

Get ready for a winter of bad air

By Eiji Yamashita

Hanford Sentinel, Monday, Jan. 2, 2012

HANFORD — A bad air day? A dry month? Blame it all on La Niña. Kings County and the rest of the Central California are in for an unusually dry and cooler winter, as seen throughout the month of December. The recent dry spell — caused by a buildup of abnormally cool subsurface waters in the tropical Pacific — has tied for the area's driest December on record seen in 1989, according to weather forecasters and air quality experts.

What it also means is that the Valley's air quality is off to a rough start this winter. Anticipating high levels of soot pollution over the weekend, the air district issued an alert Friday asking residents to comply with the wood burning ban in place.

"Given these abnormal weather conditions and the resulting poor air quality, we urge Valley residents to refrain from extraneous outdoor activities when air quality reaches unhealthy levels," said Seyed Sadredin, executive director of the San Joaquin Valley Air Pollution Control District. "It is also critical for (them) to adhere to wood-burning prohibitions declared by the air district."

Valley counties have already had four times as many unhealthy days this season than in the entire 2010-2011 winter season, the district said. The number of federal standard violations as well as the number of wood-burning prohibition days are also significantly up this year, officials said.

A La Niña weather pattern, which results in drier, stagnant weather, is to blame for the persistent unhealthy air quality.

Air officials say the unusually cold overnight temperatures and warm air high up in the atmosphere create inversions, which trap bad air close to the ground.

The worst air quality levels in the Valley were observed or forecast for Kings County Thursday through Saturday with the air quality index reaching as high as 159 on Thursday.

Air quality forecasts for surrounding counties were lower but were either unhealthy for sensitive groups or unhealthy for everyone.

To knock down pollution during the winter, enough rain and wind would be crucial, said Carlos Molina, a meteorologist for the National Weather Service's Hanford office.

"Typically, when a storm moves through, it cleans out the air because it pushes all the air in the Valley away from us and replaces it with cleaner air," Molina said. "But because of La Niña, we're not seeing the storms that we normally would have this time of the year."

Hanford measured zero rainfall for this December. The area's precipitation average for December is 1.34 inches, Molina said. Lack of rain so far this season has put Hanford 1.53 inches behind on precipitation, he said.

Violations up on no-burn days in Tulare County

Use of fireplaces to heat homes discouraged

Written by Eric Woomer

Visalia Times-Delta and Tulare Advance-Register, Saturday, Dec. 31, 2011

With temperatures dipping below freezing at night, many homeowners have turned to their fireplaces to keep warm. While some people think that it's a cheap alternative to flipping on the switch to their heaters, wood-burning fireplaces don't always offer warmth, cost savings or safety.

And in the San Joaquin Valley, using wood-burning fireplaces is often forbidden on many winter days.

A house fire Tuesday night, a no-burn day, that destroyed a home and 17 years worth of memories most likely started in an upstairs wood-burning fireplace, officials say.

While Visalia fire investigators are still searching for clues on why the fire spread so quickly, they're urging people to clean and maintain their chimneys and flues to prevent fires in the first place.

Most don't do it often enough, though, Visalia Fire Chief Mark Nelson said. And because people put off the annual cleaning and are usually home more often in the winter months than summer, it can be a dangerous procrastination.

There are more structure fires in the winter as a result, fire officials said.

"Creosote builds up and breaks down the walls of the chimney. People need to have their chimney and flues cleaned once a year," he said. "The sparks can ignite an attic and it can be very dangerous if people don't maintain their chimneys."

So far this year, Visalia firefighters responded to 23 structure fires, 10 more than last year. As a result, more than \$3 million in property has been reported lost in fires this month alone.

While preventing fireplace use all together isn't realistic, San Joaquin Valley Air Pollution Control District officials said, they're hoping that enforcement and their "Check before you burn" campaign will help curtail fireplace use.

No-burn days are established and enforced by the air district and are determined daily by the Valley air quality. Because of a lack of rain in December, the district set a record with 21 no-burn days in December. That's double the number of no-burn days in the last two Decembers combined.

But with an increase in the number of days that people are forbidden from burning comes an increase in the number of violations. In fact, there has been an increase of more than 200 percent over last year. In 2010, there were 152 violations served to people using a fireplace. So far this year, there have been 478 violations processed.

"I know people hate to pay those gas bills, but using a fireplace to heat a home isn't very effective," said Brenda Turner, an air district spokeswoman. "Fireplaces essentially force the heat out of the house. We encourage people to burn carefully and cleanly."

Fines can range from \$50 to hundreds of dollars for multiple offenses. And while Visalia's ordinance doesn't restrict the use of fireplaces, the air district does.

Marie Bergeron, owner of the home destroyed in Tuesday's fire, said she was trying to save money by using both fireplaces in her home in the 500 block of North Powell Court.

