

**From:** Anthony Presto  
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[Monday, December 22, Tri-Valley Herald](#)

### **Valley homeowners to face new burning question**

New law banning inefficient fireplaces takes effect Jan. 1

By Dave Myhra - SAN JOAQUIN BUREAU

SAN JOAQUIN VALLEY -- Beginning Jan.1, people selling their homes in the Valley will have one more thing to worry about, making sure that their wood burning stove is legal.

The new law going into effect, Air District Rule 4901, makes most wood-burning stoves and fireplace inserts purchased before July 1, 1992 illegal. These older wood-burning devices emit more pollution than newer models.

The new rule states the only wood burning appliances allowed in homes are open hearth -- traditional -- fireplaces, EPA Phase II certified wood stoves or pellet stoves.

An EPA Phase II wood stove has a main chamber where the wood burns, and has a secondary burning chamber. A unit costs about \$2,500 if installed by a professional, said Gary Jones, owner of Fire Designs.

"Basically, what these (secondary chambers) do is burn the flue gases that the fireplace generates, making it more efficient," Jones said.

Pellet stoves, which are the most efficient design, burn small pellets that drop into the stove, as needed, through a funnel in the top.

This type of stove costs about \$2,500 to buy and install.

If a house that is going up for sale has a stove or insert that's not approved, homeowners will have to replace it or render it inoperable before the sale.

Homeowners can check to see if the stove is legal by checking for a label. All EPA Phase II certified stoves and inserts have a label on the back.

It is illegal to sell or install an operable, non-EPA Phase II Certified insert or stove in San Joaquin Valley.

Realtors are going to be helping the homeowners with this.

Before a real estate transaction is completed, sellers will have to fill out a form, which certifies that there is no unlawful wood-burning appliance in the house. They then will give a copy to the buyer, and send another to the San Joaquin Valley Air Pollution Control District.

"A notice is required to be mailed to their pollution control district on every transaction, not just those that are in question," said Marian Norris, of Mecos LLC, a legislative advocacy firm representing the Central Valley Association of Realtors.

If transaction figures from 2002 hold up, that means that the district will be sifting through about 34,000 of these forms a year.

Valley realtors were trying to stay out of the way of this new law, but it wasn't to be.

"Realtors, of course have an obligation to the seller to get them through the process," said Ed

Griffith of Meco. "They're going to be assisting their sellers in notifying (them) that the form has to be filled out, where to send it, and if necessary provide the form."

To avoid problems in the future, many homeowners are taking out their non-conforming wood-burning inserts and stoves.

"A lot of people are converting from wood burning to gas," Jones said.

And new developments like the Mountain House community aren't even dealing with wood-burning appliances of any kind.

All homes built by Lennar Homes in Mountain House have gas fireplaces.

"It was a product level decision, we decided not to go with wood-burning," said Laurie Sweeney of Lennar Homes.

Although the decision was not made because of the new law, owners of these new homes will never have to worry about dealing with it, nor will Spare the Air days ever affect them.

Lennar Homes is building about 900 homes in the Mountain House project.

Homeowners who manage to sell their homes without following the new rules, could be subject to future costs, including replacement and fines.

[Monday, December 21, The Modesto Bee](#)

### **Where there's smoke, there's spys**

by Jeff Jardine

No doubt about it, the air is generally bad and getting worse in the Northern San Joaquin Valley and foothills.

We inhale exhaust from traffic bogged down on our streets, road and highways.

We breathe dust agriculture churns up, which I consider a fair trade for this bad habit we've acquired called eating.

We squint through smog that blows in from the Bay Area.

And we sniff fireplace smoke because "chestnuts roasting on a natural gas flame" just doesn't hold the same holiday luster. Many folks still prefer the open fire.

So after threatening action for more than decade, the San Joaquin Valley Air Pollution Control District now prohibits the use of wood-burning fireplaces and stoves when the air becomes unhealthy. Kern and Fresno counties have experienced restricted days. The Northern San Joaquin Valley hasn't, but it will.

And to detect violators, officials developed a strategy that would make the old Soviet Politboro downright proud:

Rat out your neighbor. If you see smoke, call the bad-air cops. They'll come and check.

The neighbor gets the ticket. The pollution control board gets the money. You get to deal with an angry neighbor.

There is no witness protection program for fireplace finks. They won't pay to move you to Arizona

and give you a new identity.

You don't even get a reward.

You see, it's a system based on trust. Air officials have to trust people not to burn on the prescribed days. But because they don't -- and can't afford to have regular patrols -- they'll rely on neighbors and friends to snitch on each other.

