

## **San Joaquin Valley air board says key ozone standard has been met**

By Mark Grossi, staff writer

The Fresno Bee, November 14, 2013

Also in the Modesto Bee and Merced Sun-Star, Friday, Nov. 15, 2013

In a historic vote, Valley air-quality leaders on Thursday asked federal officials to approve the region's attainment of the one-hour ozone standard.

A few years ago, the Valley achieved the federal PM-10 standard -- coarse particle pollution usually associated with dust -- but this would be the first time the region has ever achieved an ozone standard.

For the first time on record, the Valley did not record a violation of the one-hour ozone standard during the warm months when the problem occurs. The achievement seemed all but impossible 10 years ago.

The governing board for the San Joaquin Valley Air Pollution Control District credited businesses with investing \$40 billion in clean air since the 1980s.

Members also thanked the public for cooperating with air alerts.

The board's request now will be sent to the U.S. Environmental Protection Agency, which will study the district's explanation for issues in two ozone hot spots.

If EPA does not accept the explanation, the Valley would continue in violation of the one-hour ozone standard and still be liable for a \$29 million annual fee, which was levied two years ago. The fee is paid mostly by motorists with a surcharge on vehicle registration.

The fee revenue remains in the Valley, going to pollution cleanup programs, such as replacing older diesel engines with new, cleaner-burning ones.

District executive director Seyed Sadredin said he would push for an EPA decision within a year.

Board member Judy Case, a Fresno County supervisor who has been on the air board for many years, acknowledged and applauded everyone's efforts to achieve the one-hour ozone standard.

"It's been a long, hard road," she said.

The district has passed more than 500 rules that have helped to reduce 80% of pollution emissions from sources in the district, including the petroleum and agriculture industries.

Even so, the Valley still is among the worst offenders of the newer, more stringent eight-hour ozone standard. Leaders said they knew the battle for clean air must continue.

"We've won a battle, but we haven't won the war yet," said board member William O'Brien, a Stanislaus County supervisor.

EPA officials this week said they will take a hard look at the district's request for a waiver of a Fresno exceedance of the one-hour ozone standard in 2012. The district said fires outside the area sent just enough pollution into the Valley to push the monitor into an exceedance.

The district also will include a study explaining an issue at the Kern County monitoring site in Arvin. The state lost its lease for the long-time Arvin site in 2010 and was forced to move it two miles away. The new monitor showed lower readings, raising a controversy.

For attainment of the ozone standard, the district needed to show that the new site works as a replacement for the old site, which had been notorious for high readings over many years.

The district set up many temporary monitors in the area this year. The new site now has higher readings than the old one, though both were below the health threshold -- meaning the new site may be in a better location to detect pollution, local air leaders said.

Kern County air activist Tom Frantz of Shafter predicted the EPA will not agree.

"We had a pretty good year for ozone, and that's good," he said. "But we have not made the standard yet."

## **Valley reaches new clean-air mark**

By Sabra Stafford, staff writer

Turlock Journal, Thursday, Nov. 14, 2014

The air Central Valley residents breathe is getting a bit cleaner.

For the first time in recorded history, the San Joaquin Valley had zero emission violations in 2013 for the standard established under the federal Clean Air Act. Having reached this once thought unattainable goal, the San Joaquin Valley Air Pollution Control District will submit a request to the Environmental Protection Agency, asking them to declare the Valley in attainment of the key standard and lift the \$29 million penalty mandate which Valley residents have been paying since late 2010.

"Becoming the first and only region in the nation with 'Extreme' classification to meet the standard is an achievement the entire Valley should be very proud of," said Skip Barwick, chair of the Valley Air District's Governing Board.

The Environmental Protection Agency has enacted federal guidelines for air quality standards. In 2004, EPA classified the Valley as "Extreme" non-attainment for this standard, meaning that reaching the standard, at that time, was deemed impossible.

"It was the worst classification in air quality you could have," said District spokesman Anthony Presto. "At the time there was no way to meet those standards."

