

## **Air quality could cost Tulare more fines**

By Gerald Carroll, staff writer

Visalia Times-Delta and Tulare Advance-Register, Sunday, April 10, 2011

State officials are in the process of tightening air-quality standards, which means that Valley areas like Tulare County will likely continue to rack up fines for failing to meet those guidelines.

"No doubt a lot of progress has been made," Seyed Sadredin, director of the San Joaquin Valley Air Pollution Control District, said during a Visalia City Council work session Monday, "but the ultimate goal is to have zero pollution in the Central Valley."

For example, in 2008, Tulare County recorded 83 days in which its ozone level was above the 75 parts per billion allowed under state guidelines. That number would shoot to 145 days in violation if the ozone limit is lowered to 60 ppb in 2011, as expected.

"There is no way Tulare [County] can improve under even-tighter regulations," Sadredin said.

Sadredin admits that Tulare and Kern counties are low-lying bowls that collect air pollution from other parts of the state.

There are also big-rig traffic and fumes that come with the main highway arteries of state, Highway 99 and Interstate 5. Those trucks leave behind a distinct carbon footprint, which, in the end, has to be dealt with by South Valley counties themselves.

"No doubt, though, that Tulare and Kern counties are the ones under the most pressure to reduce air pollution, even if they don't create all of it," Sadredin said.

Overall, 81 percent of all Valley air pollutants come from vehicles, district research shows.

Hence, drivers who live in Tulare County will be paying a \$12 additional charge on their vehicle registration fees this year to make up for what the air district says are \$29 million in unpaid South Valley-based violations that have piled up over the years.

Sadredin said Tulare County-based businesses have paid their fair share in fighting air pollution — to the tune of \$40 billion in various fees, fines, surcharges and taxes since the 1980s, when Valley air pollution became intolerable and had to be cleaned up.

"Tulare [County] has made a strong effort," Sadredin said. "There's just so much more to do."

Shutting down wood-burning fireplaces has cleared up Valley air considerably, said some local officials — including Visalia City Councilman Mike Lane and Tulare County Supervisor Steve Worthley, who were featured on a video shown Monday to the council by the air district.

"We've just had the cleanest winter on record," Worthley said on the video.

Sadredin said the newer, tougher air standards would preclude Tulare County getting out from under both ozone and particulate violations as of this year. In fact, Tulare County, which had zero violations in particulate under 1997's standard, jumped to eight violations in 2006 and is projected to have 19 violations under proposed 2011 levels.

"Standards don't disappear," Sadredin said. "Ironically, 90 percent of all air pollutants have been removed from Valley air [since 1980], but that last 10 percent is really going to be hard."

### **How to get involved**

Tulare County officials have organized a contest to interest more people in sparing the air by taking public buses, riding bikes and walking. April 16 is the deadline to enter Dare To Spare. Information: [www.daretospare.com](http://www.daretospare.com), 877-404-6473.

## **EPA identifies new violations in Kettleman**

By Eiji Yamashita, staff writer

Hanford Sentinel, Friday, April 8, 2011

Chemical Waste Management Inc., already mired in controversies over its toxic waste handling practices at its Kettleman Hills Facility, is facing more federal scrutiny.

Numerous violations and new areas of concern have been identified at the facility, including what officials described as improper treatment of cyanide and other waste, according to a newly released report by the U.S. Environmental Protection Agency.

The EPA conducted an investigation at the Kettleman facility between Feb. 8 and Nov. 12, 2010. The scope of the probe was to evaluate the Chem Waste operation's compliance with federal and state hazardous waste regulations.

In the hefty 82-page report released Monday, Chem Waste is reported to have failed to follow protocols and meet standards. The EPA said the company disposed of prohibited waste for five years between 2005 and 2010 and that its lab analyses were flawed.