I trusted the agency when I bought my pellet stove 11 years ago. Man, was I naive.

In the early 1990s, air officials predicted it wouldn't be long before fireplace restrictions would be imposed. Fireplaces spew lots of junk into the air, and more so when people use unseasoned wood.

I began researching and pricing pellet stoves, a cleaner- burning alternative. Before committing to a \$2,700 investment, I called Stanislaus County environmental officials. They referred me to the fledgling air pollution control district.

I told an air district representative I was considering buying a top-of-the-line Austroflamm pellet stove. It has everything except an ejector seat. It has a catalytic converter, computerized control panel and -- most important -- meets Environmental Protection Agency specifications for efficiency.

I asked the air official if such pellet stoves would be exempt from the eventual fireplace controls.

Absolutely, I was told. No doubt about it. That was the kind of thing more people needed to do, blah, blah, blah

No, I didn't write down her name. She told me what I wanted to hear. I was satisfied.

Beyond helping the air and the environment, I'd no longer have to deal with firewood -- dust and bark on the carpet, and lizards in the woodpile. No more shoveling out buckets of cold ashes a few times a week.

A pellet stove burns a 40-pound bag of pellets into less than a cup of very fine ash.

Now, when bans are finally imposed, pellet stoves are not exempt. They, too, are taboo on the no-wood days.

And this is the agency that wants me to rat on my neighbors or them to rat on me?

This much I'll promise: I won't run the pellet stove on the prescribed no-wood burning days. Even though it puts almost no smoke or junk into the air, rules are rules. And I owe that much to people who suffer from respiratory ailments and are affected by bad air.

But I can't say I trust our comrades at the air district any more than they trust me to keep my pellet stove cold on a no-wood burning day.

[Tuesday, December 21, 2003, Los Angeles Times](#)

### **New Smog Rule Would Worsen Southland Air, Foes Say**

By Gary Polakovic, Times Staff Writer

A new smog rule advocated by the Bush administration would lead to more tailpipe emissions and more years of bad air in Southern California, an environmental group and state air quality officials warn.

The administration has attached the rule to a new initiative that governs how much smog is allowed in a community throughout the day. Ozone is the primary ingredient of smog. The initiative was drafted in 1997 by the Clinton administration and is scheduled to take effect in 2005.

Though the ozone initiative is expected to improve air quality in the 32 smoggiest states, critics said that a recently added provision could undermine clean-air efforts, at least in the short run.

Under the provision, smoggy areas including the Los Angeles region would no longer be required to use a rigorous standard to ensure that highway construction projects meet current air-quality targets. Today, such projects must ensure that vehicle emissions in 2010 don't exceed levels of pollutants released in 2002. But the U.S. Environmental Protection Agency proposes to replace that with an interim provision that could allow for more pollution from highways through the end of the decade, said Lynn Terry, deputy executive officer of the state Air Resources Board.

"We want to maintain the concept that transportation plans contribute to emissions reductions needed for [air quality] attainment. Under this proposal, that may not happen," Terry said.

A study released Thursday by New York-based Environmental Defense, a clean-air advocacy group, predicted that vehicle emissions could grow by 19% by 2005 and 57% by 2010 in the greater Los Angeles region under the EPA proposal. It said that could result in 358 tons of smog-forming emissions daily above the amount needed to reach healthful air targets. The study also predicts increases in 11 other cities, including Chicago, New York and Philadelphia.

Michael Replogle of Environmental Defense said that, in the short term, as more roads, bridges and subdivisions are built, developers and local governments would not face as many restrictions on traffic-related air pollution.

"It will reinforce and accelerate the trend toward sprawl. We'll get more roads, more sprawl, invest less in public transport and give people fewer incentives to use transit or walk or ride bikes, and that will spur more traffic and more air pollution," Replogle said.

The issue could take on greater urgency next year when Congress is expected to consider a transportation bill, which would provide billions of federal dollars for new highway projects nationwide.

But the EPA said its proposal was one of several options; a final decision is not due until April. Monday is the deadline for public comments on it.

Yet, even with the proposal, said Matt Haber, acting deputy director of the air program in the EPA's California office, the state in the long run will experience dramatically improved air quality. Haber said that was because of the more protective ozone standard developed in 1997. It restricts ozone to 0.08 parts per million over any eight-hour period in a day. The Los Angeles region has exceeded that limit 119 days this year.

"The eight-hour standard is such a more protective standard than the [existing] one-hour standard that it's going to require more [emissions] reductions than otherwise would have to be done," Haber said.

