

Air district: Valley reaches long-awaited ozone standard

By Mark Grossi – Fresno Bee

Also in the Modesto Bee and Merced Sun-Star, Thursday, Nov. 14, 2013

Local air leaders are poised Thursday to announce the Valley has attained a federal ozone standard, a health landmark and a new symbol of hope in a region notorious for bad air.

The announcement at the San Joaquin Valley Air Pollution Control District also will touch on a \$29 million annual fee related to the one-hour federal ozone standard. Officials want to eliminate the mandate for the fee, paid mostly by a vehicle registration surcharge.

But the mandate will remain while the U.S. Environmental Protection Agency examines the district's case to be excused for problems in two Valley ozone hot spots. EPA can examine the evidence for up to a year.

Longtime district staffers are elated at the prospect of achieving the standard, which has seemed out of reach here for years. The Valley has long been among the worst ozone offenders in the country.

Spanning 25,000 square miles from Stockton to Bakersfield, this region is one of only two in the country designated as "extreme nonattainment" of the standard. The other is the Los Angeles-area South Coast Air Basin, which remains in violation.

The Valley is unlike any place in the country, say atmospheric chemistry experts. Hot summers promote ozone, and the bowl shape can keep it trapped for days, allowing bad air to build into high concentrations.

With cleaner fuels and vehicles as well as pioneering rules over such sources as farming, the air has improved dramatically since the 1990s. District leaders say air alerts have helped get the public involved in curbing polluting activities on bad-air days.

In 1996, which was among the worst air-quality years on record in the Valley, ozone remained above the standard for more than 280 hours. This year, it has not crossed the threshold, and the warm-weather ozone season has passed.

"I did not think it would happen in our lifetimes," said district executive director Seyed Sadredin. "It's so difficult to eliminate the last few problems. I think it was the air alerts that gave us the final push."

The one-hour standard was abolished in 2005 in favor of the more restrictive and health protective eight-hour standard. The Valley is still many years away from attaining that measure.

At the same time, federal law requires air districts to attain the old one-hour standard.

Environmentalists say the one-hour attainment really has not happened yet. Lawyer Paul Cort of the legal watchdog Earthjustice in San Francisco said EPA still needs to agree with the district's analysis of two ozone problems. Earthjustice has filed several air-quality lawsuits in the Valley over the past decade.

"There are huge questions to be answered," he said. "This announcement on Thursday is more of a publicity stunt than anything else."

The questions revolve around an exceedance at a Fresno ozone monitor in 2012 and the relocation of a Kern County ozone monitor in Arvin a few years ago.

The 2012 exceedance in Fresno would cause the Valley to remain in violation of the one-hour ozone standard. But district analysts say it was an "exceptional event" due to a fire at the Chevron refinery in Richmond and several Sierra wildfires that summer.

Fires send out ozone-making pollutants that drift into the Valley, analysts say.

The Arvin monitor case is a little more complex. The California Air Resources Board lost its lease for the longtime monitoring site, which recorded some of the Valley's worst ozone episodes in the past. The new site, two miles away at an elementary school, initially showed lower readings. Air activists complained loudly about it.

But during the summer this year, the district set up more than 20 temporary monitors in the Arvin area, including two next to the old monitoring site. Sadredin said readings at the elementary school -- which remained safely below the health threshold -- were higher this summer than the readings at the old site.

"We have a good case to make that we are taking a more conservative approach in demonstrating attainment," he said.

EPA regional leaders say they will study the district's analysis, which also includes the effect of ozone gases from China traveling across the Pacific Ocean to the Valley.

An EPA regional spokeswoman on Wednesday said: "The ball is in the district's court, and EPA is ready to work hands-on with the air district to do the required analysis as soon as they are ready to proceed."

If you go:

What: Valley air district board meeting

When: 9 a.m. Thursday

Where: 1990 E. Gettysburg Ave., Fresno

Valley air meets a former EPA standard

Central Valley Business Times, Wednesday, Nov. 13, 2013

The San Joaquin Valley has become the first air basin in the United States to clean its air to the point where it has moved from a measure of "extreme nonattainment" to "attainment" for one federal measurement, the Air Pollution Control District says.

