

[Bakersfield Californian Commentary, Wed., June 1, 2011:](#)  
**Government does a fine job not cleaning the air**

By Lois Henry, Californian Columnist

Listen up!

A couple of air related issues caught my attention recently via the newspaper, emails and phone tips.

Let me boil it down for you -- CRAZY.

There is no other way to explain what's going on in California.

Lets start with the federal Environmental Protection Agency.

Did you all read where they OK'd a new natural gas fired power plant in the San Joaquin Valley and exempted it from current air quality standards?

It was "grandfathered" in under 2009 rules. Actually, what happened was the EPA screwed up and didn't process the permit request from Avenal Power Center LLC within a year as required by their own rules. Then they tried to bully the power company saying they would process the permit under new, more stringent air rules.

Avenal sued and the EPA decided they had a point (were right) and approved their permit under 2009 rules.

Excellent work guys! Can't wait to see how they "help" us with our air quality next.

Oh, right, the EPA is poised to implement a strict new ozone standard that will put the valley so far out of compliance that we could cease all internal combustion and still not meet the standard.

That's pretty darn strict. Not to mention stupid.

Speaking of strict and stupid, the California Air Resources Board (CARB) is playing ridiculous game with tank manufacturers in the name of "clean air."

I put clean air in quotes for a reason, which I'll explain later.

First the background. Oh don't groan.

OK, CARB has a whole department dedicated to vapor recovery. Their mission is to hunt down and eliminate "fugitive" emissions by doing things like requiring big rubber suction cups on California's gas pump nozzles.

They've had rules for years about the amount of fugitive emissions allowed from above-ground storage tanks. But recently they lowered that standard and required tank manufacturers to test for it.

CARB didn't require anything new or different in terms of the tank construction.

They just required testing to the new standard, which we'll call standard "A".

All the manufacturers, including Containment Systems Inc. (CSI), here in Bakersfield passed the new test last summer, according to David Dooley, product manager for CSI..

Repeat. Last summer.

The other manufacturers got their official seal of approval from CARB. But while CSI was waiting for its approval, CARB tweaked standard "A." They subsequently required everyone to retest under a newer, new standard, which we'll call standard "B."

Again, everyone passed, including CSI.

But as CSI's competitors continued to sell tanks under standard "A," CSI was left out and Dooley was told CARB wanted to wait and certify everyone under standard "B" at the same time.

CSI's tanks are fine for use in California, which CARB has acknowledged in writing. But they can't be used in California because they lack CARB's official seal.

I know, it makes no sense. Maybe it's like one of those dog whistles -- only bureaucrats can understand that kind of reasoning

"I said, OK, then certify me under the old standard," Dooley said, noting that CSI had met both standards. "But they told me, nope, that's off the books now even though the other guys are selling tanks under that standard."

You seriously cannot make this stuff up.

He's been told every month since last fall that CSI will get its official seal of approval in the next 30 days. And nada. They're backed up, administratively, he was told in one email.

I asked CARB what the hold up was but didn't get an answer back.

I was told, however, that the above ground storage tank new vapor recovery standard was expected to reduce volatile organic compounds (VOCs) by 2.11 tons per day at full implementation, which will be in 2020.

To which I say, thhhhpppt. (That's a big, fat raspberry.)

Remember, CARB did not require anything new of the tanks they tested, no new insulation, gaskets, coloring -- nothing.

They just lowered their standard for allowable fugitive emissions, had the tanks tested and all the tanks passed.

That means all this rigmarole did not reduce one single emission, much less put us on the road toward a reduction of 2.11 tons per day of anything.

It has, however, cost a lot of businesses a lot of money as CARB makes them pay big time for all this inane testing. And it's kept one business hanging for the last eight months for absolutely no good reason.

That's our government at work, all right.