

Valley air district to help farmers buy tractors

The Fresno Bee, Sunday, Oct. 14, 2012

Valley farmers can get help replacing older tractors with newer, cleaner-burning equipment through a grant program starting today, the San Joaquin Valley Air Pollution Control District announced.

The program operates on a first-come, first-serve basis and applications for funding will be accepted beginning at 7:30 a.m. today at the district's office in Fresno.

To be eligible, the tractor must meet certain requirements, such as having a horsepower rating of 25 or greater and being in-use and operational.

For more information, call the grants program at (559) 230-5900 or visit fblinks.com/tractor

Incentive program could help replace tractors

Visalia Times-Delta, Monday, Oct. 15, 2012

Starting today, the San Joaquin Valley Air Pollution Control District will offer money for the replacement of tractors and loaders.

The incentive program provides up to 80 percent of the cost for replacement of in-use, off-road tractors that are engaged in agricultural operations as defined by the California Air Resources Board.

It is first come, first served. As more money becomes available, more tractors will be funded.

For more information, visit valleyair.org/Grant_Programs or contact the San Joaquin Valley Air Pollution Control District Strategies and Incentives Department at 1990 East Gettysburg Ave., Fresno or call 230-5800.

Plan would tighten rules on burning in valley

By Garth Stapley, staff writer

Modesto Bee, Sunday, Oct. 14, 2012

Cozy wintertime fires made scarce in recent times by air pollution rules would become even more rare under a valleywide proposal aimed at easing respiratory ills.

If the San Joaquin Valley falls short of new federal air quality standards, funding for some big-ticket road projects — specifically, a remake of Highway 99's interchange with Kiernan Avenue in Salida and widening Claribel Road northeast of Modesto — could be in jeopardy.

Fireplace restrictions would more than double "no-burn" days in Stanislaus County, scientists predict, leaving as little as 28 days each winter when fires might be allowed.

"It's going to be a big issue," said Bill O'Brien, a Stanislaus County supervisor and chairman of the San Joaquin Valley Air Pollution Control District's governing board.

In addition to home wood burning, proposed rules are likely to affect restaurants that charbroil, lawn-care providers, asphalt companies and some farmers.

Studies predict that air quality in the valley's northern counties — Stanislaus, San Joaquin and Merced — will nearly meet federal standards by 2014 and would surely do so by 2017 without new restrictions, thanks to regulations imposed in recent years. But some southern counties such as Kings and Kern might not, so air officials will consider stricter rules on everyone for particulate matter, known as PM-2.5.

"Public health is our No. 1 priority," said Errol Villegas of the air district in a workshop last week on the air district's plan to address PM-2.5.

The name reflects the tiny size of air particles from dust and soot — smaller than 2.5 microns, meaning you could put about 25 bits side-by-side to reach the width of a human hair. Although microscopic, they harm sensitive lungs, aggravating asthma, causing lung cancer and prematurely killing hundreds of valley residents each year.

"This really is a wintertime problem," said Jon Klassen, a district senior air quality specialist. That's why the air district a few years ago instituted no-burn days based on air quality forecasts, during which people can't light fireplaces without risking fines.

Vehicles, particularly diesel trucks, are a significant source of particulate matter, but the air district has less control over that pollution source.

Preventing fires throughout the San Joaquin Valley — Stanislaus, San Joaquin, Merced, Madera, Fresno, Kings, Tulare and Kern counties — keeps 16.7 tons of particulate matter from the air, studies show. "No other single regulation achieves this level of effectiveness," reads a draft plan heading to a December vote by air district officials.

District staff members want to lower the threshold for triggering no-burn days, from readings of 30 micrograms per cubic meter to 20, by November 2014. If the valley doesn't meet federal standards by 2019, a contingency rule could lower the trigger to 15 micrograms per cubic meter.

Fires in Stanislaus County have been outlawed an average of 36 days from November through the last day of February — more than one-third of all days. If new rules are adopted, no-burn days could be expected to jump to 74 each winter, and the contingency threshold could ban fires on 93 of 121 days.

Officials briefed

Transportation officials in Stanislaus County were briefed recently on proposed rules and learned that federal money yet to be awarded The Stanislaus Council of Governments is depending on federal sources for \$44.8 million on the interchange and \$4 million for Claribel, which would be widened to four lanes from McHenry Avenue to Oakdale Road.

Draft rules addressing particulate matter would put new restrictions on:

- Charbroiling. Restrictions on chain-driven charbroilers, in which meat moves on a conveyor belt through a compartment heated above and below, have reduced pollutants. New rules would address charbroilers fired underneath.
- Some new home furnaces fueled by natural gas.
- Some boilers, steam generators and process heaters.

The district additionally will consider new rules on flares, lawn-care equipment and requiring lower temperatures when mixing asphalt. Another idea involves sending crop remnants to a biomass burner.