After years of efforts and expenditures estimated in the billions of dollars to reduce sources of air pollution, the eight-county air basin has attained the so-called "one-hour" ozone standard after being in "extreme" nonattainment, the district says.

The district's board is expected to request the U.S. Environmental Protection Agency to lift its annual \$29 million penalty on Valley residents imposed after the standard was not met.

The one-hour standard has since been replaced by a tougher one, which sets maximum allowable ozone pollution over an eight-hour period. The Valley does not meet that standard.

The air basin extends from San Joaquin County in the north to the Valley portion of Kern County in the south. It is surrounded on the west, east and south sides by mountain ranges that help to trap air pollutants in the valley.

Ozone improvements could end \$29 million penalty

By Steven Mayer, staff writer

Bakersfield Californian, Thursday, Nov. 14, 2013

Valley air officials aren't hanging up a "mission accomplished" banner, but they are celebrating the historic attainment of a federal ozone standard that could mean the end of a \$29 million smog penalty charged annually to San Joaquin Valley motorists.

Convincing the U.S. Environmental Protection Agency to join in their celebration, however, may be another matter.

On Thursday, the San Joaquin Valley Air Pollution Control District's governing board is expected to vote to ask the EPA to lift the multi-million dollar penalty, most of which is paid through auto registration fees.

"This is something that for a long time I didn't think would happen in my lifetime," said Seyed Sadredin, executive director of the eight-county air district, which extends north from Kern to San Joaquin County.

"We are the first region in the nation to go from an 'extreme' nonattainment classification to attainment of the one-hour ozone standard," Sadredin said. "It has never happened in the nation's history."

When the EPA in 2004 saddled the district with the "extreme" classification, it meant the agency determined there was no possible way the standards could be met using existing technology, Sadredin said.

"This has been an epic journey for the valley," he said.

To meet attainment, none of the more than two dozen ozone monitors up and down the valley may reach 125 parts per billion of ozone more than three times in a three-year period. Ozone, or smog, a corrosive gas linked to heart and lung illness and even premature death, is created when its precursor chemicals are cooked by the hot summer sun.

August 2011 marked the first time in recorded history that the basin didn't exceed 125 parts per billion during a one-hour period in that historically smoggy month. In contrast, in August 1996, ozone levels crossed the limit 18 times.

In summer 1998, a particularly nasty year for valley air, district ozone monitors recorded 321 violations -- the district calls them exceedances -- of the one-hour standard. And in those years, some violations nearly doubled the allowable ozone concentration, far exceeding the standard.

The few exceedances in recent years have been in the 125 to 135 ppb range, much closer to the limit.

In 2011, Sadredin said, there were just eight exceedances in the district. The following year, there were seven. And this year, there were zero, a stunning result never before seen in the valley.

Sadredin has recommended that the board do two things: Authorize the district to formally ask the federal EPA to declare the valley is in attainment and request that the EPA lift the penalty.

Kerry Drake, a spokesman for the San Francisco office of the EPA, could not be reached Wednesday. However, Drake has said the air district would need to provide complete and convincing documentation before any change in its status could occur.

Clear progress has been made in reducing emissions in the valley, Drake told The Californian this summer.

Sadredin said he expects he and his staff will need to put together a 400- to 500-page report for the EPA.

If history is a guide, the federal agency will not move fast on the issue, he said. But pressure from the public could help.

The \$29 million fine translates to a \$12 annual fee on people's car registration bills.

Opposition from environmental groups could delay the process, he said.

Tom Frantz, president and co-founder of the Association of Irrigated Residents and a board member with the Fresno-based Central Valley Air Quality Coalition, is certainly critical of the air district's celebration.

Frantz takes issue with the district's assertion that no ozone monitor saw more than three exceedances in three years.

An ozone exceedance at the Fresno-Drummond air monitoring site on Aug. 10, 2012, was flagged by the district as an exceptional event due to a fire. If the EPA agrees, the exceedance would not be counted.

