

Fuel plan fueling debate

MICHELLE TERWILLEGGER, Californian staff writer, December 6, 2003

The process of making cement usually isn't much of a conversation starter. But an east Kern cement plant's proposal to burn used tires for fuel is getting people talking -- and writing.

The National Cement Company of California requested a permit from the Kern County Air Pollution Control District that would allow it to put used, chipped tires in its giant kiln for fuel.

Kern County Air Pollution Control District officials are so confident that there will be no significant impact to the environment that they wish to grant the permit without completing an environmental impact report.

That decision is steaming up some nearby residents and environmentalists who believe the project needs a second look, especially since National Cement already carries a long list of air pollution violations.

The company, which is located near the Los Angeles County border, east of Interstate 5, was cited seven times for excess sulfur oxides and nitrogen oxides in November 2003 alone.

In order for cement plants to maintain their kilns at 3,000 to 5,000 degrees, they have to burn a lot of fuel.

The fuels often take the form of coal or petroleum coke, a product that comes from oil refineries. But in recent years used tires have become a popular alternative, partly because they are cheap.

National Cement is looking to use tires for up to 25 percent of its fuel.

According to Tom Paxson, air pollution control officer for the Kern County district, substituting tires for petroleum coke or coal creates a negligible effect.

The main emissions that the air district monitors -- particulate matter, sulfur oxides and nitrogen oxides -- are unchanged by the switch while the overall change among other pollutants is little to none, Paxson said.

"Some of them go up, some of them go down," he said. "The net effect is pretty much neutral."

Jerry Martin, spokesman for the California Air Resources Board, part of the state Environmental Protection Agency, agreed although he said that coal, petroleum coke and old tires were all considered dirty forms of fuel.

"These types of fuels are not types that we really smile on in California," Martin said.

Opponents have complained that the switch to tires hasn't been scrutinized enough.

The California Environmental Quality Act requires government agencies to produce an environmental impact report for certain projects or to make what is called a negative declaration.

The Kern County Air District made a negative declaration, which essentially states that National Cement's plan to burn tires will have no negative impact on the environment compared with its current fuel sources.

Caroline Farrell, an attorney for the Center on Race, Poverty and the Environment, took issue with that position in a letter she filed with the air district. She criticized the air district's negative declaration for having no information to back its claims that there would be no environmental impact.

"You have a right to know about this project. You have a right to know what environmental impacts it's going to have on you," Farrell said in an interview. "That information has been denied."

Paxson said the district would be working on a response to Farrell's letter, while maintaining that a negative declaration is appropriate and that the district could issue the permit to National Cement.

"We're not going to do that without trying to resolve the issues that this comment letter brings up," he said.

The air district has been down this path before over the same issue.

The argument being made by Farrell is similar to the one made when a similar application to burn tires came from California Portland Cement Co. in 1994.

The air district did not complete an environmental report in that case until a group of residents and environmentalists took the case to court.

The district ultimately completed the report and then granted the permit to burn tires to California Portland Cement, located in the Mojave area.

Portland Cement has since stopped burning tires for economic reasons, according to Leo Mercy, the company's environmental manager.

Some of National Cement's neighbors aren't impressed with the plant's history and are critical of its application.

"They don't have the greatest track record on cleaning up their messes," said Ann Wride, a retired Los Angeles County resident who can see the cement plant from her bedroom window. "I just want to make sure they're monitored closely."

Since September 2000, National Cement has had 28 air pollution violations, costing the company at least \$38,000 in fines. More than half of those violations have occurred this year.

The majority of the fines involved excess emissions of sulfur oxides and nitrogen oxides. Both pollutants can trigger respiratory problems.

James Halfhill, who lives in Pinon Pines, has long charted the cement's plants history of violations.

"These people are terribly irresponsible," he said. "It's not so much the methodology, but their ability to abide by the standards."

Paxson said he cannot take National Cement's violation history into account when making a decision on their application to burn tires.

"That application is evaluated on its merits," he said.

Home is where the hearth is

JENNIFER BALDWIN, Californian staff writer, December 6, 2003

Fire is intrinsic to humankind. Early civilizations used it for cooking, heat and light. More recently, families gathered around fireplaces for warmth, relaxation and entertainment. But then came along central heating. Televisions became the new object for people to gather around. And the Central Valley's air quality turned so poor that burning wood and pellets is now prohibited on some nights.

