

EPA faults air district's approval of oil train terminal near Taft

By John Cox

Bakersfield Californian, Tuesday, May 5, 2015

Federal officials say a new oil-by-rail terminal near Taft qualifies as a major air polluter that should have undergone a more rigorous environmental review.

The U.S. Environmental Protection Agency said in letters mailed Thursday that the facility was wrongly permitted by the San Joaquin Valley Air Pollution Control District, and that Houston-based terminal owner Plains Marketing LP violated the Clean Air Act by failing to obtain proper permission to operate it.

It remained unclear Monday what the 10-count notice of violations might mean to the facility's operation. Plains was given 10 days starting April 30 to arrange a meeting to discuss the findings with the EPA.

Each count carries a maximum fine of \$37,500 per day, starting the day the notice was issued. Criminal penalties are possible if the company remains in violation 30 days after the notice was sent.

Plains said Monday it could not comment because it had not yet received formal notification of the allegations.

A lawyer for the air district faulted the notice, saying the EPA's findings run contrary to years of established practice.

Opened in November, the Plains facility is capable of receiving up to two oil trains per day, each a mile long, and diverting the crude into pipelines connected to refineries around the state. Its permit currently allows for only one mile-long shipment per day.

The facility, one of two large oil-by-rail terminals permitted near Bakersfield, is the target of a lawsuit environmental activists filed in January in Kern County Superior Court. It alleges Plains worked with the air district to minimize public scrutiny of the project, and that a more rigorous review is in order.

Such terminals have stirred controversy across North America because of a series of fiery oil train derailments in recent years. But the January lawsuit, and now the EPA's notice of violations, focus on emissions, not potential derailments, as a reason to be wary of the projects.

A spokeswoman for Earth Justice, one of the environmental groups opposed to the Plains terminal, said the EPA's finding was not directly related to January's legal action, but that it is nevertheless a big help to the lawsuit.

The EPA notice said the air district concluded in 2012 the terminal was exempt from a more robust review, because its emissions fell below a certain level.

But the federal agency said the air district failed to consider potential air pollution from floating roofs inside oil storage tanks at the site. If those roofs had been properly taken into account, the EPA said, the terminal would be classified as a major polluter, triggering a wider review.

Air district Counsel Annette Ballatore-Williamson countered, saying roof tank emissions occur at most once per year, during maintenance and repair, and that the EPA has long accepted the air agency's approach to regulating floating roof tanks.

"We're a little bit frustrated" by the EPA notice, she said. "We think, based on our reviews, the EPA is dead wrong."

Ballatore-Williamson said she was unsure whether her agency would try to attend any meeting between Plains and the EPA, but noted the district "definitely has an interest in defending the legitimacy of its practices."

Several environmental advocacy groups expressed satisfaction with the EPA's notice of violations, including the Sierra Club's local chapter.

"This terminal wreaks havoc on our region's already compromised air quality and our communities now fear the risk of exploding trains," Gordon Nipp, vice chairman of the Sierra Club's Kern-Kaweah Chapter, said in a news release.

Feds: Terminal for crude oil trains violates air standards

By Associated Press

In the S.F. Chronicle, Fresno Bee and other papers, Monday, May 4, 2015

TAFT, Calif. (AP) — Federal authorities say a train terminal used to unload crude oil in Southern California violates clean air regulations.

Federal officials say the terminal's owner has 10 days to respond to an April 30 letter citing 10 violations.

San Joaquin Valley Air Pollution Control District spokeswoman Jaime Holt says her agency issued the permits and federal authorities got it wrong.

She says the EPA doesn't understand the requirements for an oil train terminal.

EPA spokeswoman Nahal Mogarabi says the company can continue to operate while meeting with authorities.

[Earth Log, Monday, May 4, 2015:](#)

Why does drought make Valley's dirty air worse?

By Mark Grossi

Nobody has dirty-air problems quite like the San Joaquin Valley does in a drought. If you doubt that, read the American Lung Association's latest report card on air quality.

For 16 years, the Valley's cities have occupied the worst-five list in the nation. The three prime suspects are Fresno-Madera, Bakersfield and Visalia-Porterville-Hanford. Los Angeles-Long Beach is also among the worst five.

This year, Modesto-Merced ranked worse than LA for tiny particle pollution — thanks, in part, to the drought. I will talk briefly about how a drought can set the stage for dirtier air, but first I want to give you a little more perspective the Lung Association's analysis.

If you look at the statistics used to rank and compare the 220 cities nationally, you'll see California is in another universe by itself. No other state is even close, though other states and their problems are prominently mentioned in the report. I'm just saying maybe it's time to analyze California's dirty air separately.

There's little doubt California's problem gets worse in drought, as the San Joaquin Valley Air Pollution Control District has been saying for a while now. The problem is pretty obvious with specks of soot, dust, chemicals and moisture — microscopic debris called PM-25.

Why? Because drought conditions tend to turn the air stagnant, allowing pollution to build in the atmosphere.

Several hundred thousand acres of barren cropland create more dust when the breezes pick up. The air district also requires landowners to spray water on unpaved roads to keep dust down, but water is pretty scarce. Maybe some folks don't have enough to do this.

The nearby mountains are more susceptible to wildfires after four years of drought. A large wildfire can pour a huge plume of soot into the Valley.

Additional well usage and drilling can result in more gases and particles being emitted to the air by engines that are not powered by electricity. There are still many wells that have not been converted to electrical power.

What will summer look like? Last year, the Valley's air exceeded the eight-hour federal ozone standard 87 times.

The good news: That's the lowest number of Valley exceedances on record. The bad news: It was still the second-worst in the country, behind South Coast Air Basin's 92 exceedances.