

## **June workshops provide commuter rule help**

The Business Journal Thurs. June 3, 2010

Valley employers who must comply with the new rule encouraging worksite commute alternatives can receive information and assistance at free workshops June 16 at all three Air District offices.

The goal of the "eTRIP" rule is to reduce the use of single-occupancy vehicles for work commutes throughout the eight-county air basin.

The new rule applies to Valley employers with at least 100 eligible employees at a worksite. The rule goes into effect in phases, with the first deadline for employer registration, looming on July 1.

"This rule will go a long way toward reducing vehicle emissions in the Valley, which is one of the largest sources of our air pollution problems," said Samir Sheikh, the District's director of strategies and incentives. "We are committed to helping those Valley employers whom the rule affects, comply with the rule."

Workshops will be held at the Fresno, Bakersfield and Modesto offices at 2 p.m. on June 16. The workshops are free to attend and attendees will hear a brief presentation on the new rule and District staff will be available to assist employers with eTRIP registration.

To attend, employers can RSVP by June 11 to the eTRIP Rule Small Business Assistance office at [tripreduction@valleyair.org](mailto:tripreduction@valleyair.org) or 559-230-6000.

For more information about the eTRIP rule, call the Fresno district office at 559-230-6000 or visit [www.valleyair.org/tripreduction.htm](http://www.valleyair.org/tripreduction.htm).

## **More fed heat on landfill**

By Eiji Yamashita

The Hanford Sentinel, Wed., June 2, 2010

Federal environmental officials have blasted a laboratory at Waste Management's Kettleman Hills facility, saying its analytical results of certain chemicals are unreliable and should not be used as a basis for decision making.

Company officials fired back at the U.S. Environmental Protection Agency on Tuesday, calling its findings "fundamentally flawed. "

In a harshly worded letter issued May 27, the EPA said a recent investigation at the Kettleman toxic waste landfill is producing post-treatment analytical results of "unknown quality." The letter also indicated that the agency knew about a history of poor quality control at the Kettleman dump for some time, raising questions about why the problem was allowed to continue.

The lab plays a key role in ensuring the facility's full compliance with state rules regulating hazardous waste management.

"Unreliable analytical results can result in the improper land disposal of hazardous wastes in violation of California's authorized ... hazardous waste management program land disposal restriction requirements," the letter stated.

The major hazardous waste facility near Kettleman City is at the heart of the ongoing controversy surrounding a recent spike in birth defects in the impoverished farm worker community of 1,500. Nearby residents have blamed the facility - the largest toxic waste dump in the West - for at least 11 birth defects since 2007.

The company stands by its safety record, while state agencies continue to investigate what could have caused these birth defects under Gov. Arnold Schwarzenegger's order.

The U.S. EPA's Quality Assurance Office recently finished the first phase of a lab data assessment at the Kettleman waste facility, which reviewed issues previously identified in an April 2007 investigation as well as collected data through three inspections this spring.

Among the findings:

- I A negative bias in cadmium measurements in the lab analysis method;

- I Unreliable analysis results for zinc; and

- I Although the facility's May 2005 attempt to upgrade the software for the lab's plasma emission monitor failed, the company continued to use the unit for analysis until December 2005.

The recent findings follows an April announcement by the EPA that the Kettleman Hills facility improperly disposed of PCBs, a chemical known to cause cancer and reproductive problems.

Activists fighting a plan to expand the site praised the EPA for its action, but also expressed their outrage over problems that were apparently allowed to continue for some time.

"All the assumptions [are] that the county permit is based on a very clear statement that Chem Waste is not only well run but well regulated," said Bradley Angel, executive director of the environmental justice group Greenaction. "Clearly it's not well run and it's not well regulated because the agency knew there were problems but allowed it to continue. I'm in shock."

EPA regional administrator Jared Blumenfeld said the recent investigation is part of a promise he made in February to residents of Kettleman City that his agency would do more to ensure their health and safety.

"What we're doing is really making sure that as it relates to our jurisdiction, we're doing the things we're meant to be doing," he said.

Blumenfeld has ordered an internal inquiry to see whether the EPA dropped the ball in the past regarding Kettleman City.

The May 27 letter indicates that the US EPA knew about the problems with the lab as far back as 2005, but these problems were not followed up.

Blumenfeld acknowledged Tuesday that there was a "lapse."

"One of the things we've found was the report from the national investigation unit out of Colorado," Blumenfeld. "We found an internal lapse. Some of the recommendations that came out of that report needed a follow-up."

The question at the moment is whether the data from the Chem Waste lab complies with the quality assurance regulations.

In the interim, the EPA is calling for immediate action to use an independent lab for post-treatment analysis, saying the continued use of the Kettleman lab would risk violations of state regulations. Chem Waste could face a fine of \$37,500 a day for each of these violations, the EPA said.

Waste Management said it will follow the recommendation, but disputed the EPA findings in their entirety.

"We believe the findings in the EPA letter are inaccurate and based on a misinterpretation of test results. EPA's approach was fundamentally flawed," said Brian Bowen, Waste Management's director of environmental protection. "We stand behind our lab results, but we will continue to use an independent laboratory until this issue is fully resolved."

## **Bay Area air regulators pass new pollution rules**

The Associated Press

Modesto Bee, Merced Sun-Star and other papers, Thursday, June 3, 2010

SAN FRANCISCO -- San Francisco Bay area air quality regulators have passed guidelines meant to limit greenhouse gases and other toxic air emissions created by new development projects.

The Bay Area Air District on Wednesday approved the new thresholds to help counties and cities assess the potential health and environmental risks posed by new building projects.