One would think fireplaces would just disappear from home design all together. Who needs them? They can be messy, inefficient and harmful for people with asthma and sensitive lungs.

But fireplaces are still in demand. They give an ambience of warmth, make a room inviting, sensual, cozy. There's something about a flickering flame that is mesmerizing. It evokes nostalgia. It makes people want to cuddle. After all, home is where the hearth is.

So fireplaces have been entering a new phase -- a cleaner, more efficient, more environmentally friendly phase. Natural gas has replaced solid fuel. Ceramic look-alikes have replaced wooden logs. Chimneys aren't even necessary, as long as an exhaust pipe runs to an exterior wall.

Kindling, matches and wads of newspaper have been replaced by switches, buttons and remotes. And electric fireplaces are on the verge of rivaling gas models with new "realistic flame technology" and "plug-and-play portability," one company touts.

"Despite the no-burn rules, we will still see the fireplace as a focal point in the family room," said Bakersfield interior designer Carolyn Bryant.

"People like the feeling of warmth, whether the fireplace is meant for heating or not. It's the feeling of the fire, the cozy feeling."

This feeling is exactly why Amy Shane chose to include four fireplaces when she worked with Bryant to design her family's new northeast Bakersfield home.

The home includes gas fireplaces in the family room, master bedroom, kitchen and basement game room.

"The one in the kitchen is the one we use the most," said Shane, a mother of five. "I think it's because it's cold in the morning and there's something cozy in it. The kids pull up their cereal and hot chocolate to the breakfast counter. They can click (the fireplace) on, stay in their pajamas and not get chilled."

Shane said she also enjoys the fireplace in the master bedroom.

"We have two chairs cozied up to that one," she said. "In the mornings, my husband and I will sit in the chairs and pray with each other there. And a lot of times in the evening, when my older two girls do the dishes, he and I sit by the fire and talk about our days. It's our quiet spot."

The versatility of gas fireplaces means people are getting creative about where they put them.

A study by the Hearth, Patio and Barbecue Association says that 21 percent of households across the nation have a fireplace or freestanding stove someplace other than a living room or family room.

While the statistic may seem surprisingly high, it includes regional trends, such as wood stoves in colder parts of the country. But California is catching on as well, said John Crouch, Sacramento-based director of public affairs for HPBA.

"There's quite a number of new homes where fireplaces have been used as a divider between the master bedroom and the master bathroom," he said. "If folks choose to do a really nice country kitchen, then a fireplace has a lot of legitimacy there, too."

In the living room, fireplaces have not so much been replaced by televisions as they have become a part of the total design, said interior designer Bryant. Even in Shane's kitchen, a small television is near the fireplace.

"I do a lot of grouping of furniture with the focus both on the fireplace and the television," Bryant said. "The television is in the same visual space as the fireplace. So I think people will continue to have the fireplace as a gathering place."

The new rules by the San Joaquin Valley Air Pollution Control District do not just limit the number of nights that people can burn wood or pellets in fireplaces or stoves during winter nights.

People buying new or older homes will also see changes to the fireplaces and wood-burning stoves within.

After Jan. 1, no wood-burning fireplaces will be allowed in new home developments with three or more houses per acre.

Additionally, before a person can sell an older home that includes a wood-burning stove that is not certified by the Environmental Protection Agency, the seller must remove the stove or make it inoperable. Antique wood stoves that are still operable are also illegal to sell.

Most housing developers have already been phasing out wood-burning fireplaces, said Brian Todd, executive vice president of the Building Industry Association of Kern County.

"Wood-burning fireplaces are just not a major motivation of buyers in today's marketplace. After they've been shown the options for gas fireplaces, they don't want wood-burning," he said.

People do want the feeling of a fireplace, though. Depending on the price range of the home, anywhere from 30 percent to 70 percent of buyers request gas fireplaces, Todd said. The variety of gas fireplaces available today is an aesthetic allure, he said.

The building association, which represents many home builders in Bakersfield, supports the air district's limits on wood-burning fireplaces.

"You can accomplish the same things you get with wood-burning fireplaces without putting all those emissions into the air," Todd said. "We're not exactly environmentalists, but there is absolutely no question that wood-burning fireplaces are gross pollutants. I haven't used my own fireplace for three years because my wife has asthma."

Some builders are still installing zero-clearance fireplaces, which are pre-fabricated units that can be used for burning wood or gas. Although builders plumb them for gas, it's up to the home buyers whether to install gas log sets or inserts.

