

Valley nears an air goal

State opinion opens door for EPA to OK 'clean' PM-10 status.

By Mark Grossi / The Fresno Bee

Wednesday, April 26, 2006

The California Air Resources Board announced Tuesday that the San Joaquin Valley no longer violates federal health standards for dangerous dust, soot and chemical specks.

The state opinion, requested Monday by Valley air officials, is part of the milestone process to declare Valley air healthy for PM-10 - specks of pollution about one-seventh the width of a human hair.

However, the area's air remains among the most unhealthy in the country for the tiniest pollution particles, called PM-2.5, and for smog.

The state now will ask the U.S. Environmental Protection Agency to approve the Valley's "clean" status for PM-10. The EPA has the final word.

The approval would be a huge step for the San Joaquin Valley Air Pollution Control District, officials said. The district has reduced more than one-third of the problem since 1990.

"Most people are surprised about it," district Executive Director Seyed Sadredin said.

"Most people think the air is getting worse. But we are improving."

The district has curbed particle pollution by forbidding fireplace burning on the dirtiest cold-weather days.

The farming industry also has reduced dust with such practices as watering unpaved roads and making fewer tilling passes over fields.

Environmentalists dispute the district's cleanup claim, saying there have been numerous violations over the past three years.

Lawyer Paul Cort of Earthjustice said the district has violated the health standard 13 times in the last three years.

"The law permits only one violation day per year for three years," he said. "They're cherry-picking the data and leaving out some real problems."

The district and activists agree PM-10 is a dangerous pollutant. Medical science has linked the specks to reduced lung functions, heart problems and premature death.

Until now, the Valley never has cleared enough particles from the air to achieve the PM-10 health standards.

But the district still faces a difficult task in cleaning up PM-2.5, a much smaller and even more dangerous particle. Because it is smaller, it can lodge deeper in the lungs.

PM-2.5 often forms in winter months when ammonia from dairies combines with oxides of nitrogen from vehicles. Specks called ammonium nitrate are created. PM-10 generally is considered to be dust, soot and specks that are a combination of moisture and chemicals.

Environmentalists said PM-10 still is a problem, adding that monitors in the Corcoran and Bakersfield areas showed violations in the last year.

"We all know the problem has not been solved," said Sierra Club member Arthur Unger of Bakersfield.

"Last Thanksgiving, people throughout the southern Valley were complaining about the air quality. People could see and feel there was a problem even without the monitors," he said.

Environmentalists are referring to secondary monitors intended to show short-term trends, not measure for federal violations, air officials said.

The district operates nine official monitors equipped with filters.

The secondary monitors, called Beta Attenuation Mass monitors, rely on energy pulses to detect pollution continuously.

The information is used in air quality forecasts, but it is not rigorously checked for accuracy.

Sadredin's letter to the state on Monday explained: "The district does not consider this data to be of sufficient quality for use outside of forecast purposes."

The air we breathe shows improvement

Larger particulate matter on a three-year decline

By Ian Holmes, For the Times-Delta

Visalia Times-Delta, Wednesday, April 26, 2006

Air quality in the San Joaquin Valley has improved for three straight years, officials said Tuesday, an indication that anti-pollution measures are working.

The San Joaquin Valley Air Pollution Control District announced that the district has requested to be reclassified by the California Air Resources Board as having achieved attainment of PM10, particulate matter 10 microns and smaller. PM10 refers to tiny particles of soot, dust, ash and other solids and liquids thinner than a strand of human hair.

The San Joaquin Valley has not exceeded the federal standard for PM10 for three consecutive years, the district said.

Jaime Holt, public information officer for the district, said the data reflects a change in air quality.

"We actually know it's getting better," Holt said. "We have 19 monitors throughout the San Joaquin Valley that basically take air quality measurements, 24 hours a day, seven days a week. That data is telling us that for the PM standards, we have seen a huge improvement in air quality."

Holt said the air district's successful partnership with industry is one of the factors that has contributed to the reduction in PM10.

"They have spent millions of dollars to reduce the emissions that are coming off their facilities, be it an oil refinery or even your small local dry cleaners, and they have really come to the table and worked with us to make these improvements," Holt said.

Holt said the leadership of both the air district governing board and the local municipalities was the second factor in meeting the attainment goal.

"The policymakers in the San Joaquin Valley have seen that it's a huge issue of concern and have not only supported regulation to improve air quality but continue to fight to bring mitigation dollars to the Valley to incentivize new technology," Holt said.