"Our Resource Conservation and Recovery Act investigation report is now complete and identifies areas of non-compliance with hazardous waste management requirements, including disposal of waste not properly treated for metals and failure to comply with federal requirements for analyzing hazardous waste," the EPA said Wednesday in a statement.

The EPA said it has no information indicating any of the violations noted in the report would pose public health risks. Amid mounting health concerns by nearby residents, the report adds further pressure on the company to improve its operations. The EPA had just fined the facility \$300,000 in December for mishandling cancer-causing toxins called PCBs.

A recurrent issue at the Kettleman Hills Facility is its on-site laboratory, whose data was found to be unreliable by the EPA last May.

Monday's report said calibration failures of a sample analysis instrument were persistent at Chem Waste's lab between 2006 and 2010.

Officials reiterated Wednesday that the company has been responsive.

"On May 27, 2010, EPA recommended that Chemical Waste management (CWM) use a credible independent lab until CWM could ensure reliable data-quality control," the EPA said. "Since then, EPA understands that CWM has not been using its on-site laboratory for post-treatment waste analysis."

Company officials say they are working closely with the EPA to resolve concerns. But they also stood by the quality of its lab analyses.

"It is important to note that Kettleman lab was again certified by the California Environmental Laboratory Accreditation Program (ELAP) in January of this year," said Waste Management spokeswoman Jennifer Andrews. "ELAP evaluates and accredits environmental testing labs to ensure the quality of analytical data used for regulatory purposes. We are fully committed to ensuring the highest level of reliability in laboratory processes and analytical results."

The lab issue is just one of several violations and concerns detailed in the report.

Other areas of problems noted in the report:

- The company disposed of untreated landfill "leachate" (a solution formed by leaching, especially a solution containing contaminants picked up through the leaching of soil) from Landfill B-19, which has been partially converted to a bioreactor, about every 90 days without checking whether the waste met treatment standards.
- The facility disposed of prohibited wastes at Landfill B-18, a hazardous waste landfill, between Jan. 1, 2005 and July 23, 2010.
- During the February 2010 inspection, EPA officials observed improper dilution of leached materials.
- Skimmings from one surface impoundment pond had liquid that exceeded standards for the toxic pollutants acetone, phenol and acenaphthylene.

- Treatment of leachate from another pond for cyanide was inadequate.

Monday's report comes more than a month after the EPA issued a new notice of non-compliance to the Kettleman Hills Facility in February.

Details were withheld at the time as the facility was given a chance to claim confidential business information before the report could be made public.

The recent report indicates the agency is stepping up its enforcement on the facility, while it also calls into question why some problems were allowed to continue for years.

Meanwhile, company officials said many of the violations were corrected at the time they were noted by EPA inspectors. The company says it is working with the agency to fix remaining problems.

## **Businesses getting in on the green**

By Allie Castro, Contributing writer  
Bakersfield Californian, Saturday, April 9, 2011

With Earth Day just a couple of weeks away, you may be giving extra thought about how you can go green. Some local businesses are already in on the act, tweaking their daily routines, recycling goods and raising awareness in the name of a greener Kern County. Here is part one in a two-part look at the ways local businesses are staying eco-friendly and some suggestions for you to try at home.

### **Greenshops**

Though Greenshops may be the most obviously green business in town, owners Sasha Windes and Jennifer Jordan are keeping some unconventional behind-the-scenes green practices.

Greenshops -- Bakersfield's go-to store for eco-friendly and organic home products -- is also making sure that everything from their shipping boxes and supplies, to custom-made decorations are environmentally friendly.

"One thing that we are quite proud of is our 'We love our ugly boxes' program," Windes said. "This is a program we created in 2008, when we first opened our doors, to reuse all of our boxes and packaging materials.

"We did not want have to purchase a single shipping box. Every box has been donated or reused from items that have received at the store," she said. "We had a cute label created we add to each box that said 'We love ugly boxes' and we encourage others to do so as well."

