

EPA inaction sends emissions plan back to drawing board

By Theo Douglas

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The federal EPA's recent inaction on a valley air district plan to reduce small particulate emissions will require additional planning but not, as locals had feared, costly sanctions, a spokeswoman confirmed Tuesday.

The news was skeptically received, however, by the San Joaquin Valley Air Pollution Control District's executive director and a board member.

At issue is the 2015 PM2.5 Plan for the Air Pollution Control District, which extends from western Kern County north through San Joaquin County. It sets out the district's plan for reducing the emissions of particulates that are 2.5 microns or smaller by varying amounts per year.

Because of their small size — about one-thirtieth the width of the average human hair — these particulates can lodge deep in our lungs and are believed by the government to present a significant health risk.

The air district approved its plan last summer, and the state had asked the federal Environmental Protection Agency to approve it by June 30, the deadline. But late last month, officials learned the EPA had decided not to act.

"EPA is telling us that they decided not to finalize their proposal to approve the district's plan based on comments they received from Earthjustice, an environmental law firm from San Francisco," Seyed Sadredin, the air district's executive director, wrote in a June 30 briefing report to the air district board.

Its failure to act, he noted, will require the air district to pass a new plan that cuts emissions by 5 percent every year "until the valley reaches attainment."

That's a much more difficult task, according to Ahron Hakimi, executive director of the Kern Council of Governments.

"It is very likely that within the next 10 years we will not be able to achieve all the air quality standards that are coming," Hakimi said.

In an email, an EPA representative described Earthjustice's remarks only as "adverse comments that challenged our proposal (to approve) based on a number of alleged deficiencies in the plan and its pollution control measures."

A representative of Earthjustice did not respond to a request for comment.

"Failure to attain a standard triggers new air quality planning requirements under the Clean Air Act to ensure continued progress towards attainment, but does not trigger any federal sanctions," EPA representative Margot Perez-Sullivan said via email.

Sadredin and Bakersfield Vice Mayor Harold Hanson, an air district board member, were both dubious federal sanctions would not be triggered.

"They proposed to approve it and then they sort of disappeared," Sadredin said of the plan. "Now to take their word, 'Don't worry about it,' I wouldn't put that in the bank."

Hanson was equally pessimistic.

"Well I'd like to see that in writing. I'm surprised that they even made that statement but I don't know how much hope it gives me. Let's see what happens," he said. "We'll just carry on and we're going to follow this thing and push as hard as we can."

Sadredin said he will present a "comprehensive package" on the issue at the air district board's Aug. 18 meeting.

Still looking for ways to beat illegal fireworks

By Lois Henry

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The stats from this past Fourth of July were mixed.

The city wrote about 50 percent more citations for illegal fireworks under its newly created administrative citation.

That's great.

But the county wrote only about half as many as its enforcement teams took a hit when the Sheriff's Office bowed out due to manpower issues.

Bummer.

Several people — two of them children — suffered serious injuries due to illegal fireworks. But no houses burned down.

Our particulate matter pollution spiked, but not as high as in previous years.

And, of course, hundreds of terrified pets were taken in by already crowded shelters, with many having to be put down after being hit by cars.

All in all, it was what has become a run-of-the-mill Independence Day — needlessly chaotic, dangerous and expensive.

What can we do?

I still support a full ban of all personal fireworks.

They just provide cover for the illegal stuff and make enforcement even more impossible.

Public shows, si. Private fireworks, no.

But I recognize a frontal assault isn't working — yet. So, let's try a flanking maneuver.

I've been saying for a few years now that the state and feds need to lend some muscle to keep illegal fireworks out of local hands.

To that end, Bakersfield Fire Chief Douglas Greener has fired off a letter to several state and federal representatives outlining the mayhem his troops face every year and asking for help.

"Firefighters and Police Officers are under rocket-fire while responding to a non-stop barrage of illegal fireworks incidents in urban areas, with large groups of people consuming alcohol and many neighborhood situations bordering on extremely dangerous," he wrote. "The situation is now out of control."

He doesn't give specifics on how representatives can help, leaving that to the policymakers.

"...but some combination of effort between U.S. Customs, U.S. Border Patrol, State Fire Marshal's Office, California Department of Food and Agriculture, Bureau of Alcohol, Tobacco and Firearms, local Fire Department Arson Units, or others should be appropriately funded and directed to assist with combating illegal fireworks importation."

Yes, yes and YES.

When our local forces are the first and last line of defense against illegal fireworks, it's a losing situation before the first fuse is lit.

Kern County Fire Department Chief Brian Marshall agreed.

"I've said all along, stopping the influx of illegal fireworks has to be the priority."

To that end, he said, his department committed several members to help the State Fire Marshal earlier this year at a checkpoint in San Bernardino County looking for illegal fireworks coming in from Pahrump, Nevada.

His recollection was they confiscated a couple thousand pounds of fireworks.

That's good, but nowhere near enough.

Several weeks prior to this Fourth of July, police in the town of South Gate came across a warehouse stuffed with 200,000 pounds of illegal fireworks.

That's like five or six semi-truck loads.

Illegal fireworks are big business in California and they need to be met with an equally large, coordinated and continuous effort.

"I think Chief Greener is on the right path," Marshall said. "And what I'd like to see is a working group of fire chiefs in California get together and develop a strategic plan so we go to the state and feds with a unified message."

Again, yes, yes and YES.

A working group like that would take time and effort to establish.

And, of course, with fire season upon us, it would likely have to wait until fall for anyone in the fire biz to be able to actually meet.

But in the meantime, administrators of such a working group could be busy gathering information and looking at best practices here and across the nation.

Dennis Revell, a spokesman for TNT Fireworks, liked the working group idea.

"There has got to be a coordinated effort against illegal fireworks," he said. "And TNT is willing to help."

And, yes, that means help with funding, if needed.

Hey, Revell and I may be on opposite sides when it comes to banning all personal fireworks but when you're at war, you need all the allies you can get.