Holt said the successful attainment of PM10 is in large part because of the public's concern about air pollution and complying with such programs as the Check Before You Burn fireplace program during the winter.

"The public understands that we've got some of the worst air quality in the nation, and everything they do can have either a negative or a positive impact on air quality," Holt said.

Although the air district officials are encouraged by this mark of improvement, they caution people that this is just one measurement the federal government uses to assess air quality in the Valley.

"We've got the smaller PM2.5 standard to meet," Holt said. "We've also got our summertime ozone problem to address. So while we are excited and encouraged by the PM10 standard, we also want to remind people that it is just a first step."

If the California Air Resources Board agrees with the air district's findings, the reclassification request will be forwarded to the EPA, Holt said.

"We are also very optimistic that the EPA will concur with our data findings and those of the California Air Resources Board and go ahead and reclassify us as in attainment for PM10," Holt said.

But others are skeptical of the data collected by the monitors.

Paul Cort, staff attorney for Earthjustice in Oakland, said the group's position is that the district has not met the air standards for PM10 for three consecutive years.

"They are selectively cherry-picking the monitoring data that they are looking at to make this conclusion," Cort said.

Cort said that under the federal standards, the Valley may exceed the national particulate standard only three days over a three-year period.

He said his organization has seen monitoring data by the district in the Corcoran-Bakersfield area that has exceeded the limits on 13 days during the past three years.

Cort added that particulate matter concentrations in the air can be significantly affected by the weather.

"What we really need, in addition to looking at all the data, we need a longer stretch of clean years before we can say with any confidence that the air quality problem has been solved," Cort said.

Air district, critics clash over data

Bakersfield Californian, Wednesday, April 26 2006

In a development hailed by the San Joaquin Valley Air Pollution Control District as "historic," this week the pollution-plagued agency asked state regulators to recognize it for an air-quality achievement.

The district hasn't violated the national standard for PM10 -- or particulate matter less than 10 microns in diameter -- since 2002, according to the agency. Environmentalists dispute this calculation, but the district says it deserves to be reclassified from serious nonattainment to attainment because it's gone three years without a PM10 violation.

"This is huge," said Seyed Sadredin, executive director of the air district. "(Oil companies and other industrial operations) have spent hundreds of millions of dollars. They need to see the return on their investment as we go around and ask them to do more."

The celebration is premature, according to environmentalists.

The district has two monitoring systems -- filters that gather particles to be analyzed at a lab, and a set that measures air quality in real time.

The district is using the filter monitors to show its clean record, while environmentalists say the real-time monitors should be included in the assessment. Excluding them leaves out an important part of the air quality story, environmentalists said.

"All of that data needs to be considered," said Paul Cort, a staff attorney with Earthjustice, an environmental group based in the Bay Area. "Trying to weasel out by cherry-picking monitoring

data is just not a sensible approach."

Real-time monitoring isn't meant to be an official record, Sadredin said. It's used as a tool for forecasting, but can be off by as much as 70 percent, he said.

The state Air Resources Board will review the data and make a recommendation to the U.S. Environmental Protection Agency.

San Joaquin air officials ask for recognition for cleaner air

The Associated Press

The Modesto Bee, Bakersfield Californian, San Francisco Chronicle, Wednesday, April 26, 2006

FRESNO, Calif. (AP) - The San Joaquin Valley air basin has cleaned up some of its pollution to meet a federal standard, air officials said Tuesday.

The San Joaquin Valley Air Pollution Control District requested through a letter that the air basin - one of the most polluted in the country - be reclassified for reaching a federal health-based standard for airborne particulate matter in the PM10 category.

In particulate matter pollution, tiny specks of dust and dirt can linger in the air and become lodged in people's lungs, causing numerous health problems, such as asthma and even premature death.

Since 1990, emissions of PM10 and its precursors have dropped 36 percent, according to the air district.

The achievement isn't all it seems, environmentalists said. The air district was higher than the federal standard on more than the maximum three days, according to Earthjustice.

Air district spokeswoman Jaime Holt said the monitors the district uses showed no more than three days surpassing federal standards.

"We have other equipment that gives us forecasts that may have shown higher levels of pollution, but we wouldn't have requested the attainment if we didn't know we had met the standard," she said.