The store is also mindful of the way its paper needs could have a negative impact on the earth. "Our gift-wrapping materials and bags are made from 100 percent recycled content and though we try not to include packing slips or invoices in our boxes, if we do need to we use 100 percent recycled content paper," Windes said. "We have a gift registry and for those that want registry cards or gift messages, we use (Mr. Ellie Pooh) -- paper made from elephant dung in Sri Lanka as part of a program started by Dr. Karl (Wald) to save elephants from being killed for agriculture and create economy for a renewable resource."

Windes' advice: "Use your purchase power to make a difference. Businesses make decisions based upon demand and market; if people use their purchase power to support companies that are going green or making a green product, more and more companies would start making a more sustainable product. If more people demand a product made locally, and only purchased things made locally, then things would change. Our purchase power is our strongest voice which would help all issues."

### **Kern Green**

When the ladies of Greenshops aren't spending time in their shop promoting eco-friendly products, they're busy educating businesses on how to go green in the office, providing training to get through a certification process that designates the participant a certified green business.

"The Kern Green business certification is a structured program that provides tools, resources, and technical support for businesses that want a targeted approach to greening their operations," Windes said.

"It also engages individuals and businesses to take greater responsibility for improving their environment through education and awareness that will contribute to the economic vitality and environmental conservation of our region."

During the certification process, "We have an assessment on the website and the business has to complete the required measures, and then a certain percentage of the other measures," she said. "We focus on energy efficiency, water conservation, community involvement, pollution prevention, waste reduction and sustainable purchasing."

Though the nonprofit just launched in February, Windes said they are already excited at how many businesses are interested in starting the certification process.

"We have quite a few businesses that have signed up to go through the assessment. Large distribution centers, mortgage companies, retail businesses, real estate companies and more. We are so excited to watch these businesses take the steps to green up their operations."

### **E-Waste Recycling**

What's Neil Agness' greatest challenge? Getting people to realize that e-waste is not, in fact, the same thing as e.coli.

"I had so many more people confusing e-waste with e.coli that I almost quit," he said with a laugh. "I don't recycle dog poop."

Agness' business, E-Waste Recycling, focuses on an area of recycling often overlooked by the public.

"We handle the electronic waste recycling here in Kern County, and the biggest problem that we've had ... is educating people about how important it is," Agness said. "There are so many toxins in electric waste like lead and mercury, and we can't allow it to get in landfills because it ultimately ends up in our drinking water."

So instead of sending it to a landfill, Agness collects electronics at events he holds in various parts of the county, and takes them to a processor that pulls the lead out of the glass used to make the products, so it can be safely recycled.

"It's really important because the glass from the older TVs has cathode ray tubes that have five to seven pounds of lead in the glass. The main reason they started the program is because it has to be taken out before glass (and lead) can be recycled," he said.

Not only will this practice benefit generations to come, it is also helping provide jobs in our community right now.

"We now process (the items) here locally, which has provided 10 jobs, and there's a crew from BARC who works there daily. It's a super win-win situation."

He said local businesses have begun to embrace their services, and local factory Frito-Lay is among businesses set to start taking advantage of Agness' business.

Agness' advice: "Keep your e-waste to set aside and bring it to the event in Bakersfield on April 15 and 16 at Bakersfield College.

And take your cardboard and paper to be recycled; it's so easy to take out, and at so many places like Cal State you can drop it off for free."

### **Extra burn days will require special permit permits may be issued**

By Brian Wilkinson, staff writer

Sierra Star, Thursday, April 7, 2011

Sparked by thousands of fallen trees throughout Eastern Madera County from the historic March 20 storm, the San Joaquin Valley Air Pollution Control District has agreed to an exemption to "No Burn Days" for residents of the area on a case-by-case basis to speed up the massive cleanup effort.

The exemption was made after a request was sent to the pollution control district by Cal Fire Division Chief Dave Irion.