Air quality is generally better statewide than a decade ago. However, the Los Angeles region suffered its worst smog season in six years this past summer, and the San Joaquin Valley has emerged as one of the smoggiest places in the nation.

Vehicle exhaust accounts for 70% of the smog-forming emissions in Southern California. Although new cars are dramatically cleaner than a generation ago, they are driven farther, resulting in more tailpipe emissions. All the cars and drivers in the Los Angeles region are forecast to log 387 million miles in 2010 - 30% more than in 1997. Air quality officials acknowledged that they have grossly underestimated vehicle emissions, complicating efforts to achieve clean air.

[December 21 2003, Tri-Valley Herald](#)

### **District seeks natural gas station**

Tracy Unified applying for grant for facility to fuel environmentally friendly buses

By Aaron Swarts - SAN JOAQUIN BUREAU

TRACY -- Tracy Unified is doing its part to curb the Central Valley's poor air quality by pursuing a grant that could lead to a fleet of environmentally friendly buses.

The district is seeking the grant at the same time the San Joaquin Air Pollution Control District is asking the state to designate the air quality in the Valley as "extreme."

"Our goal is to build a natural gas fueling station at our bus barn," said Casey Goodall, assistant superintendent of business services. "To accomplish this we are teaming up with the Peaker Power Plant Oversight Committee, who will help us attain additional funds."

Tracy Unified currently has only one natural gas bus, but Goodall says that is the result of a Catch-22.

"It's a tough position, because if you pay to build the fueling station, you can't afford the natural gas buses," he said. "If you decide to buy the buses instead, you have no way of getting them fuel. This partnership should help get us over that hurdle."

In his report to the board, Goodall noted an Environmental Protection Agency report that identifies diesel exhaust as the "leading cause of air pollution in San Joaquin Valley and a likely health risk."

Compressed natural gas also is less expensive than diesel fuel while still providing the lowest emissions.

If the requested change in the air status is approved by the state, the Valley will have until 2010 to fix its air problems.

According to the San Joaquin County Air Pollution Control District, 60 percent of air problems in the area come from mobile emissions, over which the district has no power.

However, state and federal agencies are rolling out new emission standards in 2005 that will help the cause.

Tracy Unified just wants to do its part. "This partnership is a perfect example of local organizations working together to help the environment," Goodall said.

"It could be a win-win situation for everyone."

[Saturday, December 20, Tri-Valley Herald](#)