"It's a nebulous claim," Frantz said. "And hard to prove."

And if the district doesn't make its case, it could be a deal-breaker.

"That would make four violations at that site," Frantz said. "Three is allowed. Four puts them over."

Frantz also said that when a monitor on private property near Arvin was moved at the request of the property owner in 2010, it likely cut the number of exceedances at that problematic location.

"Everyone knew that monitor was going to be the hardest spot to bring into attainment," he said.

Frantz acknowledges that the air quality in the valley has improved since the 1990s, but he says that improvement has stagnated in the past decade or so.

Despite improvements, the valley continues to have some of the most polluted air in the nation.

Stronger regulation on valley agriculture, dairies and Kern's oil industry will be necessary, he said, before we can begin any sort of celebration.

Valley attains clean-air milestone

Staff reports

Visalia Times-Delta, Thursday, Nov. 14, 2013

Officials with the San Joaquin Valley Air Pollution Control District will ask the U.S. Environmental Protection agency today to end an annual \$29 million federal fine that Valley drivers and businesses have been paying because the region has failed to meet federal clean-air standards.

The district has announced it will make the request today because, after years of pollution-reduction measures, the Valley has achieved the federally-mandated one-hour ozone standard after being in "extreme nonattainment" of that standard, according to a press release from the district. As a result of the Valley's persistently high ozone levels, the annual fines were imposed three years ago, paid for through a combination of fees charged to businesses and \$12 surcharges tacked onto vehicle registration fees. The millions of dollars collected have gone to pay for pollution-reduction programs that have included providing incentives for green-energy businesses, vehicles and other sources of pollutants.

"The Valley air basin is the first air basin in the country to come from extreme nonattainment to attainment of an important health standard, thanks to the investment of billions of dollars by Valley businesses and the sacrifice and effort of Valley residents," it states.

[Bakersfield Californian Editorial, Thursday, Nov. 14, 2013:](#)

Drop this \$29 million air quality penalty

Polluters ought to pay for their air pollution. Those who add to the perpetual haze that hangs over California's Central Valley ought to be held accountable for their contributions.

But when it's impossible to know precisely who adds to the pollution, and how much, it's difficult to assign blame, monetary or otherwise. And when certain known contributors get off scot free because of legal or logistical constraints, it's ultimately unfair to pin the whole problem on vulnerable known contributors.

That's why the U.S. Environmental Protection Agency ought to heed an imminent request by the San Joaquin Valley Air Pollution Control District and cancel the annual \$29 million smog penalty it has been inflicting on Southern Valley car owners since 2010. The EPA extracts the fine by way of a \$12 add-on to residents' auto registration fees.

Southern Valley residents' cars belch out plenty of particulate matter and ozone, so they own much of the blame. Same goes for regional industry -- petroleum extraction and agriculture in particular. But much of the Southern Valley's air pollution comes from the region's pass-through freeway traffic on Interstate 5 and State Highways 99 and 58 -- traffic that accounts for millions of vehicle trips per year. Additional pollution wafts down from the Bay Area and is trapped by the contiguous, horseshoe-shaped mountain ranges at the valley's southern tip, and it's even been theorized that ozone finds its way into the valley from as far away as China. How does the EPA appropriately dole out fines (which pay for pollution mitigation measures) under those circumstances?

But that's not the main reason the EPA should end this annual hostage-taking. Southern Valley leaders have orchestrated some significant air-quality improvements over the past three years. The Valley air basin is the first air basin in the U.S. to move from "extreme nonattainment" to attainment of a monitored air-quality health standard, the one-hour ozone standard. Valley businesses have invested significantly in the effort, and Valley residents have sacrificed.

The air district's governing board, which includes Kern County Supervisor David Couch and Bakersfield City Councilman Harold Hanson, will vote this morning to ask the EPA to lift the annual penalty. We would like to see an affirmative decision -- and a subsequent EPA verdict that acknowledges both this area's limited culpability and its collective success in making improvements.

Can Valley residents do more? Of course. We're a long, long way from the ultimate target. But that \$29 million penalty needs to go away.