A procedure has been established that allows property owners in the Mountain Area to receive permission for unrestricted burn days between now and when Cal Fire suspends burning for the season.

After obtaining a free burn permit -- good for three years -- at Cal Fire stations residents must request an inspection by one of the stations for a determination if the property is an "imminent fire hazard."

"We have areas that need to be abated before Cal Fire suspends burning in Eastern Madera County, which is typically during May," Irion said. If properties are left with large numbers of downed trees, they will become fire hazards.

If the property is determined to be a potential fire hazard, with a significant amount of vegetation down within the 100-foot clearance zone, a form will be filled out by Cal Fire and sent to Daniel Martinez at the pollution control district requesting the property be declared exempt from "No Burn Days."

The property owner will be notified if the request is approved, and will pick up a copy of the form from the Cal Fire station that issued it. Once the property owner has the form, they will be able to burn every day until Cal Fire suspends seasonal burning.

Irion said allowing the public to conduct pile burning daily will help reduce the amount of downed fuel. "The fuel reduction will lower the fire hazard and reduce the probability of wildfire."

There are penalties for burning on private property without a burn permit or on a "No Burn Day" without an exemption form.

The following conditions must be met while burning:

Devices that produce a flame should be used to ignite the burn pile such as butane, diesel or flares. Newspaper and matches may also be used.

Leaves must be dry.

The materials to be burned must originate from the property it was grown on. Transporting material to an off-site location to be burned is illegal.

Material should be loosely stacked or added to an existing fire to ensure the flames quickly consume the material.

The burn pile, during daytime hours, cannot be allowed to smolder, as that generates excessive smoke.

Materials prohibited for burning include household garbage, lumber, plywood, roofing material, plastics, tires, paints and their containers and electric wire.

Details: Any fire station in the Mountain Area or Station 12 in Oakhurst, (559) 683-4808.

## **A tally of telecommuting: Tons of pollutants avoided**

By Sandy Bauers - The Philadelphia Inquirer  
In the Sacramento Bee, Monday, April 11, 2011

Just stay home.

That might be a good mantra for those who want to see a major drop in greenhouse gas emissions.

In a new study about working from home - also called telecommuting, or telework - a Widener University professor and a colleague have determined that greenhouse gas emissions could be reduced by about 588 tons over the next 10 years, if just another 10 percent of the workforce did it.

Key to that is developing widespread access to broadband services, said Joseph P. Fuhr, an economics professor at Widener, and Stephen Pociask, president of the American Consumer Institute, a nonprofit research organization in Washington, D.C.

In a paper published in the journal, *Low Carbon Economy*, they said that about half of U.S. homes lack a high-speed connection to the internet. But otherwise, the potential for telecommuting is high.

U.S. government workers are a case in point. According to the federal Office of Personnel Management, 41 percent of federal workers are eligible for telecommuting. Oddly enough, only about 19 percent do.

Fuhr and Pociask outlined the many benefits - a reduction in rush-hour traffic (and a reprieve from costly road projects); less oil use and perhaps fewer cars needed overall; a way to expand employment opportunities for the handicapped and the elderly. There's the potential for fewer auto accidents and, as a result, lives saved.

There's more. "Telecommuters save money by eating out less, decreasing daycare needs and spending less on work wardrobes and dry cleaning," the authors noted.

Firms "will need less equipment, office space, parking spaces ..." Telecommuting could lead to what they call "homeshoring," as opposed to "offshoring" jobs overseas.

Bosses always worry about productivity, but additional studies have shown an increase in worker output, coupled with higher morale.

The researchers say more studies are needed, but their breakdown of the environmental benefits in a single year of additional telecommuting show 45 tons of greenhouse gas emissions saved from less driving, 4.8 tons saved from the effects of congestion, 28.1 tons saved from office space not built and 56.8 tons saved from energy not used in office spaces.