## **Burning Issues: Traditional fireplaces giving way to more efficient wood-burning, pellet and gas stoves**

By Barry Caine, Staff Writer

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VICKI Vegis stokes the old-fashioned fireplace in her home just once a year. "It's a special tradition to light it on New Year's Eve," the Oakland resident says. When she gets the fire going, Vegis and her daughter Catherine, 8, roast marshmallows. "The fireplace is an integral part of our life and an integral part of our living room," Vegis says. The rest of the year she fills the opening with large Tahoe pine cones, "just for show." She only uses two logs to build her New Year's fire. "That's enough to get it going," Vegis says. "Also, I don't use more because of the ecological implications." Because of the ecological implications -- long-hand for "pollution" -- traditional wood-burning fireplaces such as Vegis' are destined to become shards of history, like typewriters and record players. Granted, they're cozy, warm, and add atmosphere and romance. But smoke from the logs clogs the air with pollutants, which are harmful to human health. Thus the trend toward gas and pellet stoves, which can be free-standing or used as fireplace inserts. Pellet stoves burn wood pellets, gas stoves burn natural gas. Flames flicker along artificial logs to give the image of an old-fashioned fireplace. Wood-burning stoves and fireplaces certified as clean-burning by the Environmental Protection Agency are also popular. "Your conventional open fireplace is becoming a thing of the past," says Walt Ligon, owner of Custom Fireplace, Patio & BBQ in Dublin, one of the oldest and largest fireplace stores in the Bay Area. The vast majority of his sales consist of gas stoves and pellet stoves "because of the tremendous cost increases in gas and electricity (to heat homes), because of the cost of firewood in the Bay Area, and because of the confusion over government restrictions," Ligon says. Most Bay Area cities and counties no longer allow conventional open wood-burning fireplaces to be built or installed. However, the laws vary from county to county and city to city. Wood-burning stoves certified as clean-burning by the EPA are exceptions to the rule. Pellet stoves and gas stoves are allowed in virtually all jurisdictions, Ligon says. "The idea behind all of this is to clean up the air in the winter months," says Ligon, who has been in the fireplace business for 32 years. In addition to being more efficient (meaning they leave less waste) than wood-burning units, gas and pellet stoves are more economical. "Any open fireplace ever built takes more heat out of a house when it's being used than it puts in," Ligon says. "It's an inefficient, energy-consuming, heat-consuming box." Monica and Doug Hansen think outside of the box. When the couple moved to the Bay Area from Oregon, they replaced the wood-burning fireplace in their small, 17-year-old Fremont home with a gas fireplace equipped with a blower, to circulate the heat out into the house. They spend a lot of time in their living room. And although they have a gas furnace, Doug says, "We've had a lot of nights when the only thing we've run when we needed heat is the fireplace." The flames look realistic, he says. And he and his wife like the convenience of being able to turn on the unit with a switch rather than having to spend time building a fire. Also, Doug says, "we read a lot about pollution down here, so that was a factor." The pollution factor "What you and I call smoke, air-pollution people call particulate matter," says Phil Bobel, spokesman for the Bay Area Clean Water Agencies and manager of environmental compliance with the City of Palo Alto. Particulate matter, Bobel says, is "the stuff that looks like smoke, is gray or black in color, and contains small particles that get locked in our lungs and can cause respiratory problems, especially in people who already have respiratory problems." The size of the particle is the main culprit, the Palo Alto resident says. But the smoke also contains individual chemicals, such as dioxin, that might be toxic. So the less wood burned, the better, in terms of human health. "You get much less (pollution) with gas and pellet, especially because gas is clean-burning, so it (puts out) virtually no particulate matter," Bobel says. Older wood-burning stoves and fireplaces emit 60 grams of pollution in one hour, says Luna Salaver, public information officer for the Bay Area Air Quality Management District. In comparison, pellet stoves release four to six grams per hour. "Natural gas is 98 percent cleaner than the old wood stoves," the Pacifica resident says. Electric fireplaces generate a little heat and look pretty, but are pollution-free. Best wood, worst wood Better to use old wood than something just cut, green and wet. Clean seasoned wood, meaning no dirt and dry, burns hot and completely; that's the ideal. "The air district's position is not to burn, period," Salaver says. But if you must burn, use harder woods such as almond, apple, oak or walnut, she says. They burn best. The worst wood to use is anything that's wet or has a coating, such as creosote. Avoid eucalyptus and green pine. And don't

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use driftwood. Unless it's been cured, or dried, for a long time it might contain moisture. Moist wood smolders longer and smokes longer. "If you burn wood on Christmas Eve, don't burn any that's been left in the rain," Salaver cautions. Last year, some of the worst days for small-particle pollution in the Bay Area were the weekend before Christmas, Christmas Eve, Christmas Day and the weekend after, she says. In the winter, when pollution is, or threatens to be, particularly harsh, the air district issues spare-the-air-tonight alerts similar to the summer smog alerts, warning all Bay Area residents not to burn wood. If you choose to use manufactured (also called instant) logs, the best are compressed wood products that contain no petroleum-based binders or additives. Additives that make the logs crackle or show different-colored flames are polluting. If burned correctly, instant logs can be better than ordinary wood -- if the temperature is kept high, the damper remains open all the way and there is no restriction on the air getting into the burning area. Weather is also a factor. The worst burning conditions are when it's cold and there's an inversion layer: a hotter layer of air on top and a cooler layer on the bottom. Instead of rising, gases tend to stay near the home. The best conditions are sunny days when there is no inversion layer. Hot air rises and smoke travels into the upper atmosphere. Fake logs and hot stoves Logs in pellet stoves and gas stoves are decorative, designed to look as close as possible to a natural wood fire. In pellet stoves, they are typically made of ceramic clay designed to withstand heat generated by the stove, says the fireplace store's Ligon. In gas stoves, 99 percent of the logs are made out of space-age fiber material "that will last forever but will also give you glowing edges and parts to make them look more like natural wood," Ligon says. Pellet and gas stoves provide a constant, steady heat that warms the air in the house like a central gas heater, "but also heats the mass of the home, the walls, floors, ceiling, cat, dog and humans, and gives a more comfortable heat," he says. The ecologically correct good news is that gas and pellet inserts can be installed in the openings in existing wood-burning fireplaces. "Having a romantic, pretty, enjoyable fire in your house is one of the greatest pleasures humans can have in their lives," Ligon says. "Developments in new kinds of fireplaces and stoves also deliver atmosphere and save us a tremendous amount of money on our heating costs. This is the way the world is going." Information on different woods can be found on the Web at [baaqmd.gov](http://baaqmd.gov) or by calling (800) HELP-AIR. For information about spare-the-air-tonight alerts visit [www.sparetheair.org](http://www.sparetheair.org) <<http://www.sparetheair.org>> <<<http://www.sparetheair.org>

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Monday, December 22, Modesto Bee Editorial

### **Air board procrastinates while residents suffocate**

Breathing this stuff can kill you. It also can kill your neighbor, your co-workers and your kids. It can kill you in obvious ways and, we're learning, in more insidious ways. And it's far, far past time that we do something about it.