If a District is found to violate the 1-hour health-based ozone standard, it could trigger an annual \$29 million federal penalty. The Central Valley district has been hit with the penalty for 2010, 2011, and 2012. The Air District crafted an alternative approach that kept these penalties from going to federal coffers. Under the alternative approach that was approved by EPA, the Valley was able to retain those dollars and invest them in the Valley's local economy to fund clean-air projects in the eight-county region.

Now that the Central Valley has achieved zero violations, it wants the EPA to lift the classification and reverse the penalty. Penalty fees are assessed on businesses that are not using clean-air technology and practices. Additionally, Central Valley residents have a \$12 fee added to their vehicle registration to pay a portion of the fine.

The District said it was too early to say if any of the vehicle fees would be rescinded, because it is all dependent on the decision the EPA will make, which could take up to three years.

The District has 35 monitors placed around the Central Valley that gather readings throughout a given time period. Air Alerts are called when the Valley experiences conditions such as increased emissions, high temperatures and stagnant air flow that lead to ozone formation.

During these times residents are asked to curtail activities that increase smog-forming emissions.

"Valley residents have consistently ranked air quality as a primary area of concern and have risen to the occasion to do their part. The public's positive response and their efforts to reduce air pollution during Air Alerts was key to eliminating the last few violations that stayed in the way of the Valley meeting this critical standard," said William O'Brien, air district board member and Stanislaus County supervisor.

About 80 percent of the Valley's ozone is caused by mobile sources particularly vehicles idling, according to the Air District.

Increased ozone levels can cause respiratory and heart problems, especially among children, the elderly and those with existing health concerns.

While the District celebrated the achievement of hitting zero emissions, it acknowledged it still has a ways to go in meeting some of the EPA's stricter standards. The EPA has a newer 8-hour ozone emission standard that has a lower threshold that has proven more difficult for the Central Valley to reach. In 2012, the Central Valley had 105 hours over the standard. For this year there have been 91 hours recorded over the standard.

### **Air officials say: EPA, we want to keep our money**

By Steven Mayer, staff writer

Bakersfield Californian, Friday, Nov. 15, 2013

The governing board of the valley air district voted unanimously Thursday to ask federal regulators to end a \$29 million smog penalty charged annually to valley motorists.

The 12-0 vote at the Fresno offices of the San Joaquin Valley Air Pollution Control District authorizes the eight-county district to formally ask the U.S. Environmental Protection Agency to declare the valley "in attainment" of the one-hour ozone standard. The district will also formally request that the EPA lift the penalty.

Many valley residents were frustrated in 2010 when, under federal law, residents and businesses became subject to the penalty, especially because the district was already charting progress in attaining the one-hour standard. Most of the annual penalty is paid by motorists through a vehicle registration surcharge of about \$12.

Ironically, more than 80 percent of the valley's smog-producing chemicals are generated by mobile sources -- cars, trucks, tractors, buses and off-roads vehicles -- over which the air district has no direct control.

District board member and Bakersfield City Councilman Harold Hanson said in a statement that achieving attainment "is especially gratifying because the air district did not often prescribe to the one-size-fits-all solutions (supported) by special-interest groups that were not in the best interests of the valley.

"We did our best to balance the valley's economic and environmental interests, and it worked," he said.

According to Seyed Sadredin, the air district's executive director, the valley is the first region in the nation to progress from an "extreme" nonattainment classification to attainment of the one-hour ozone standard.

This year, for the first time, there were zero exceedances of the one-hour standard. The two previous years also saw fewer exceedances in the valley, adding up to three of the cleanest consecutive years in the history of ozone monitoring in the valley.

While air officials are clearly elated, Sadredin said the district is not claiming victory over ozone -- a corrosive gas linked to heart and lung illness and even premature death -- which remains a serious problem in the valley. But regulators have seen historic improvements, despite the valley's bowl-like topography and stagnant summer weather patterns, which help trap ozone at ground level.

