences said last year.

The academy's new report, prepared by the National Research Council, says the problem involves not only trans-Pacific pollution but also trans-Atlantic pollution, with emissions from the United States reaching Europe. The study zeroed in on ozone, particulate matter, mercury and persistent organic pollutants, which have been tracked by ground-based monitors, airborne monitors and satellite-borne sensors.

Among the federal agencies that are interested in the issue are the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, NASA and the National Science Foundation.

The academy called for increased "fingerprinting" of pollutants, so that it's easier to locate their sources, and more detailed studies of emission totals and the atmospheric conditions that spread the pollution.

"The relative importance of long-range pollutant contributions from foreign sources is likely to increase as nations institute stricter air-quality standards that result in tougher emission controls on domestic sources," the academy's report says.

The study on ozone from Asia, authored by an international group of scientists, appears in the Jan. 21 issue of the journal Nature. It comes as the EPA is considering tightening ozone standards.

Ozone is the main ingredient in smog, which can cause health problems that range from burning in the eyes and throat to pulmonary inflammation and increased risk of heart attack. It's created when sunlight mixes with oxygen and nitrogen from vehicle tailpipes and other sources of combustion.

The study focused on an area two to six miles above the Earth known as the mid-troposphere. Pollution in the troposphere could affect the ground level.

While emissions of nitrous oxide, a precursor compound in ozone, have declined in the United States by about one-third since 1985, the study found that ozone levels had increased by 29 percent over the same period.

The study notes that from 2001 to 2006, ozone precursor emissions in east Asia were up 44 percent, and 55 percent in China.

"The changes we have seen over the past 25 years coincide with when China was transforming itself into an economic powerhouse," Jaffe said.

The study didn't pinpoint which Asian countries the ozone might be coming from, Jaffe said. Among the possibilities are China, India and Vietnam.

"What we can say is there has been a strong and significant increase in ozone in the mid-troposphere in the West and it doesn't seem the U.S. is contributing to the increase," said Owen Cooper, a research scientist at the University of Colorado attached to NOAA's Earth System Research Laboratory in Boulder, Colo.

Cooper said the study found that Asian emissions were adding to the ozone pollution in the Western United States, but scientists couldn't say by how much and which countries were involved.

"This is only the first step," Cooper said of the study.

The EPA, which regulates emissions through the Clean Air Act, is looking at international ozone transport, the agency said in an e-mailed statement.

"However, as the National Academy of Sciences concluded in its recent report, our current ability to fully characterize the impact of foreign sources on air quality in the United States is somewhat limited," the statement said.

The EPA said it was too soon to tell how the latest study might affect ozone standards.

#### ON THE WEB

The National Academy of Sciences report: <http://tinyurl.com/yks8lhm>

### **DNR: More Wis. power plants violate Clean Air Act**

By Ryan J. Foley - Associated Press Writer

In the Merced Sun-Star, Modesto Bee, Washington Post and other papers, Friday, February 19, 2010

MADISON, Wis. -- At least five more state-run power plants are not in compliance with federal clean air regulations and need to install tighter pollution controls, Gov. Jim Doyle's administration acknowledged Friday.

The Department of Administration said it would reduce coal use, use cleaner alternative fuels or otherwise limit emissions at plants that heat UW-Eau Claire, UW-La Crosse, UW-Oshkosh, UW-River Falls and Mendota Mental Health Institute.

The acknowledgment means at least eight state-run plants have violated the Clean Air Act in recent years. The administration said it would study five more plants to determine whether they also were in noncompliance.

The DOA had hired a consultant in 2008 to review whether the plants were in compliance in the federal act as part of the settlement of a lawsuit filed by the Sierra Club environmental group. The consultant's report, made public last year, found they all were in compliance and did not require stricter pollution controls.

The Sierra Club disagreed with the findings. After months of studying the issue, the Department of Natural Resources largely sided with group Friday, telling the administration they needed to receive permits to continue operating the five plants but in a cleaner way.