They conclude: "Encouraging the development of technology such as broadband services, which will facilitate the use of more telecommuting, could become one of the most important economic public policy initiatives because it helps the environment while augmenting economic growth."

## **Long-overdue widening welcome; landscape decimation not so much**

By Michael Fitzgerald, staff writer  
Stockton Record, Sunday, April 10, 2011

No sooner do Stocktonians defeat a horrendous plan to strip El Dorado Street of trees than Caltrans announces a plan 10 times worse.

The state Department of Transportation's North Stockton I-5 Widening Project, beginning June 1, will widen Interstate 5 from six to eight lanes from Country Club Boulevard to Eight Mile Road.

The long-overdue widening is welcome. Caltrans will resurface the bumpy highway; add a carpool lane; remove the Monte Diablo bottleneck; and enlarge exits.

But the state plans to remove 1,025 of the 1,671 trees lining the highway.

And not replace a single one.

I do not use the phrase "10 times worse" loosely. The Eldo plan felled 101 trees - now, happily, to be replaced.

But 1,025? That's probably the single biggest impact ever to the urban forest.

"It is too bad," agreed Andy Chesley, executive director of the San Joaquin Council of Governments.

Chesley sees the project as a lesser evil. I-5 through Stockton badly has needed help for years. About 125,000 cars a day pound it, bogging down at peak times.

Money is elusive. So when the state finally bestowed \$70 million, COG swallowed hard when the state Transportation Commission decreed the cash-strapped state will not spend a dime on landscaping, and chipped in about \$48 million in Measure K funds, just to get 'er done.

"We're going to live with it," Chesley said.

I think it's preferable to reinforce the battle-weary COG with fresh troops who can't live with it.

People who believe Caltrans has a responsibility to soften its impacts and preserve Stockton's foresty urban character.

Otherwise, the state will replace trees with bare sound walls out of an obsolete, 1955 playbook written by traffic engineers obsessed with traffic flow and numb to everything else.

According to city records, Caltrans District Director Carrie Bowen suggested painting murals on the soundwalls. This suggestion deserves crickets.

Stretches of Highway 99 where oleanders were removed, and I-5 at Quail Lakes, where fire burned trees away, show that soundwalls quickly become graffitied.

They become uber-ugly graffiti canvases every person coming through Stockton, including potential employers, will see. A dreary gantlet Stocktonians will have to run every day.

Some Bay Area soundwalls have sculptural elements and green vines that look decent. But these are located on freeways inaccessible to graffiti writers.

Councilman Dale Fritchen is displeased.

"This is Stockton; we're known for our trees," he said. "You drive through and you're going to see nothing but barren on I-5."

Stockton Beautiful is displeased.

"I think the effect could be really harmful, long term," said the group's president, Jeff Gamboni. "Not to mention issues of air quality associated with having trees."

Stockton Beautiful will discuss the issue, Gamboni said.

The project's timeline offers a ray of hope. The widening will take three building seasons - three years. That gives leaders and activists time to beat the bushes for funding.

We're talking \$150,000 to \$200,000 for the landscape design and \$900,000 to \$1 million to plant the trees.

"Certainly we'd be willing to search for it," said Assemblywoman Alyson Huber's chief of staff, Tim Reardon. "In the environment we're in now, we couldn't promise anything. But it's something we certainly will look into."

Even Caltrans would like to do better.

"We're working with the city of Stockton and San Joaquin COG as our partner to identify funding for a landscaping project within the footprint of the North Stockton I-5 Widening Project," said Caltrans' local district spokesperson, Chantel Miller.

Miller added, "Given the current tight fiscal situation, we would welcome the opportunity of any local civic groups that would like to adopt a section of the highway for beautification."

It is already possible to see what Stockton will get out of the North Stockton I-5 Widening Project: It'll get what it settles for. If it settles for ugly, you'll get ugly.

If you think Stockton deserves better, and you want to help, contact Councilman Fritchen at (209) 937-8244. Or call Miller at Caltrans' District 10 office, (209) 948-7977.