The air district hopes to hear back from the Environmental Protection Agency in a couple of months, she said.

Pesticide regulators might pull chemicals off market

The Associated Press

The Modesto Bee, Wednesday, April 26, 2006

FRESNO, Calif. (AP) - State pesticide regulators proposed on Tuesday pulling 97 pesticides off the shelves unless the companies that market them cough up data on how their products might impact air quality.

Manufacturers and sellers were told in February 2005 that they had until the end of the year to give the Department of Pesticide Regulation information about how their products could contribute to smog.

When they failed to do so, state pesticide officials announced they'd cancel their registration, which would mean the products could no longer be sold in the state. The companies will be given one last opportunity to present the information at hearings scheduled for June.

The majority of companies complied, but some have not responded at all, said Glenn Brank, spokesman for the Pesticide Regulation department.

"The tests that need to be done are not onerous, too difficult or too expensive," Brank said.

"Some companies might be confused, some just ignored us. But the majority came though, and it's only fair to them that we act when others don't act appropriately."

The rural San Joaquin valley has long been out of compliance with air quality rules. Cars and trucks contribute far more to the smog that plagues the region in the summer than pesticides do, but since there's little the state can do to regulate their emissions, it is targeting other causes of pollution that can be controlled, officials said.

Brank said that for most of the pesticides in question, there are other products that will do their job. Also, the products are types used by professional applicators in buildings and in the fields, so shoppers aren't likely to find their favorite brand of weed-killer gone from the shelves.

Suit Demands GE Modify Its Romoland Power Plant

A school district and environmentalists want lower particulate emissions at the Riverside County site.

By Cynthia H. Cho, Times Staff Writer
LA Times Wed., April 26, 2006

A coalition of environmental groups and a local school district filed a federal lawsuit Tuesday to force General Electric to modify a \$1-billion power plant under construction in Romoland, an unincorporated area that already has one of the highest levels of particulate pollution in California.

Romoland Elementary School, which has about 800 students, is about 1,100 feet from the Inland Empire Energy Center in Riverside County.

"We agreed to participate in this action to remedy the situation so that the final power plant built there doesn't pose any safety issues or harm to our students or families in the area," said Roland Skumawitz, superintendent of the Romoland School District.

Marc C. Joseph, an attorney for the plaintiffs, said the plant would release triple the amount of downwind particulate matter - soot, smoke and chemical pollutants - allowed by federal law.

"GE says the plant is the latest and greatest in technology, but we can't let them set a precedent that increased pollution is OK," said Joseph, who also represents the California Unions for Reliable Energy and other environmental groups. "We're not against power plants, but they need to follow the law."

The suit alleges that the Energy Center, a GE subsidiary, will remain in violation of the Clean Air Act unless it modifies the plant or stops construction. The South Coast Air Quality Management District is also named as a defendant for issuing the construction permit.

Dennis Murphy, spokesman for GE Energy, said the plant was "a state-of-the-art, advanced gas turbine technology that has unprecedented efficiency levels and reduced emissions."

It is the first of its kind in North America and the second in the world; a similar one is in Wales.

"I haven't seen the lawsuit, so it's premature for me to make any comment on it," Murphy said.

"We'll take a look at it and see if there is any response we need to make."

The lawsuit alleges that the plant also violates federal law because the Inland Empire Energy Center did not provide the required emission offsets - or payments for pollution - to compensate for the pollution by the plant.

Joseph said the South Coast Air Quality Management District granted GE special, less-expensive emission offsets reserved for emergency providers, such as police stations and hospitals.

District spokesman Sam Atwood said the emission reduction credits were obtained legally.

"The emission reduction credit was purchased in accordance with all AQMD information and regulations," Atwood said. "Going back four or so years ago, during the energy crisis, AQMD decided to make these emission reduction credits available to proposed power plants."

He said the district submitted the amended credit rule for approval to the Environmental Protection Agency four years ago, and the matter was still pending.

Free gas now on list of carpool incentives

By Erik N. Nelson, Staff Writer

Tri-Valley Herald Wed., April 26, 2006

If you were thinking of carpooling with a complete stranger, now might be the time to try it.

Regular gasoline hit yet another all-time record in the East Bay of \$3.090. Congestion is mounting on the area's freeways. And now, someone will pay you to do it.

The Metropolitan Transportation Commission's 511 Rideshare program is launching a program May 1 that will give new carpoolers who sign up as much as \$100 for gas or groceries for giving it a shot.