Despite the improvements, environmentalists and clean air advocates remain skeptical. They say the district's claim of attainment is questionable for at least two reasons.

First, the district has termed a 2012 ozone violation at an air monitor in Fresno an "exceptional event" due to a nearby fire. If the EPA disagrees, that alone could derail the district's attempts to document attainment. Second, critics of the air district argue that when an air monitor near Arvin was moved in 2010, it may have skewed results toward more favorable readings.

They also argue that the one-hour standard is being replaced by the eight-hour standard, which is much more difficult -- some say impossible -- to meet as long as people, businesses and industries are still burning fuel and generating emissions. Furthermore, any improvements in ozone, a hot weather phenomenon, do not affect the valley's wintertime scourge, particulate pollution generated from diesel exhaust, power plants, various industrial and farming processes, residential wood burning and natural causes.

It will likely be several months to a year before the EPA responds to the estimated 500-page report now being prepared by air district staff.

District leaders expressed hope that the EPA will examine the evidence in a timely manner and come to a quick decision in their favor. But, improved air or not, no one is holding their breath.

### **Valley stakes claim to cleaner air Officials tout historic victory for region**

By Alex Breitler, staff writer

Stockton Record, Friday, Nov. 15, 2013

Valley air officials declared a "historic" victory Thursday, saying the region has achieved a federal pollution standard after more than two decades and \$40 billion spent to clean the air.

The Environmental Protection Agency must agree with that claim before it becomes official.

But Thursday's news was a refreshing change of tone in the San Joaquin Valley, where the air has long been considered among the worst in the nation.

#### **A long journey**

The path toward meeting the ozone standard has been lengthy and difficult to follow:

- 1979: The Environmental Protection Agency sets a one-hour standard for ozone pollution.
- 1990: The Clean Air Act sets deadlines. At this point, there are hundreds of ozone violations in the Valley each year, including 281 violations in 1996.
- 2004: The Valley is deemed to be in "extreme nonattainment," which means meeting the standard is considered to be impossible with technology existing at the time.
- 2010: The number of violations has steadily declined since the '90s, but the Valley for the first time becomes subject to potential federal penalties for failing to meet the standard, even though that standard has actually been revoked.
- 2011: Valley drivers begin paying a \$12 DMV fee as an alternative to leaving businesses to pay \$29 million in penalties.
- 2012: Seven ozone violations are reported.
- 2013: For the first time, zero ozone violations are reported. Officials credit billions of dollars to clean up polluting businesses and efforts by the public to decrease driving.
- What's next: The EPA must agree that the Valley has achieved the standard. Litigation could follow. And there are other, more stringent ozone standards that we still fail to meet, including an eight-hour standard established in 1997.

It also means that drivers from Stockton to Bakersfield could eventually no longer be required to pay an annual \$12 DMV fee that resulted from our failure to meet the standard.

"It's a huge accomplishment, for which we owe a great deal of gratitude" to businesses and to the general public, said San Joaquin County Supervisor Bob Elliott, who is also a board member for the San Joaquin Valley Air Pollution Control District.

The board agreed Thursday to formally ask the EPA to find the Valley in compliance, a process that could take years.

Kerry Drake, associate director of the EPA's air quality division in San Francisco, said the fact that the district has attained the standard, or is close to doing so, is "wonderful news." But, he added, the district must prove its assertions are correct.

One air monitoring station in Fresno was out of commission for a time in 2011, and the district must show there would not have been any violations during that time, Drake said. Another station was relocated. The district must also explain why a 2012 violation that officials have blamed on fires should not be counted against the Valley.

"EPA has to have something to look at with regard to those things before we can make any decision," Drake said. "But we stand ready to roll up our sleeves and work on it. The San Joaquin Valley is always one of our highest priorities and always will be."

The standard in question concerns ozone, a dangerous form of summertime pollution for which anyone who drives a car is partially responsible.