The DNR also said five more plants - those at UW-Platteville, UW-Stevens Point, UW-Stout, UW-Superior and Winnebago Mental Health Institute - need further study to determine whether they are violating the act's requirements.

Administration Secretary Michael Morgan said he accepted the DNR's analysis as the state's air regulator and promised to work with the agency to address the problems.

"We will either eliminate the use of coal, reduce the use of coal by using alternative fuels and natural gas, or greatly reduce emissions" at the plants, he said in a phone interview. He declined to estimate how much the fixes might cost, but said: "It's fair to say we are going to have to make an investment as we move forward in reducing the use of coal in the state of Wisconsin."

The state already is spending \$251 million to convert a coal-fired plant that powers UW-Madison to run on natural gas and biomass after a federal judge agreed with the Sierra Club it had violated the Clean Air Act.

The Sierra Club's lawsuit had questioned whether numerous other plants were violating the act because managers did not obtain permits when they went through major construction and maintenance projects as required. Such permits are designed to cut pollution by making sure operators use the best available technology.

The consultant hired under the settlement in that case, RMT Inc., found three projects at a power plant that runs the Capitol and one at a plant that powers a Waupun prison also violated the act's requirements. The administration has announced plans to use natural gas instead of coal at both plants.

But the RMT study, which cost \$144,000, found numerous other projects at power plants across the state were routine and therefore exempt from the permitting requirements. The Sierra Club claimed the study was incomplete and flawed and submitted its evidence to DNR last summer.

The Sierra Club filed another lawsuit Monday, claiming the DNR was dragging its feet in releasing its study of the plants and related documents. DNR Secretary Matt Frank summarized its analysis in a letter to DOA on Friday, agreeing many of the projects should have required permits.

"I look forward to an expeditious resolution of these alleged violations of the federal clean air act requirements," he wrote.

Sierra Club representative Jennifer Feyerherm called Friday's announcement another step toward fixing power plants that contribute to global warming and health problems.

"We look forward to working with DOA to bring those not in compliance in to compliance and move them off of coal," she said.

## **Saving the Amazon may be the most cost-effective way to cut greenhouse gas emissions**

*If the U.S. adopts a cap-and-trade program, companies facing carbon controls could meet part of their obligations by preserving Earth's largest tropical forest.*

By Margot Roosevelt, staff writer  
L.A. Times, Sunday, Feb. 21, 2010

An hour outside Manaus, the Amazon's biggest city, the blackened remains of a virgin forest smolder. Chain saws whine. And Jonas Mendes tosses logs, one after another, into his kiln.

"I know it's wrong to cut down the trees," said Mendes, 48, sweat streaming down his neck and torso. "But I have no other way to make a living."

Under a lean-to, his teenage son hacks charcoal into pieces with a machete. His wife fills 110-pound plastic bags that sell for \$4 each.

If the Obama administration succeeds in its pledge to curb climate change, billions could flow from the U.S. to help forest dwellers such as Mendes change their ways.

Governors of the Brazilian Amazon's nine states are pushing the U.S. and other industrial nations to invest in projects under rules known as REDD -- or Reducing Emissions from Deforestation and Degradation -- that are being designed through the auspices of the United Nations.

Under pending legislation to cap greenhouse gases, the U.S. government would auction emission allowances, funneling as much as \$3 billion from the annual proceeds into rain forest protection. U.S. companies facing carbon controls could meet part of their obligations by investing as much as \$13 billion a year by 2020 to preserve forests.

And several Amazon governors have signed agreements with California Gov. Arnold Schwarzenegger to measure the carbon in their forests with the goal of selling carbon credits in California's cap and trade market, set to begin in 2012. The program would allow California businesses to use the credits to meet their emission caps, and thus funnel several hundred million dollars a year into tropical forest protection.

The reason? Slash-and-burn deforestation accounts for about 15% of humanity's carbon dioxide emissions. Despite activists' efforts, forests have been disappearing at the rate of about 34 million acres a year for the last two decades. Globally, Indonesia and Brazil are the third- and fourth-largest emitters respectively of greenhouse gases, after China and the U.S., because of their breakneck pace of forest destruction.