## **Will buying an electric car make an environmental difference?**

By Paul Rogers, San Jose Mercury News

In the Sacramento Bee, Monday, April 11, 2011

Sure, you might get a carpool sticker and a tax break. But if you buy an electric car, will it make much environmental difference?

Experts say that depends on three factors: What were you driving before? How is your electricity generated? And how many other electric cars are going to be sold?

In many cases, people who trade gasoline-powered cars for electric ones won't be dramatically lessening the smog they emit. But when it comes to global warming, even when emissions from generating the electricity are taken into account, electric vehicles have a much smaller carbon footprint than gas-powered vehicles because they are much more efficient. However, it will take a decade or more until enough electric vehicles are on the road to make a significant impact.

"If you have a person who is driving a nice, newer car, having them switch to an electric car, there isn't going to be much benefit in reducing smog," said Tom Cahill, a professor emeritus of physics at University of California Davis. "But there could be a whole lot of gain in climate change."

Because all-electric vehicles like the Nissan Leaf burn no fossil fuels, and plug-in hybrids like the Chevy Volt burn only small amounts of gasoline, tailpipe emissions from electric cars are basically zero. In smoggy cities like Los Angeles, driving one on summer days may actually clean the air because the tailpipe emissions contain less pollution than the air.

Yet most people currently buying electric cars weren't driving old, smog-belching vehicles. They are often affluent motorists who drove newer-model gasoline cars. In California, because it has for 50 years had the toughest tailpipe standards in the nation, a 2010 gasoline-burning car puts out only 2 percent or less of the pollution spewed by a 1980s model.

Along with the national-security benefits of reducing America's use of foreign oil, the main societal benefit of electric cars might be their dramatically smaller global warming footprint.

A 2008 study by researchers at Carnegie Mellon University found that life-cycle greenhouse gas emissions, which include emissions from both manufacturing and operating a vehicle, are 32 percent less from plug-in hybrids than from gasoline-powered cars.

That finding was based on America's electricity mix: 45 percent of U.S. electricity is generated from coal, 23 percent from natural gas, 20 percent from nuclear, and 12 percent from dams, solar, wind and other sources.

The global warming footprint of electric cars varies by region. Some states get nearly all their electricity from coal, the most polluting fuel.

Using a nearly all-coal scenario for electricity, plug-in hybrids emit fewer greenhouse gases than gasoline-powered cars, the study found, but aren't as "clean" as ordinary hybrids like the Prius.

"The types of power plants installed in the next two decades will not only affect how much we can reduce emissions from electricity, but also from vehicles," said Carnegie Mellon engineer Kyle Meisterling, one of the study's authors.

In states with cleaner power mixes, plug-in hybrids have less than half the greenhouse gas footprint of conventional gasoline vehicles. Why? Efficiency, said Mark Jacobsen, a professor of civil and environmental engineering at Stanford University.

In cars with internal combustion engines, only 20 percent of the energy goes to move the car and 80 percent is wasted heat, he said. But in an electric car, 80 percent moves the vehicle and only 20 percent is wasted.

"Electricity is more efficient," Jacobsen said. "As a result, you just need less energy."

In a recent study, Jacobsen computed the carbon footprint of every major energy source, wondering which would be greenest if America converted all its vehicles to run on each. He found that electric vehicles powered by wind energy were best, with a 99 percent reduction in carbon and air pollution emissions from the current vehicle fleet. In fact, every vehicle in America could run on the electricity provided by 144,000 5-megawatt wind turbines, he concluded.

Building them sounds like a massive job, but he noted that the United States built 300,000 airplanes during World War II. Ethanol ranked last in his study, with the largest carbon footprint.

"There's no technical reason we can't ramp up to a lot more electric vehicles," he said. "It's a question of whether society as a whole is motivated to do it."