On Wednesday morning, she warned people against doing what she did.

"It's not worth it. I wanted to save a few bucks and I rarely even use that fireplace, but it's not going to save me any money now," she said.

Fire officials estimated Bergeron's loss at more than \$600,000.

Exemptions to wood-burning prohibitions

You may use your wood-burning fireplace or device on a prohibited day if:

- You live in an area where there is no natural gas service, or
- If wood-burning is your only source of heat

Clean-burning tips

- Ensure that firewood is clean, seasoned and dry before burning it. Unseasoned wood smolders and creates additional emissions.
- Never burn trash, magazines, newspapers, plastics or other materials not designed to burn in fireplaces or stoves. Doing so is illegal and hazardous.
- Replace old solid fuel-burning equipment with cleaner EPA Phase II-certified or pellet-fueled devices or install natural gas or propane devices. Natural gas and propane devices are not subject to Air District wood-burning rules.

Source: San Joaquin Valley Air Pollution Control District

Air district says climate causing bad air quality

By Rachel Cook, Californian staff writer
Bakersfield Californian, Friday, Dec. 30, 2011

The valley's air quality is off to a rough start this winter and the air district said the weather is to blame.

The valley counties have already had four times as many unhealthy days this season than in the entire 2010-2011 winter season, a San Joaquin Valley Air Pollution Control District news release sent Thursday said.

The number of wood burning prohibition days is also up throughout the district this year, according to the news release.

A La Nina weather pattern, which causes drier, stagnant weather, is responsible for the conditions causing the poor air, the district said.

Cold nighttime temperatures and warmer air higher up are creating inversions, which trap air closer to the valley surface instead of letting it disperse.

"It's kind of like a lid sitting on top of the bowl that's the valley," said air district spokeswoman Brenda Turner. "The warm air higher up is pushing the colder air down toward the surface."

The inversions coupled with a lack of rain and wind have caused higher levels of pollution.

"Unfortunately we've just had very adverse weather conditions for the past couple weeks," Turner said.

The spokeswoman said the district has received a couple calls from people wondering why there have been so many no-burn days and asking if there is a cap on the number of no-burn days, which there isn't.

"(The number of no burn days) really is dependent on the air quality," Turner said.

The air outlook for the rest of the winter will depend on the weather. Turner said frequent storms with sufficient rain and wind would be needed to knock down pollution.

"We're not sure what the weather will do," Turner said. "Who knows, we'll have to see."

The National Weather Services's Climate Prediction Center forecast that La Nina is anticipated to continue through the winter.

In the short term, Daniel Harty, a meteorologist for the National Weather Service's Hanford office, said the next seven days will be dry.

Valley air suffering a dismal December

Fresno Bee, Thurs., Dec. 29, 2011

Don't take a deep breath this holiday season if you smell fireplace smoke. The Valley's haze has become a nasty brew of soot and debris twice the federal health standard.

And it's getting worse.

Nature and the economy have created a perfect storm of dirty air -- the worst December bout for the Fresno-Clovis area in more than a decade.

Despite daily no-burn orders from authorities, people are lighting wood in fireplaces, some saying they can't afford high utility bills during these hard economic times. Others burn wood for extra warmth during this unusually frosty December.

Adding to the problem, there have been no storms to clean out the San Joaquin Valley this month. Fireplace soot, diesel exhaust, chemical droplets and other specks hang in the air. Pollution readings keep climbing.

The air is unhealthy for children, the elderly and people with lung and heart problems, air officials say. At times, it has even been unsafe for healthy adults. Doctors say they are seeing more patients with respiratory problems.

The San Joaquin Valley Air Pollution Control District is issuing daily wood-burning bans in most of the eight counties in the region to protect the public. Air inspectors write \$50 tickets to those who are still lighting wood fires. First offenders can avoid the fine by taking a class on residential wood burning.

Fresno judge invalidates part of state's greenhouse gas law

By John Ellis

Fresno Bee, Thursday, December 29, 2011

A Fresno federal judge on Thursday dealt a setback to California's landmark global warming law, which went into effect this year with the goal of reducing the state's greenhouse gas emissions to 1990 levels by 2020.

U.S. District Judge Lawrence J. O'Neill ruled that California's Low Carbon Fuel Standard violated the U.S. Constitution's Commerce Clause.

The standard aims to gradually cut the carbon content in gasoline 10% by 2020 and replace up to 20% of the total gasoline used annually in the state with renewable fuels such as ethanol.

Several groups -- including the Fresno-based Nisei Farmers League and the Fresno County Farm Bureau -- filed a lawsuit in December 2009 that challenged the state regulation, saying it violated the Commerce Clause by seeking to regulate farming and ethanol production practices in other states.