Officials say they will consider expenses associated with proposed rules before adopting them. A vote is expected Dec. 20.

Meeting the federal standard could prevent people throughout the valley from missing 100,262 workdays in 2019 because they wouldn't be sick, said David Lighthall, the air district's health science adviser. About 528 people would not die early from breathing problems, he said.

According to Lighthall's analysis, other health benefits from cleaner air for Stanislaus County alone include 23 fewer emergency room visits for respiratory distress; 16 fewer hospitalizations for heart attacks; 84 fewer acute bronchitis attacks; 6,292 fewer asthma episodes; and 39 fewer premature deaths.

On the Web: www.valleyair.org/Air_Quality_Plans/PM25Plans2012.htm

Public comments on the draft plan can be submitted by Oct. 23 to pmplans@valleyair.org or to Anna Myers, 1990 E. Gettysburg Ave., Fresno 93726.

CARB says truckers are getting the message about cleaner trucks

Central Valley Business Times, Sat., Oct. 13, 2012

After inspecting more than 4,000 trucks at 40 locations statewide, the California Air Resources Board says truckers have gotten the message about obeying state air pollution laws.

The inspections showed an overall compliance rate of more than 80 percent. Trucks were inspected for compliance with many air pollution laws including those requiring owners of certain model year vehicles to install diesel soot filters to reduce harmful diesel emissions.

"We're pleased to see such a high level of compliance," says CARB Executive Officer James Goldstene. "Owners and operators should understand that our enforcement efforts will continue throughout the year, and that our goal is to make every month a 'clean truck month.'"

Overall, a total of 817 citations were given during the four-week effort in August. Of that total, 212 were for violations of the Transport Refrigeration Unit rule, 191 for non-compliance with the Bus and Truck rule, 187 for idling infractions, and 174 for Emissions Certification Labels violations.

California greenhouse gas rules face major court test

By Howard Mintz, San Jose Mercury News

In the Contra Costa Times, Monday Oct. 15, 2012

Having fended off a challenge to groundbreaking emissions standards for new cars, California now finds itself in a legal tug-of-war to preserve some of its unprecedented regulations to reduce greenhouse gas emissions of fuels.

The 9th U.S. Circuit Court of Appeals on Tuesday will hear arguments in a legal challenge to the 2006 regulations, which a Fresno federal judge last year struck down as unconstitutional. The judge sided with an array of gas, trucking and farming industry interests aligned against the complex effort to curtail the carbon footprint of transportation fuels.

Legal experts say the appeal could crucially test how far a state can go with such broad greenhouse gas regulations.

"Any comprehensive plan is going to have to confront this issue," said Daniel Farber, co-director of UC Berkeley's environmental law clinic. "A negative decision in this case could pose a barrier to aggressive state efforts to address climate change."

A three-judge panel will consider the state's argument that its rules do not conflict with federal law and are important for states such as California that are aggressive about environmental regulation. The California Air Resources Board rules favor producers of gas, diesel fuel and ethanol that manage to generate lower greenhouse gas emissions.

The state's goal, originally pushed by former Gov. Arnold Schwarzenegger, called for reducing greenhouse gas emissions to 1990 levels by Advertisement 2020.

Seven other states are siding with California, arguing the stakes are high for others hoping to adopt the same type of regulations. They say the standards "are an important means of reducing greenhouse gas emissions that contribute to climate change." California's related effort to regulate emissions from new cars sold in the state survived a similar legal challenge, but the battle over the low carbon fuel standard has been on a bumpier ride in the courts.

U.S. District Judge Lawrence O'Neill found the California rules violate the federal commerce clause because they reach across state borders and discriminate against out-of-state businesses, favoring, for example, California corn ethanol over corn ethanol produced in the Midwest.

The low carbon standard, the judge warned, "impermissibly treads into the province and powers of our federal government." In fact, nine states, from Nebraska to Ohio, oppose California in the 9th Circuit, saying its rules "penalize" their ethanol producers.

Environmental groups and California Attorney General Kamala Harris defend the law, saying Congress has given the green light for California to enforce such regulations. And they say California has the right to reject fuels that are produced in a climate-threatening way.

"The kinds of arguments the industry is making, if accepted by the court, would scale back the states' historic role," said Sean Donahue, a lawyer for the Environmental Defense Fund. The attorney general urged the 9th Circuit to uphold the rules, saying they are "intended to create incentives for low-carbon alternatives to petroleum, not the protectionist purpose of benefiting California-produced fuels."

The fuel industry insists the California regulations go too far. And it argues the strict regulations will hit consumers hard because of the cost of limiting fuel production options.

The rules will contribute to higher prices in California, said Rich Moskowitz, general counsel for the American Fuel and Petrochemical Manufacturers association. And he predicts the court case will have broad implications for similar state regulations.

"It certainly will have an impact beyond California," he said. "Other states are looking at this litigation to see whether the proposed low carbon fuel standards are indeed constitutional."