Gas prices at \$5 a gallon might provide motivation. But even then, the transition is expected to be slow. Americans bought 11.6 million vehicles last year. Including the popular Prius, just 2.4 percent were hybrids. Only three automakers - GM, Nissan and French firm PSA - plan to produce more than 10,000 electric cars a year by the end of 2011.

"Almost anything you do won't have much effect for five to 10 years because you have all these used cars that stay on the road for so long," said Tom Turrentine, director of the Plug-in Hybrid Electric Vehicle Research Center at UC Davis. "It takes 10 years to really move through the fleet and change it. But you've gotta start somewhere."

[Bakersfield Californian commentary, Sunday, April 10, 2011:](#)

### **Bad air needs a scalpel, not a sledgehammer**

By Lois Henry, Californian Columnist

I've been wondering what it was going to take to start to tip the scales of environmental alarmism back toward common sense.

Apparently, it was that \$29 million fine the San Joaquin Valley Air Pollution Control District incurred for not meeting an ozone standard that no longer exists.

The absurdity of that fine, combined with even more unattainable air standards, caught the attention of at least one well-placed politician. The result is a new bill about to be introduced that could, if passed, mix an actual smidge of reality into the system. Read on.

Remember last fall, the air district board voted to assess valley motorists \$12 each on our yearly DMV fees in order to pay the fine.

The fine was the outcome of a lawsuit filed by environmental groups complaining the air district hadn't met an old one-hour ozone standard (a federal Clean Air Act rule that measures the peak level of smog-producing ozone during any one-hour period).

Never mind that we used to violate the standard 56 times a year and last year were only over seven times. And never mind that the one-hour standard had since been changed to an eight-hour snapshot. A judge still agreed with the plaintiffs and we got the fine.

Environmental groups argued valley businesses should pay the \$29 mil.

But the air district noted that local industries had already reduced emissions up to 80 percent over the last 20 years and you can only squeeze so many emissions reductions -- and fines -- out of that turnip.

Since the majority of our ozone pollution comes from tailpipes, the air district opted for the DMV fees.

The subsequent caterwauling was deafening.

All of a sudden, the public clued in that A) cleaning up the air is expensive when it's coming out of your wallet and B) what possible kind of logic supports a system that penalizes us for not meeting standards that don't exist?

But wait. Don't answer yet!

All of that is just the backdrop for ridiculously stringent new standards being mulled by the federal Environmental Protection Agency that would set the ozone goal so far out of our grasp the only way to even approach compliance would be to cease all fossil fuel combustion in the valley, according to air district Executive Director Seyed Sadredin.

The current standard, which we aren't able to meet, is 84 parts of ozone per billion. The new standard that the EPA is considering is 60 to 70 parts per billion.

"We don't have the technology (for businesses to reduce emissions) to meet the current standard," Sadredin said. "It doesn't exist yet."

Oh, and there's more. Even if the EPA adopts that 60-70 standard in July, as expected, it will only be good to about 2013 when another new standard is expected to be adopted.

Sadredin has been working to get some flexibility in how the standard is applied. I question the science behind it but I'll rant on that in a minute. Sadredin has been in talks with the EPA to try to get them to focus on a more "risk-based" standard rather than a "mass-based" one.

The way it works now is the EPA says you can only have so many parts per billion of ozone in the air. Period. One size fits all. But ozone is generated from a host of different pollutants, including the biggies, VOCs (volatile organic compounds) and NOx (nitrogen oxides), which react with sunlight and heat to make ozone.

What makes up our ozone may not be the same mix that makes up ozone in other parts of the state, or country.

For instance: "Studies show that reducing VOCs does very little for us in the valley to reduce ozone," Sadredin said. "NOx is our big problem and that comes from tailpipes, or any combustion."

That means NOx is the 800-pound pollutant, which is why Sadredin says we'd have to cease all fossil fuel combustion to meet the new standards. (Though he's not advocating that, he quickly clarifies.)