The one-hour ozone standard was established in 1979 and was actually revoked in 2005 in favor of a more stringent, eight-hour standard. However, provisions in the Clean Air Act to guard against backsliding require the Valley to meet the old standard while simultaneously planning for stricter new standards.

And that's important to remember, activists said, in the midst of the pop-the-cork mood Thursday.

"This is an old, old standard, and we have many ozone standards that are more health protective than we are a very long way from achieving," said Sarah Sharpe, a member of the Central Valley Air Quality Coalition. "We still have a severe air pollution problem, and our health is still in danger many days."

Stockton hasn't violated the old standard since 1999, but when it comes to regulation, the Valley is treated the same from top to bottom.

The law requires polluting businesses to pay extra fees when an air basin fails to meet a standard, but in this case, the EPA allowed the Valley air district to spread much of that \$29 million annual cost to drivers instead, which the district did by establishing the DMV fees in 2011. The money collected from those fees stays with the district for air quality improvement projects and does not go to the federal treasury.

Anthony Presto, a spokesman for the air district, said a decision on whether to continue the DMV fees or eliminate them will be made after the EPA issues its determination.

Never before has an air basin that has been declared in "extreme nonattainment" recovered and met a pollution standard, district officials said. Valley businesses spent more than \$40 billion cleaning up their emissions, and more than 500 new pollution rules were adopted.

Most recently, the public was asked to drive less frequently on days with high levels of ozone through a new "Air Alert" outreach program.

"This is a historic occasion for the district," air district Executive Director Seyed Sadredin said. "Given the enormity of this achievement, we owe our gratitude to the people that really made it happen."

## **'Impossible' has happened, air pollution officials say Valley meets federal ozone standard**

By Mark Smith, staff writer

Madera Tribune, Friday, Nov. 15, 2013

After being classified as one of the most polluted areas in the country less than a decade ago, San Joaquin Valley Air Pollution Control District officials announced Thursday that the Valley had, for the first time in history, achieved a minimum federal hourly ozone standard.

The district will submit a request to the Environmental Protection Agency to confirm the findings and subsequently alleviate a \$29-million mandated penalty that, since 2010, Valley residents have gradually paid through vehicle registration and additional business fees.

If confirmed, beyond any financial benefits, Thursday's announcement could highlight one of the most significant changes in history for an area where air quality is more often tied to asthma than clean skies.

Ozone — usually a combination of vehicle, agricultural, or industrial emissions, stagnant air, and high temperatures — has been problematic for the Valley for decades because of several reasons, said Samir Sheikh, director of the Air District's Strategies and Incentives Department.

"We're really in a unique situation in the Valley because for one, any pollution around us gets trapped here due to the mountains, the shape of the valley, and our weather patterns," Sheikh said. "Factor in all the agriculture, machinery and other things and we have a situation other areas in California and the country don't have to deal with."

As recently as 2004, Sheikh said the EPA had classified the Valley Air District — which goes as far north as Stockton and south to Bakersfield — as one of two "extreme non-attainment" areas for the federal standard, which meant at the time reaching acceptable ozone levels in hourly checks was impossible.

"More or less that meant they couldn't see any technologies or any possible ways we would be able to achieve the standard," Sheikh said. "So for us to be the first and only region in the country to go from that extreme classification into attainment is a monumental achievement."

The other area still classified as "extreme non-attainment," the South Coast Air Quality Management District of Los Angeles is "one of the smoggiest regions of the U.S." according to its own website.

Earlier this year, the Valley's Air District issued an alert that pleaded with Madera and other county residents to carpool or take part in other activities to lower emissions as a single hourly exceedance in any area for ozone levels would, Sheikh said, cost the entire Valley the chance at achieving the standard for the whole year.

On Thursday, the tone from officials was instead one of excitement and disbelief that the Valley—which in 1996 violated the standard as much as 281 times—had finally "made the impossible possible."

"The challenges that we face with respect to our air quality are unmatched by any other region in the nation," Madera County supervisor and Air District board member Tom Wheeler said. "Once again, the ingenuity of Valley residents and businesses has made the impossible possible."