Zero-clearance fireplaces are cheaper for builders to install because they don't require the brick boxes and stacks that masonry fireplaces require, said Brian Hardt of Advantage Homes in Bakersfield. Instead, they consist of a metal box and flue pipe leading to the ceiling.

While less expensive to install, a zero-clearance fireplace that burns wood emits just as much pollution as an open-hearth, masonry fireplace, said air quality project adviser Tom Jordan of the air pollution district. Both will emit more than 42 grams of particulate matter per hour, he said. In contrast, an EPA-certified wood stove or fireplace insert emits about 6 grams per hour and a pellet stove emits about 1.2 grams per hour.

Still, all wood and pellet-burning devices are illegal to burn on no-burn nights, he said. That's when only gas and electric are allowed.

"A natural-gas burning fireplace gives off .07 grams of particulates per hour, so it's far and away the cleanest alternative," Jordan said.

Health and versatility aren't the only reasons gas fireplaces have gained such popularity. Their aesthetics and realistic looks have come a long way from the concrete logs and plumes of burning gas they once were.

Molded, painted ceramic logs absorb heat, causing simulated embers to glow red long after the gas has been turned off. Lava rock pebbles piled under the logs look like ashes, especially as lighted gas filters up through them, emulating the bluish flames in and under a real wood fire.

Companies offer tremendous variety, from log size to glass doors to surrounding facades and mantels. And some of the newest inventions include a fireplace backed with a window to the outside, a model small enough to set into a wall or on a shelf at eye-level, and one that turns into a mirror when not in use -- popular in bathrooms.

Ultimately, people want a gas-burning fireplace that still looks like an authentic wood-burning fireplace, although it's all an illusion. A gas fireplace could look like anything -- a ceramic sculpture enclosed in a glass box, for example. But people want to see wood logs burning, ashes and embers glowing, and flames licking up through a grate.

It all goes back to fire being intrinsic to human nature. "Personally, I like wood-burning fireplaces," said Bakersfield homeowner Shane.

With the help of interior designer Bryant, she even chose for two of her four fireplaces to accommodate burning wood or gas. But her son developed severe asthma, and now all four fireplaces burn gas only.

Though Shane misses some aspects of burning wood, she embraces other aspects of her gas fireplaces.

"You don't have the scent and you don't have the crackling noise," Shane said. "But you also don't have the down drafts and you don't have to sweep out the ashes."

Foothills counties added to valley air district

Mark Grossi, Fresno Bee, Published in the Modesto Bee, December 6, 2003, 07:01:59 AM PST

The blue-sky mountain counties of Tuolumne, Calaveras, Mariposa and Amador next year will not meet federal requirements for clean air.

The U.S. Environmental Protection Agency announced Thursday that the counties would be included in a new designation for ozone offenders.

The reason: The EPA is changing to a more stringent, protective standard, meaning smaller amounts of pollution will trigger violations.

The counties will join the eight-county San Joaquin Valley Air Pollution Control District, which never has attained the clean-air standards and routinely sends pollution into mountain counties.

"We weren't surprised to see Tuolumne and Mariposa," district planning director Dave Jones said. "But we don't have as great of an effect on Calaveras and Amador, so they are a surprise. In fact, I don't believe Amador is even geographically in the valley."

Other than the social stigma of dirty air, officials said they are not sure how the designation would financially affect the counties, where tourism drives the economy, not large industry.

Large polluting industries must spend thousands of dollars to get a federal air operating permit.

As part of the San Joaquin district, the mountain counties would be subject to the same cleanup deadlines and possible sanctions for this standard many years from now.

The mention of the mountain counties came in an EPA letter to the state about enforcement of a long-term or eight-hour ozone standard that will be established in April. The long-term monitoring will replace the one-hour or peak standard that has been in place for decades.

Many medical experts consider the longer-term standard a better way to monitor the effects of ozone, a colorless, corrosive gas that forms in warm weather and triggers many lung problems.

California officials had recommended leaving the mountain counties out of the valley designation. But one EPA official said it made sense to include places that are being affected by the valley.

"Given the proximity of the counties to the valley and the fact that monitors in those counties this year have shown exceedences of the eight-hour standard, we think it's appropriate," EPA Regional Administrator Wayne Nastri said.

State officials also had recommended against including the Bay Area as a violator of the eight-hour standard. The EPA disagreed, citing Bay Area violations of the eight-hour standard during the summer.