Saving the Amazon, Earth's largest tropical jungle, can be a cheaper and faster way to avoid greenhouse gas emissions than replacing coal-fired power plants with renewable energy or switching to electric cars -- although all such measures are considered necessary by climate experts.

President Obama acknowledged as much last fall.

"It is probably the most cost-effective way for us to address the issue of climate change, having . . . mechanisms in place to avoid further deforestation," he said.

Despite the failure to adopt a long-term climate treaty in Copenhagen last year, the U.S., along with Australia, Britain, France, Japan and Norway, promised \$3.5 billion in fast-start funds to help preserve tropical forests.

### **Forest livelihood**

But if nations across Latin America, Africa and Asia are to guard their trees, they must first alleviate the poverty of 1.2 billion people who depend on forests for their livelihoods. Many of these developing nations, struggling economically, bristle at preaching from wealthier countries.

"Let no gringo ask an Amazonian to die of hunger under a tree," Brazilian President Luiz Inacio Lula da Silva warned recently.

"We want to preserve," he added. "But they should pay."

Beginning in the 1960s, politicians in Brazil pushed to populate the rain forest and to clear tracts for cattle, soybeans and timber. Across the Amazon, homesteaders were promised title to their plots if they cut down trees to make the land "productive."

But the policy known as Land Without People for People Without Land has backfired. Rain forest soil is unsuited to small-scale agriculture. Malaria is rampant. Jaguars devour livestock. Many settlers never got title because of bureaucratic snafus and thus have little incentive to protect the forest. Many, like Mendes, survive mainly by felling their trees for charcoal.

Taruma Mirim, where he ekes out a living, is one of 2,500 Amazon settlements created by Brazil's Institute for Colonization and Agrarian Reform. Behind the tin-roofed shack where Mendes lives with his wife and four children, he drags logs to his kilns with the help of a half-starved cow.

Mendes has an infected eye, aggravated by fumes.

"The doctor told me I should keep away from smoke, but I have no choice," he said.

Wooden huts without running water line the road. Mangy dogs and chickens roam among *jaca* and *cupuacu*, local fruit trees.

Since 1991, the family has cut down a third of the trees on its 60-acre plot in the state of Amazonas. Some neighbors have razed their land entirely, only to abandon it and move on to repeat the cycle of destruction.

"It was a bad model," said Mariano Cenamo, head of the nonprofit Institute for Conservation and Sustainable Development of Amazonas. "After a few years of trying to survive, settlers start selling off."

attle ranchers, spreading herds thinly on depleted land, or big soybean growers who can afford chemical fertilizers then move in.

### 'Arc of fire'

Today, the Amazon basin, which also covers parts of eight other nations, harbors 45% of Earth's remaining rain forest. In the last 35 years, about 17% of it has been razed. In Brazil, the "arc of fire," as it is known, is more than twice the size of California.

But consciousness of the Amazon's worth as a standing forest, rather than as a cut forest, is mounting. The Amazon stores between 80 billion and 130 billion metric tons of carbon in its leaves and trunks, which, if burned, would emit about 50 times more carbon dioxide than the United States' annual output.

As a result, Brazil is beginning to enact tough measures. It has beefed up its space agency, which now tracks destruction by satellite in real time so police can be speedily dispatched to halt illegal logging. In the last four years, the government has created 193,000 square miles of forest reserves. The land reform agency has stopped building settlements in virgin forest, and today, by law, only 20% of an individual's land may be deforested.

"We are working hard on the topic of climate change," said Environment Minister Carlos Minc, noting that the government recently signed pacts with the soybean, timber and mining industries to prevent sales from newly deforested areas. Loans to illegal land grabbers are being blocked.

New figures show that since 2004, the extent of burning in the Brazilian Amazon has dropped to 2,705 square miles a year from a peak of 10,588 square miles annually.