Our air is laced with exhaust-pipe pollutants, dust from farming and smoke from fireplaces, among other harmful things. The particles are too small to be seen individually, but the billions of them that mass together create a haze that obscures the mountains and sometimes hangs in the air like fog in the summer.

We've always known that what we can't see can damage our lungs. Last week, *Circulation*, the journal of the American Heart Association, printed a study showing a direct link between bad air and bad hearts: "Fine particulate air pollution is a risk factor for cardiovascular disease mortality."

In plainer English, this stuff can kill you -- if the asthma and other lung problems don't get you first.

That news coincided with the request to place our valley in the worst possible category for air pollution. Anyone who doesn't see the connection between the greater incidence of heart disease -- not to mention asthma and other respiratory ailments -- is oblivious.

The valley has been under orders from the Environmental Protection Agency to clean its air for years. The deadline was 2005, but members of the board of the San Joaquin Valley Air Pollution Control District surrendered. They requested that our valley be put in the "extreme" pollution category. That designation "buys us some time," meaning we will have until 2010 to improve the air. If we do not, there will be severe penalties.

At what cost did we buy this time? More than 300,000 valley residents suffer from lung problems. Is it fair to ask them to wait until 2010?

Our air board officials have relentlessly squandered the time we've had in the past. There's not been a sense of urgency. Now, officials suggest we rely on stricter federal regulations in 2007 to reduce tailpipe emissions from cars and trucks. That's not only shortsighted, it's foolish.

Car manufacturers are more powerful in the halls of Congress than valley legislators. They will force through whatever delays they want and leave us gasping. Consider the CAFE standards, which mandate fuel efficiency. If cars are more efficient, they burn less gas and thus create less pollution.

Early in 2000, Detroit decried improvements ordered by 2002 and got them pushed to 2010. Fuel efficiency has dropped for American cars ever since -- creating more pollution. Two months after that decision, Congress refused to make pickup trucks and SUVs meet the same standards as cars; now, they're not required to meet any standard. Ever notice how many pickups and SUVs roam the valley?

Don't just blame SUV drivers. This year, the air board asked valley residents not to burn on days when soot particles would be trapped in our air. There were two levels -- "Wood burning discouraged" and "Don't burn."

How many have willingly complied with either?

We agree more time is needed to fix our air problems. We don't want to see that additional time wasted. Solutions must be found; we must all do our part, from businessman to farmer to the individual homeowner. We should be setting our own deadlines, not waiting for the EPA to act. While such maneuvers create "breathing room," they also leave too many gasping.

[Monday, December 22, 2003, Editorial, Visalia Times-Delta](#)

It won't be long before the San Joaquin Valley is at the top of another "worst" list. Ironically, the Valley is actually seeking this one.

The San Joaquin Valley Air Pollution Control District is expected to ask the Environmental Protection Agency that the Valley's air be designated "extreme," as in extremely bad.

When that happens, we will officially be tied with Los Angeles as having the worst air quality in the nation. Nothing to sneeze at. Or should we say, cough.

Part of the reason for seeking the "extreme" designation is that the Valley has failed to make enough progress in cleaning its air to avoid a number of federal sanctions, including the loss of billions of dollars in transportation money. If we accept the "extreme" designation, the Valley accepts stricter controls, but it also gets more time to improve its air quality.

Accepting an "extreme" designation isn't a solution, it simply changes the rules of the game. The Valley must pursue programs for cleaner air even more aggressively, and not simply to avoid sanctions by the EPA. It must do it because our foul air is a huge public health problem. Forget the simple fact that it harms people. It adds to expenses for health care, both by individuals and business. It prevents the area from attracting other businesses. It harms our greatest industry, agriculture. It adds to public expense at every level of government in payments for remedies as



well as mitigation.

Going "extreme" gets the Valley off the hook. For now. But it is no cause for celebration. We still have a huge problem with air quality in this Valley, and we've run out of semantic tricks to fix it.