EPA Aims to Combat Dirty Air With Trading Systems

Plan would target plant emissions. Another rule would give California a tougher pollution cap.

By Elizabeth Shogren and Gary Polakovic, Los Times Staff Writers, December 5, 2003

WASHINGTON — The Environmental Protection Agency announced regulatory proposals Thursday for controlling air pollution, taking a major step toward making market-based trading systems the tool of choice for addressing air quality problems caused by power plants.

The agency identified 534 counties in 32 states that have air pollution levels that exceed new eight-hour health-based standards for ground-level ozone or smog. After this proposed program is made final early next year, states will be required to adopt pollution control strategies to meet the new standards in these counties, many of which have never before have been required to regulate air emissions. Almost the entire southern half of California violates the new standard.

Taken together, the proposals represent "the single most important step we can take right now to improve air quality in the United States," EPA Administrator Mike Leavitt said in an interview.

The administration's plan includes two systems of controlling power plant emissions by giving each plant a permit to emit a fixed amount of pollution and allowing the cleaner plants to sell their excess allowances to plants that throw off more than their share of pollutants. One such "cap and trade" system would govern nitrogen oxides and sulfur oxide; the other would limit mercury.

If the Bush administration adopts such plans after formally proposing them this month, it would accomplish administratively much of what it has failed to do legislatively. President Bush's "Clear Skies" initiative, designed to cut air pollution from power plants but maligned by public health advocates and environmentalists as too weak, has stalled in Congress.

"We can't afford to wait," Leavitt said.

EPA officials said the cap-and-trade system for sulfur dioxide and nitrogen oxides would help state officials meet the new air-quality standards for ground-level ozone because it would cut the pollution that blows in from other states. By gradually reducing the pollution permits in circulation, EPA would cut sulfur dioxide emissions by 70% and nitrogen oxide emissions by 50%.

The proposed mercury cap-and-trade system, which focuses on coal-burning power plants, would use a similar mechanism to reduce emissions from 48 tons to 15 tons by 2018, officials said.

Neither cap and trade system would apply in California, where power plant emissions are already stringently controlled, officials said.

Utility industry representatives were reluctant to comment before seeing the full text of the proposed regulations. Many of them support the Clear Skies initiative, which has similar pollution reduction targets and mechanisms for reaching them.

Public health officials, state regulators and environmental advocates applauded the designations of areas that need to improve their air quality. "EPA has recommended protective smog boundaries that will help establish the framework for states to put in place effective pollution cleanup plans to protect children with asthma and other vulnerable populations from harmful smog," said Vickie Patton, an attorney for Environmental Defense, an environmental group.

"We are thrilled to death," said John Sheehan, spokesman for the Adirondack Council, an environmental group.

But activists warned that the mercury initiative would not push power plants to cut emissions fast or far enough. They said EPA failed to analyze the costs and benefits of a more stringent rule for mercury, despite requests from an EPA-appointed advisory group and members of Congress.

The new eight-hour ozone standards, required by the 1990 Clean Air Act amendments, were set in 1997 but delayed by challenges from industry until the Supreme Court upheld them in 2001. States had recommended that 427 counties be listed as exceeding the standards, short of the 534 identified by the EPA.

Counties are reluctant to be on the list of ozone non-attainment areas because their businesses know they will face tighter regulation.

"It's a stigma," said Bill Kovacs, vice president for environment, technology and regulatory affairs at the U.S. Chamber of Commerce. "In a non-attainment area, bringing in new business is much more difficult."

The federal proposal to reclassify communities for smog would nudge scores of California communities from clean-air zones into the polluted category and trigger a new round of cleanup regulations.

"It's a big change. We are doing everything we can already to clean up, so this is just going to make it even more difficult," said Bill Quinn, vice president of the California Council for Environmental and Economic Balance.

Virtually the entire southern half of California would be designated as unhealthy for ozone, the main ingredient of smog. New smog centers would include the Sierra foothills, much of the High Desert and farming communities north of Sacramento. Some communities, including San Francisco, San Diego and Ventura, have already met the old ozone standard or will soon, yet would be reclassified as dirty-air cities again and be required to redouble cleanup efforts.

The new limit measures ozone over an eight-hour period, a more accurate look at air quality throughout the day, rather than over just one-hour peak levels measured in the worst time of day under the old system.

California environmentalists and air quality officials objected to the EPA's proposal to eliminate the one-hour standard. The state's entire regulatory apparatus is geared toward attaining the one-hour standard by a federal deadline of 2010.