A similar suit that involved oil production was filed last year by groups including the National Petrochemical Refiners Association and the American Trucking Association. It was later consolidated with the first lawsuit.

It was clear Thursday that O'Neill's ruling will be appealed. But what will happen to the state's greenhouse gas law wasn't clear -- representatives of both sides of the debate were still digesting O'Neill's complicated ruling.

In a joint statement released Thursday, Renewable Fuels Association President and CEO Bob Dinneen and Growth Energy CEO Tom Buis said California "overreached in creating its low carbon fuel standard by making it unconstitutionally punitive for farmers and ethanol producers outside of the state's border."

Renewable Fuels Association and Growth Energy are both organizations that represent ethanol producers. They were plaintiffs in the first case.

The state Air Resources Board and the Natural Resources Defense Council -- which intervened in the case on behalf of the state -- promised an immediate appeal to the 9th U.S. Circuit Court of Appeals in San Francisco.

"We respectfully disagree with the court's decision," ARB spokesman Dave Clegern said in a statement.

He called the state's Low Carbon Fuel Standard "an evenhanded standard that encourages the use of cleaner low carbon fuels by regulating fuel providers in California. It does not discriminate against any fuels on the basis of geography."

The global warming law -- which was written in the state Assembly and is often referred to by its bill name, AB 32 -- sets a statewide limit on greenhouse gas emissions.

David Pettit, a senior attorney for the Natural Resources Defense Council, said a key decision will now be whether the 9th Circuit holds off on implementing O'Neill's order while it takes up the appeal.

If the appellate court lets the ruling stand while the appeal proceeds, he said it will be harder for the state to meet its goal of reducing greenhouse gas emissions.

"California's low carbon fuel standard will help reduce harmful air pollution from the fuels used by our cars and trucks, reduce our dependence in petroleum and protect public health," he said.

What O'Neill's ruling won't do, Pettit said, is completely derail the law.

Pettit said the Low Carbon Fuel Standard is only part of AB 32 and represents about 15% of all the greenhouse gas reductions that are part of the law.

He added that it hasn't generated the scrutiny of another part of the law -- the cap and trade program. That program limits the amount of carbon emitted by the state's biggest polluters and creates allowances that can be bought and sold on an open market.

In the original lawsuit, the groups including the Renewable Fuels Association and the Nisei Farmers League said "one state cannot dictate policy for all the others, yet that is precisely what California has aimed to do through a poorly conceived and, frankly, unconstitutional \."

As with the Low Carbon Fuel Standard, Pettit said he expects "a lot of litigation" coming on the cap and trade program that also will invoke the Commerce Clause and the argument that "California is trying to regulate out-of-state business."

Court delays border-crossing pollution rule

By Dina Cappiello, Associated Press

In the Modesto Bee, Sacramento Bee & other papers, Fri., Dec. 30, 2011

WASHINGTON—A federal court Friday put on hold a controversial Obama administration regulation aimed at reducing power plant pollution in 27 states that contributes to unhealthy air downwind.

More than a dozen electric power companies, municipal power plant operators and states had sought to delay the rules until the litigation plays out. A federal appeals court in Washington approved their request Friday.

The EPA, in a statement, said it was confident that the rule would ultimately be upheld on its merits. But the agency said it was "disappointing" the regulation's health benefits would be delayed, even if temporarily.

Republicans in Congress have attempted to block the rule using legislation, saying it would shutter some older, coal-fired power plants and kill jobs. While those efforts succeeded in the Republican-controlled House, the Senate—with the help of six Republicans—in November rejected an attempt to stay the regulation. And the White House had threatened to veto it.

The rule, finalized by the Environmental Protection Agency in July, replaces a 2005 Bush administration proposal that was rejected by a federal court.

The Bush-era rule, which is expected to cost the industry \$1.6 billion annually to comply, will remain in effect. The new rule would have added \$800 million a year to that price tag. But those investments would be far outweighed by the hundreds of billions of dollars in health care savings from cleaner air, according to the EPA.

In the first two years, the EPA estimates that the regulation and some other steps would have slashed sulfur dioxide emissions by 73 percent from 2005 levels, and nitrogen oxides will be cut by more than half.

Sulfur dioxide and nitrogen oxide pollution from power plant smokestacks can be carried long distances by the wind and weather. As they drift, the pollutants react with other substances in the atmosphere to form smog and soot, which have been linked to various illnesses, including asthma, and have prevented many states and cities from complying with health-based standards set by law.

Environmentalists on Friday said they would continue to defend the regulations, which are essential for some states to be able to meet air quality standards for soot and smog and are far more protective than the ones proposed under the Bush administration.

"The pollution reductions at stake are some of the single most important clean air protections for children, families and communities, across the eastern half of the United States," said Vickie Patton, the general counsel for the Environmental Defense Fund.