But how much of the drop is due to government policy and how much to fluctuating prices of beef and soy, the main drivers of deforestation, is unclear. Even at today's levels, more forest land is razed in Brazil than anywhere in the world except Indonesia.

Brazil is the world's largest soybean exporter and the second-largest meat exporter, after Australia -- and it wants to stay on top. Vast new acreage is expected to be cleared for sugar cane to expand Brazil's effort to replace gasoline with biofuel.

The government boasts that it has doubled the number of rangers to 1,400, targeting areas such as the state of Para, where confrontations have turned violent. But in Taruma Mirim, settlers dismiss the *fiscais*, as they call government inspectors, with scorn.

"They see us stoking the kiln," said Gilmar Santana, 29, pausing by the road with a chain saw on his shoulder. "They say don't do that, but we say we must. Then they go away."

Today, many of the reserves that cover 43% of the Brazilian Amazon remain paper-only decrees. Government agents issued \$1.6 billion in fines for illegal logging last year, but collected less than 1% of the money.

A recent Greenpeace report, "Slaughtering the Amazon," traced beef and leather from illegally deforested land as it surreptitiously made its way into global supply chains of such firms as Nike, IKEA, Kraft Foods and Wal-Mart.

In response, the government promised to implement a program to track cattle with electronic tags and seize "illegally raised" animals.

### **Center of conflict**

From his office in a modern building in Manaus, Denis Minev, secretary of planning and development for Amazonas, sits at the center of the conflict.

"I'm considered the devil," he said with a wry smile. He considers conservation a priority but also favors controversial highways through parts of the forest.

At 32, he is one of Brazil's hip young technocrats, with an undergraduate degree from Stanford University, an MBA from the University of Pennsylvania's Wharton School and a stint at investment bank Goldman Sachs Group Inc. under his belt.

Minev and other Amazonas officials have successfully enforced price supports for such forest products as Brazil nuts and rubber, incentives to keep trees standing. A national effort to clear up titles to land will also make it easier for farmers and ranchers to get loans to boost productivity of existing plots, thereby lessening the need to raze virgin forest.

"Previously the forest was seen as a barrier to development," Minev said. "But there has been a major shift in vision."

Minev has squired U.S. legislators such as Rep. Edward J. Markey (D-Mass), coauthor of the House climate bill, around the jungle in hopes that Congress will adopt a cap-and-trade program. Funds from the U.S. could then be used to police conservation areas, improve land fertility to reduce demand for deforestation and help forest dwellers find better ways to make a living than by making charcoal.

In Taruma Mirim, settlers have heard that help could be on the way.

"We want to preserve the forest," said Mendes, pausing from his sweaty work. "If the money from abroad reaches us, it could change the situation."

The walls of his home are bare except for a clock with a painted scene of Noah's Ark.

[Washington Post blog, Friday, Feb. 19, 2010:](#)

### **Coal-state Dems hit EPA on climate**

By Juliet Eilperin

Sen. John D. Rockefeller (D-W.Va.) and several other coal-state Democrats sent a bluntly worded letter to Environment Protection Agency administrator Lisa P. Jackson Friday night challenging the agency's authority to regulate greenhouse gases from power plants and other industrial sources.

The Rockefeller letter--which was also signed by Democratic senators Mark Begich (Alaska), Robert C. Byrd (W.Va.), Sherrod Brown (Ohio), Pat Casey (Pa.), Claire McCaskill (Mo.), Carl Levin (Mich.), and Max Baucus (Mont.)--poses a serious challenge for the Obama administration. While the administration is still pushing for Congress to pass a climate bill this year, it has not ruled out controlling greenhouse gases through regulation.

In their letter, the Democratic senators do not object to the EPA regulating greenhouse gas emissions from cars and light-trucks, but they do question the agency's power to do anything else under the Clean Air Act. The letter asks Jackson clarify the EPA's timetable and suspend any regulations for coal-fired utilities and other industrial facilities until Congress acts on climate and energy legislation.