[Editorial:](#)

No escape

Mountain counties will soon join Valley on bad air quality lists.

(Published in the Fresno Bee - Monday, December 8, 2003, 5:51 AM)

It's become a cliché to speak of the days when Valley residents could look up and see the glistening Sierra Nevada nearly every day. The flip side of that memory has been the image of the pristine mountains with their blue skies and clean air. That image may change soon.

The mountain counties of Amador, Calaveras, Tuolumne and Mariposa will be joining counties on the Valley floor on the list of areas that do not meet federal requirements for clean air. The ramifications of that change are, for now, about as clear as Valley skies.

The U.S. Environmental Protection Agency is adopting a more stringent measure of ozone in the air. In the past the principal measurement was taken over one-hour periods. But the eight-hour standard now being applied is regarded by scientists and medical experts as a better measure of the damage ozone does, and the EPA is anxious to get it in place.

By that eight-hour measure, the mountain counties fail just like their counterparts in the Valley.

This doesn't mean the mountain counties will be joining in the San Joaquin Valley Air Pollution Control District as full-time members anytime soon. There are major differences in the areas, including the fact that most of the ozone pollution in the mountains comes from the Valley. There is also very little industry to regulate in the mountains, and regulating industry is about the only device available to the Valley air district. Cars and trucks -- by far the greatest offenders -- are off limits to local regulators.

Tourism is now the biggest economic engine in the mountain communities, which means that any eventual regulation of vehicle traffic in and out of the Valley could have a profound impact in the Sierra.

One thing that mountain counties must now confront: If the EPA lumps them in with Valley counties in non-attainment of clean air standards, they may face the same sanctions that await the rest of us for our failure. All of a sudden, debates over "severe" vs. "extreme" categories, various deadlines and the prospect of losing federal highway funds are no longer simple intellectual exercises for citizens and leaders in the mountain communities. They are real and present dangers.

As we said, it's unclear how all this will play out. But, almost overnight, it begins to look like a different world in the nearby Sierra Nevada.

LASTGASP

"We can't go on living this way.

And we won't."

Uncomfortable bedfellows? In one crucial pollution measure, the EPA is lumping Sierra Nevada communities in with the Valley.

[Fresno Bee Letters to the Editor](#)

What about the air?

By Bethany Lowe
Fresno

(Published in the Fresno Bee - Monday, December 8, 2003, 5:51 AM)

Lost Lake Park is an important part of our community. Building several thousand new homes along the San Joaquin River would ruin the peace and serenity of the park, not to mention all of the environmental impacts it would have.

Building a new community would ruin the carefree atmosphere that takes place here, from the river to the animals that have made it their home.

The Dec. 3 article, "Madera County's turn," mentioned that "there has been little or no discussion of the air pollution problem."

I attended the Madera County Planning Commission meeting that same night and did not hear any discussion about any environmental impacts. In fact, it wasn't even open to public comment.

If we are so concerned about our air pollution that we won't allow our citizens to burn fires, then why are we allowing this planning to continue where there is the potential of thousands of cars driving in and out of the community each and every day? Won't this affect our air quality, which has become such an important issue lately?

Insidious poisons, unknown assailants spread terror

By Howard Larimer
Fresno

(Published in the Fresno Bee - Sunday, December 7, 2003, 5:43 AM)

As dusk settles in, a family of captives cowers in the confines of their own home. Gasps of horror escape their lips as lungs constrict and scream for air. Racing minds search for the faces of their assailants. Poisonous gases seep under their doors and through window frames. Hearts pound as they contemplate a world with basic freedoms lost.

Memories of days outdoors seem distant. Toxic weapons sting the eye and drive these citizens to their bunkers. Gardens go untended and yards unpruned. The siege lays waste to their familiar surroundings. The homeland is no longer secure.

Desperate for news of salvation, the imprisoned scan their television for news of the assault. Scattered among reports of terrorist activity, they sadly see no relief. Politicians squirm as they are pressed for the details of a tactical defense that seems too little, too late.

Is the al-Qaida network to blame? Sadly, no. The demon is among us. The silos that deliver these chemical agents harbor no Iraqi missiles; they are simply chimneys scattered throughout our neighborhoods. The personal freedom to use fireplaces strikes its own brand of terror.

Alas, another voluntary no-burn day passes. I wonder if the days would be voluntary if most people were affected the same way as those of us with less hearty lungs?