Not only that, when you break down the individual chemicals, some are far more dangerous than others. Some VOCs are more reactive to sunlight, meaning they do form ozone and are potentially more dangerous to human health.

Sadredin is hoping the EPA can alter its one size approach to allow districts to specifically target those chemicals that are potentially harmful to human health, especially in areas where we've already reduced pollution dramatically.

"We need to get smarter about how we spend our resources," he said.

He's not saying toss out the new standard, just allow some flexibility.

When I asked how that was going, Sadredin paused. "Well, they haven't thrown us out of the room yet," he said of EPA's response.

Environmental groups would like to throw that out, however.

"They want to pick and choose controls," said Tom Frantz, head of Association of Irrigated Residents, who also feared if the air district gets its way it would ignore pollution in small communities.

No, Sadredin said.

"Wherever there is a risk, we're saying, 'Let's look at that and deal with it on a targeted basis.'"

Whoa! You mean first find an actual problem that needs fixing and then fix that problem?  
Astounding.

Sadredin has also taken his concerns to House Majority Whip Kevin McCarthy, R-Bakersfield, who has a new bill ready to tackle these issues. (See side box.)

Back to my rant about the science behind all this.

Remember, the justification for the very existence of the air district, California Air Resources Board and these EPA standards is the fear that air pollution, including ozone and particulate matter (especially PM2.5 from diesel), is killing people.

I've said before and I repeat, the EPA and Air Resources Board have routinely ignored studies showing no evidence of premature deaths in California from exposure to PM2.5. (They have, for reasons they never really explained, revised the alleged diesel PM2.5 death toll down from 9,200 Californians a year to 2,000.)

An EPA press release issued this past March doesn't say how many people die of ozone exposure, per se, but it claims that reductions in fine particle and ozone pollution from Clean Air Act mandates prevented 160,000 premature deaths nationwide in 2010.

Uh huh. I trust those numbers about as much as I trust the ever shifting PM2.5 body count. And then there's a 2009 study by Richard L. Smith that concludes the association between ozone and mortality is small, at best, and "very sensitive to modeling choices and data selection," meaning such studies can be easily biased depending on the outcome the researcher wants or expects. That study, by the way, came on the heels of a 2006 study by Roger D. Peng that also found only a tenuous link between ozone and premature deaths.

That in mind, Smith writes, there are "serious uncertainties when epidemiological results are used to discern the nature and magnitude of possible ozone-mortality relationships or applied to risk assessment."

That's brainiac speak for they DON'T KNOW if ozone exposure causes any premature deaths.

Certainly air pollution isn't good for us and we should work to clean it up, particularly in some places like Arvin and Lamont where it piles up due to prevailing winds and geography.

But you don't use a shotgun to cut out a tumor.

### **Mandating Common Sense**

House Majority Whip Kevin McCarthy, R-Bakersfield, is getting ready to introduce a bill that would, hopefully, bring a little common sense into the air pollution regulatory process.

First, the bill would repeal the \$29 million fine incurred by the San Joaquin Valley Air Pollution Control District for not meeting an old ozone standard.

Second, it would prevent the Environmental Protection Agency from adopting a new ozone standard that would be impossible for the valley to meet.

Then it would try to inject a little more sense into the air quality standard process. Right now, the process is a "one size fits all" approach meaning standards don't take into account geography, natural ozone background levels, pass-through traffic or whether reducing one or more constituents of ozone would be a more effective path to protecting public health.

McCarthy's bill would create advisory panels, with representatives from air districts, ag, transportation, environmental justice groups, etc., to study those issues. They would have five years to complete their studies and report to Congress. Then Congress would have some amount of time (still being worked out) to act on those reports.

"It does alter the Clean Air Act, slightly," he said. "But we're not trying to exempt any areas or do away with fines or anything like that. We want to work toward cleaner air but do it with some common sense."