But Scott Segal, director of the Electric Reliability Coordinating Council, a coalition of power companies, said in a statement Friday that the ruling was the "first step to setting it right."

"The underlying rule was the subject of hasty process, poor technical support, unequal application and substantial threat to jobs, power bills and reliability," he said.

Six states— Texas, Nebraska, Florida, Kansas, Louisiana, and Ohio—had asked the court for the delay. All would have had to reduce pollution from their power plants under the regulation. They were joined by Ames, Iowa, local power plant operators and power generating companies, including Entergy Corp., Luminant Generation Co. and GenOn Energy.

"For the time being, this stay means Nebraskans will not have to foot the bill for unnecessary modifications mandated by the EPA," said Nebraska Attorney General Jon Bruning. "We will continue to fight these job-killing regulations by an overreaching federal government run amok."

The court is asking that oral arguments take place by April 2012.

[Bakersfield Californian, Editorial, Saturday, Dec. 31, 2011:](#)

Smoke cops have dirty job, but we need them

Sure, it might seem inconsequential in comparison to other sources of particulate matter in this polluted valley. Sure, it might seem painfully ironic that enforcement officers are staking things out in idling cars. But the San Joaquin Valley Air Pollution Control District's no-burn enforcement seems to have made a very real impact on valley air quality, and that's the only thing that matters.

The smoke police, those people who issue tickets to local residents in violation of the regional air district's residential wood-burning rules, have jobs no more glamorous than those of meter maids. But it's a necessary job. Judging by the occasional hostility they encounter, however, not everyone agrees.

Consider the tribulations of smoke cop Mike Oldershaw, who was once threatened by an indignant fireplace user wielding a kitchen knife. No doubt others feel the same way about no-burn enforcement. Such people need to consider these facts about the benefits of soot-free winter nights:

- Prior to when no-burn restrictions took effect in 2003, residential wood-burning was the single largest source of wintertime particulate pollution (PM 2.5) in the San Joaquin Valley. Valley air regulators are required under the federal Clean Air Act to reduce this pollution to healthy levels in a certain timeframe or pay a fine. The possibility of such a fine was once laughed off. That changed earlier this year, when it became a reality: The federal government fined the valley \$29 million for failing to achieve attainment for a different pollutant -- ozone -- which is prevalent here in the summer. Who pays the \$29 million? We do. It's been passed on to valley residents in the form of higher vehicle license fees.
- The no-burn rule has been extremely effective at reducing pollution. It's no coincidence that in recent years the valley has seen less and less wintertime pollution, and had fewer and fewer exceedances of federal standards, year-over-year. The number of no-burn days has decreased, too. Last year, there were 40 no-burn days in Kern County from Nov. 1 to the end of February, down from 41 the previous season and 54 in the 2008-09 season.
- The no-burn rule is cost-effective. It has virtually no costs associated with it. People must simply refrain from burning wood on certain days. By contrast, industry, agriculture and businesses in the valley have spent more than \$40 billion in recent decades to comply with regional regulations to reduce pollution from their activities. It's patently wrong to ask these companies to pay more to reduce pollution when we can do things that cost nothing.

Yes, there is a small cost in terms of paying an enforcement officer like Oldershaw to patrol neighborhoods and ticket violators. No rule would be effective without the teeth of fines and enforcement. And it's not as if these officers spend 40 hours a week driving around town chasing smoke. There were just 40 days last year when wood-burning was prohibited in Kern County; air district enforcement officers would have been out patrolling only on those days.

Air pollution has real-world costs -- to businesses that must continually retrofit and replace equipment to comply with regulations and to valley residents in the form of health and collective health care costs. Studies have shown that on high-pollution days in the San Joaquin Valley, emergency room visits increase, more employees miss work and more kids stay home from school.

Oldershaw defends his job this way: "If this improves the lives of 4 million people, to me, this is a reasonable ticket."

We couldn't agree more.

[Fresno Bee Blog, Sat., Dec. 30, 2011](#)

How bad is the Valley's air right now? Worst in the country

By Mark Grossi

Someone asked me how the San Joaquin Valley's winter air stacks up against the rest of the country. Check it out for yourself. This is definitely the worst place right now.

Which brings me to another point that doesn't get discussed a lot. Air pollution is nearly a year-round problem here -- among the worst in the nation for a full three seasons plus each year.

There's very little break here compared to most places in the country. In fact, it's easier to talk about the months when air pollution is not a big factor most years. The two months are March and April.

The Valley has a long ozone season, roughly May through October. Soot, chemicals and other debris are a problem from November through February. That's another reason to hope for a blustery, rainy winter. Not only does it help farms, cities and hydroelectric companies, it blows out debris in the air.

But in many years -- especially this one -- air quality is a big problem in the Valley.