Projects that would emit more than 1,100 metric tons a year of greenhouse gases would have to design ways to offset the pollution.

California's environmental laws require state or local agencies to determine the environmental impacts of construction projects they fund or approve.

The district says the guidelines are tools for agencies making decisions about building projects.

## **Bay Area air board approves guidelines to limit greenhouse gases from development**

By Denis Cuff

Contra Costa Times & Tri-Valley Herald, Thursday, June 3, 2010

SAN JOSE — The Bay Area's air pollution board on Wednesday adopted the nation's most far-reaching local development review guidelines aimed at limiting greenhouse gases and toxic air contaminants.

Planning for new Bay Area houses, apartments, gas stations, sports arenas, chemical plants and shopping centers could be affected.

The guidelines approved by the Bay Area Air Quality Management District give cities and counties numerical pollution thresholds to use in deciding whether to require developers to conduct studies on ways to remove pollution during the land-use review process.

Despite California's leadership role in passing Assembly Bill 32, which set overall targets to cut greenhouse gas emissions statewide, the state has left it up to cities and counties to figure out how to achieve reductions from local developers. Greenhouse gases are mainly carbon dioxide and other pollutants that warm the Earth.

"We are moving forward to allow planning for greenhouse gases to be incorporated in future development," said Jack Broadbent, executive director of the air quality district. "We believe we are the first to set thresholds for greenhouse gases."

The planning guidelines were adopted on a 14-0 vote at a special board meeting in San Jose.

During a public hearing, speakers applauded the guidelines to limit greenhouse gases but were divided about whether the specific standard for toxic air contaminants — including soot and pollution that increases cancer risk — would inhibit development of infill housing near polluted areas such as downtowns near freeways.

"The greenhouse gas guidelines are a good start at addressing a critical environmental problem," said Matthew Vespa, an attorney for the Center for Biological Diversity in San Francisco. "Other areas will look to the Bay Area (for leadership)."

Under the guidelines, developers planning projects expected to generate more than 1,100 metric tons of greenhouse gases a year — the amount from 55 typical new single-family houses — would have to conduct an environmental review on ways to reduce or offset pollution.

Developers could be exempt if their project generated no more than 4.6 metric tons of carbon dioxide emissions annually per each subdivision resident or business employee.

To reduce their carbon footprint, developers could consider locating projects near bus and train stations, creating shuttles to transit centers, or installing solar energy panels on buildings and putting energy-saving insulation in them.

Bay Area cities and counties are not required to adopt the air district development guidelines, but they may ignore them at their own peril. They could face time-consuming lawsuits by

development opponents who could argue that the air district is the best judge of pollution guidelines.

Leaders of business and affordable-housing groups objected to the guidelines for diesel soot and other air pollution that raises the risk of cancer.

"It will discourage development in priority development areas (in downtowns or near transit centers)," said Linda Best of the Contra Costa Council, a business group.

Andrew Smith, a Walnut Creek senior planner, said he is concerned the guidelines will make it harder to permit infill development in downtown Walnut Creek because it is near freeway pollution.

Under the guidelines, a gas station, business or housing project developer would be required to conduct pollution reduction studies if the proposed project would increase the cancer risk by 10 in a million within 1,000 feet of a major pollution source.

Air district managers said the guidelines will not stop development in downtowns or near transit centers. "We support infill development," said Henry Hilken, the air district director of planning and research.

Hilken said proposed developments would have an alternative means of complying if they are in a city or area with a community risk-reduction plan to cut public exposure to cancer-causing pollutants, which air district managers and board members said is more effective than reviewing one development at a time.

"You can do more to protect the public from air contaminants if you have a plan to reduce toxics in the whole community," said Contra Costa County Supervisor John Gioia, of Richmond, a member of the regional air board.

The air district will provide grants and technical assistance to areas to develop community-risk reduction plans, he said.

[In the Sacramento Bee, Editorial, Thursday, June 3, 2010](#)

### **Eco-friendlier trucks**

McClatchy Newspapers

How's this for a prospective win-win? The Obama administration is moving to address a long-standing gap in vehicle mileage and emissions rules. By extending those rules so they apply to big trucks, the aim is to encourage development of vehicles that not only run on half the fuel they now typically use, but also produce half the air pollution.

Many ordinary car owners, perhaps fresh from their annual inspection where tailpipe emissions are checked, have been chapped to see an 18-wheeler billowing dark diesel exhaust as it roars down the highway. Emission limits for cars are important, because passenger cars make up by far the majority of vehicles on the road.

But trucks are the biggest fuel guzzlers and individual polluters. According to the Union of Concerned Scientists, while only 4 percent of the vehicles on U.S. roadways are large trucks, they consume 20 percent of the fuel supply. And the EPA says commercial trucks pump out 21 percent of the transportation sector's greenhouse gas emissions.

The disastrous Gulf of Mexico oil spill has concentrated minds around the country as to the need to reduce oil usage. Ratcheting up vehicle fuel economy standards has been a difficult slog, often in the face of resistance from manufacturers. But progress in this area must be a national priority.

At President Barack Obama's direction, the first-ever fuel usage and exhaust emissions standards applicable to commercial trucks and buses are supposed to be developed by July of 2011. They would take effect by the 2014 model year. Truck and bus fleets that can meet the new standards may well incorporate hybrid and electric designs, boosting companies that can position themselves on the technological cutting edge.

In a very real sense, the nation's security hinges on our success in controlling oil consumption, and the United States also must be a responsible participant in efforts to limit the gases that contribute to global warming. The push to make the biggest vehicles on our highways both more fuel-efficient and cleaner shows that the White House understands what is at stake.