Sheikh said it was through more than two decades of air alerts, investments in new technologies and other air quality-control efforts that Thursday's announcement became a reality.

"This came about through decades of hard work by all of our Valley farmers, businesses, and residents to reduce emissions over the years," Sheikh said. "There are any number of things you could point to as the cause but really it was everyone's hard work together that has ultimately paid off."

The saga isn't over, however.

As part of a story published this week in The Fresno Bee, attorney Paul Cort of environmental watchdog group Earth justice — which has filed multiple air-quality lawsuits against the Valley in the past — said that the EPA still has to review the Valley Air District's findings on a few key points.

"This announcement on Thursday is more of a publicity stunt than anything else," Cort told The Bee as he alleged there were still "huge" questions left to answer about Valley air.

One of those questions, a 2012 ozone exceedance in Fresno, was due to fires in the Sierra Nevada mountains and at a Chevron refinery in August of that year, Sheikh said.

"It's really unfortunate to have an exceedance like that due to fires that were impacting the Valley at that time," Sheikh said. "As part of our submittal to the EPA we're going to show why we went over."

"But look, I don't want to let any outside issues minimize what this is. We're at the standard, we've dramatically improved our air quality, and that is something to be proud of."

Sheikh also made note that it may take some time before the EPA was able to review the Air District's request.

"I'll be frank," Sheikh said. "We're going to make a solid case in the submittal but their track record for evaluating and responding to them isn't great."

A lawsuit is also underway that seeks to impose additional fees on Valley businesses due to air-quality concerns. But outside of any questions regarding bureaucratic delays or legal battles, it may be one of the Valley Air District's messages played over the phone while on hold that said it best:

"Even though the Valley's air continues to improve, we still have a long way to go to reach our air-quality goals."

## **Expected wind, dust prompts advisory for Stanislaus, San Joaquin and Merced counties**

By Bee staff reports

Modesto Bee, Friday, Nov. 15, 2013

STANISLAUS COUNTY — Anticipated dust stirred up by wind gusts has led air-pollution officials to issue a health caution through Sunday for Stanislaus, San Joaquin and Merced counties, among others.

Winds may produce areas of localized blowing dust, which can result in unhealthy concentrations of particulate matter 10 microns and smaller. Exposure to particulate pollution can aggravate lung disease, trigger asthma attacks and bronchitis, and increase risk of respiratory infections.

People with heart or lung disease should follow their doctors' advice for dealing with episodes of particulate exposure. Older adults and children should avoid prolonged exposure or heavy exertion, depending on their local conditions.

Visit the Real-time Air Advisory Network page on the district's website at [www.valleyair.org/Programs/RAAN/raan\\_landing.htm](http://www.valleyair.org/Programs/RAAN/raan_landing.htm).

## **Valley health advisory issued for blowing dust**

Staff reports

The Fresno Bee, Thursday, Nov. 14, 2013

Valley air officials have issued a cautionary health statement because of the potential for gusty winds blowing dust through Sunday.

The health caution is in effect in Merced, Madera, Fresno, Kings, Tulare, and Valley portion of Kern counties.

Winds may produce areas of localized blowing dust, which can result in unhealthy concentrations of particulate matter 10 microns and smaller (PM10).

Particulate pollution can cause serious health problems, aggravate lung disease, trigger asthma attacks and bronchitis and increase the risk of respiratory infections.

People with heart or lung disease should follow their doctors' advice for dealing with particulate exposure. Older adults and children should avoid prolonged exposure or heavy exertion in blowing dust.

For more information, visit [www.valleyair.org](http://www.valleyair.org) or call the district office in Fresno (559) 230-6000.

Note: The following clip in Spanish discusses the Valley's attainment of the one-hour ozone standard. For more information on this or other Spanish clips, contact Maricela Velasquez at 559-230-5849.