"We remain concerned about the possible impacts on American workers and businesses in a number of industrial sectors, along with the farmers, miners, and small business owners who could be affected as your agency moves beyond automobile emissions standards to implement regulations to curtail GHG pollution from stationary sources," reads the letter. "The President and you have been explicit in calling on Congress to pass comprehensive legislation that would enhance our nation's energy and climate security."

We strongly believe this is ultimately Congress' responsibility, and if done properly, will create jobs, spur new clean energy industries, and greatly advance the goal of U.S. energy independence. If done improperly, these opportunities could be lost."

Rockefeller announced Friday he is drafting legislation that would block the EPA from moving ahead, but he'll have to wait in line--Sen. Lisa Murkowski (R-Alaska) has already introduced a resolution that would do just that. Murkowski and the U.S. Chamber of Commerce will be discussing that initiative in a conference call scheduled for Thursday.

[Washington Post editorial, Monday, Feb. 22, 2010:](#)

## **Climate insurance**

THE EARTH is warming. A chief cause is the increase in greenhouse gases accumulating in the atmosphere. Humans are at least in part responsible, because the oil, gas and coal that we burn releases these gases. If current trends persist, it's likely that in coming decades the globe's climate will change with potentially devastating effects for billions of people.

Contrary to what you may have read lately, there are few reputable scientists who would disagree with anything in that first paragraph. Yet suddenly we're hearing that climate change is in doubt and that action to combat it is unlikely. What's going on?

First, climate science is complex, and there is much that we still do not understand. Politicians, advocates and scientists who have claimed a level of certainty unsupported by evidence -- about exactly how climate change will unfold or is unfolding -- have not helped the cause. Second, as in any research effort being conducted by thousands of scientists across many years and many countries, mistakes will be made in the research or in its collection and reporting. The mistakes that have been revealed recently -- about, most prominently, the likely melting rate of Himalayan glaciers -- need correcting. But in the overall picture, they are trivial.

Politicians nonetheless have seized on both the trivial mistakes and the complexity of the science to cast doubt on the underlying and unrefuted truth of human-caused greenhouse gas accumulation. In many cases, it is hard to know whether they are being obtuse or dishonest, and hard to know which would be worse. To see Virginia's newly elected attorney general join in this know-nothingism is an embarrassment to the state.

What's the right response? It seems to us there are two key arguments that can provide some shelter for politicians who want to do the right thing. The first is to acknowledge a level of uncertainty in the predictions and make the case for taking out an insurance policy, as would any prudent homeowner. It's true that we don't know for sure how many degrees warmer the Earth will be, on average, by 2050 or what effect this will have on the ferocity of storms or coastal flooding or starvation-inducing drought. But it's also true that, as the science has progressed, the predictions have become more dire, not less -- and that they are still as likely to be too optimistic as the reverse. If there is action that can be taken, now, to begin to reduce the dangers, why would we not do so?

The only cogent answer we have heard is that action is hopeless: that wrenching the economy away from its dependence on oil and coal would be so expensive, and the resulting benefit so minimal, that it's not worth trying. Those who make this case in a rational way don't deny the existence of climate change, but they say that the money should be spent instead on mitigation and research into alternative technologies. Our view is that it makes no sense to give up before trying -- especially since measured government action could unleash technological innovation that in turn would make the costs far less than predicted.

And all the more so when -- and this is the second key point -- the action that would have the most beneficial effect with regard to climate change is in the national interest anyway. A gradually rising carbon tax made sense even before "global warming" entered most people's vocabulary. Almost as useful would be a simple cap-and-rebate system that required industry to pay for greenhouse-gas emissions. Either would reduce American dependence on dictators in Saudi Arabia and Venezuela while lowering air pollution of all kinds. Neither would require a complicated government bureaucracy of the kind that has understandably alarmed some people while giving others a pretext for opposition. And if politicians can't

bear to stand behind an increased tax, the revenue from either proposal could all be returned in a fair and progressive way.