## **El Valle alcanza una histórica marca de aire limpio**

Raul Camacho, Sr.

El Popular, Friday, Nov. 15, 2013

BAKERSFIELD, CA. – En una conferencia de prensa simultanea de Fresno, Tulare y Bakersfield, que se llevo a cabo en el Distrito Central del Aire que se localiza en el número 34946 de la calle Flyover Court en el noreste de la ciudad. El pasado jueves, 14 de noviembre, simultáneamente vía satélite, se dieron a conocer los adelantos que se han logrado desde el año 2000 hasta la fecha.

En la conferencia local, participaron el Supervisor David Couch, el Concejal Harold Hanson y el Supervisor Distrital del Control del Aire. Durante la conferencia se abrió un foro público en el cual los empresarios, rancheros y el público en general pudieron dar su punto de vista sobre los logros que se han alcanzado hasta la fecha.

Por ejemplo, el Señor Les Clark, Presidente Ejecutivo de una agencia petrolera que ha sido multado en el pasado, dijo que a pesar de todo se siente satisfecho de los logros que se han alcanzado para tener un mejor aire. Y así sucesivamente, hubo muchos comentarios de empresarios tanto de Fresno como de Tulare que se pudieron ver y escuchar gracias al enlace que se hizo vía satélite.

Por primera vez en la historia documentada, el Valle de San Joaquín en el 2013, no tuvo ninguna violación de cero violaciones de las normas de ozono por hora, establecidas por la Ley Federal de Aire Limpio. Con la conclusión de la temporada oficial de ozono que se extiende desde marzo hasta octubre, el Distrito ahora presentara una solicitud formal a la Agencia federal de Protección Ambiental para que declare al Valle en el logro de la norma fundamental y levante la sanción de mandato de \$29 millones que los residentes del Valle han estado pagando desde finales del 2010.

El alcanzar este logro ha sido el objetivo central de las estrategias de la administración de la calidad del aire del Valle durante más de dos décadas. En el 2004, EPA clasifico al Valle como “Extremo” no cumplimiento de esta norma, significando que el alcanzar la norma, en ese tiempo, se creía imposible. “Convirtiéndonos en la primera y única región en la nación con una clasificación “Extrema” de lograr las normas es un logro que tiene que hacer sentir muy orgulloso a todo el Valley,” dijo Skip Barwick, Presidente de la Junta Gobernante del Distrito del Aire del Valle.

En el 1996, el Valle obtuvo 281 violaciones de las normas por hora a través de la región de ocho condados. El número de violaciones disminuyo a sólo siete en el 2012 y cero en el 2013.

A pesar de avances significativos, los líderes del Valle se vieron frustrados en el 2010 cuando, bajo la ley federal, los residentes y empresas del Valle fueron sujetos a una sanción anual de \$29 millones de dólares. En ese tiempo, el Distrito del Aire elaboro un método alternativo que fue aprobado por EPA, el Valle pudo retener esos dólares e invertirlos en la economía local del Valle para financiar proyectos de aire limpio en la región de ocho condados. Este método alternativo, sin embargo, es el objeto de una demanda presentada por una firma de abogados ambientales del área de la Bahía buscando imponer penalidades adicionales a las empresas del Valle. “Este logro histórico discutirá demandas frívolas, y devolverá el control local completo al Valle sobre la necesidad y la manera de empleo de los fondos públicos para el control de la contaminación del aire,” dijo Barwick.

Los miembros de la Junta Gobernante del Distrito del Aire fueron unánimes en su apreciación de la magnitud de este logro, y al expresar su agradecimiento a las empresas y los residentes del Valle por sus inversiones y sacrificio.

“Lograr este logro histórico proporciona una devolución medible de la gran inversión y sacrificio que las empresas y los residentes del Valle han hecho. La devolución se presenta en forma de una mejor salud

pública y calidad de vida de todos los residentes del Valley,” dijo Hubert Walsh, vicepresidente de la junta del Distrito y Supervisor del Condado de Merced.