"The only thing people like more than 'free,' is free money, so I anticipate this is going to be a pretty successful program," said Michael Cunningham, vice president for transportation of the Bay Area Council, a business leaders group that is helping to promote the effort.

The program matches people who live and work in the same areas so they can carpool, which besides earning them a few bucks on gas and groceries, allows them to use carpool lanes on congested freeways and skate toll-free over the area's bridges.

The \$50,000 incentive program will put \$10 worth of groceries or gas onto a debit card for every five days the participant shares a ride with someone. If the new carpoolers manage to chalk up 40 days within three months, they will become eligible for a drawing for a \$1,000 gas card.

"It's fortuitous that it happened the same time that gas prices shot up, and there are all indications that it's not going down," said Susan Gluss of 511 Rideshare. "I think that a lot of people are making hard choices because gas prices are so high."

The problem with ridesharing is that not enough people can stand the idea of being without a car at work a few days a week.

"I think there's sort of a perception up front that you're riding with a stranger, that you're going out of your way, it's a bother," said Gluss, who announced the program with area leaders in Oakland on Tuesday.

"In fact, what we have found is just the opposite. When they start sharing a ride with someone, they really enjoy the companionship and they make new friends."

"We have people a lot of people who go online to our Web site, sign up to rideshare, get a match list immediately, and they call (potential carpool mates) up, and in several cases, the person lives next door."

The new program is the first fruit borne by the area's ridesharing program being taken over last year by the 511 program, which also provides commuter and transit information, explained commission member Shelia Young, who is also mayor of San Leandro.

"I think we'll see an increase in ridership. One of the reasons it's going to work better this time, like it or not, the cost of gas keeps going up. Even if you manage to get the \$100 gas card, it's not going to buy a whole lot of gas."

Bush: End tax breaks

BY NEDRA PICKLER, Associated Press

In the LA Daily News, Wednesday, April 26, 2006

WASHINGTON - Under election-year pressure to reduce surging gasoline prices, President George W. Bush on Tuesday halted filling of the nation's emergency oil reserve, urged the waiver of clean air rules to ease local gas shortages and called for the repeal of \$2 billion in tax breaks for profit-heavy oil companies.

Still, experts said Bush's actions wouldn't have much impact on prices at the pump. The president warned that motorists would have to dig deep into their pockets all summer long.

Bush urged lawmakers to expand tax breaks for the purchase of fuel-efficient hybrid automobiles, a politically popular measure that's also supported by environmentalists. He also directed the Environmental Protection Agency to use its authority to temporarily waive air quality laws in states if that would relieve a local gasoline supply shortage.

The White House was unable to say how much Bush's actions could affect the price of gas.

Bush said, "Every little bit helps."

Wholesale gasoline futures prices for June delivery dropped 8 cents a gallon to \$2.10 on the New York Mercantile Exchange right after Bush's remarks. May gasoline futures settled at \$2.1291 a gallon, a decline of 4.48 cents.

Democrats, eager to blame Republicans for high gas costs ahead of the November congressional elections, said Bush has had five years to find a way to lower prices and has favored big oil companies over consumers.

"It's crystal clear that the current spike in gas prices is at least partly due to an act of greed," said Sen. Bob Menendez, D-N.J., who proposed a 60-day suspension of the federal gas tax. "Greed that has been enabled, abetted -- even encouraged, I would say -- by this administration."

The country's three largest oil and gas companies were expected to report combined first-quarter profits later in the week in excess of \$16 billion, a 19 percent surge from last year. Bush, a former oilman, asked his administration to investigate possible price gouging and said Congress should revoke about \$2 billion in tax breaks that Congress approved and he signed into law to encourage exploration.

"Cash flows are up," Bush said. "Taxpayers don't need to be paying for certain of these expenses on behalf of the energy companies."

Menendez spoke at a press conference where Democrats sought to turn gas prices -- like Hurricane Katrina and the Iraq war -- into an issue to undermine Bush's standing with voters. "What happened to Iraq oil, Mr. President? You said Iraqi oil would pay for the war. Ain't seen no money. Ain't seen no oil," said Sen. Barbara Mikulski of Maryland.

The suspension of oil purchases for the federal emergency oil reserve until the fall is likely to have only a modest impact. The halt in deposits involves only 12 million barrels -- less than the 20 million barrels of oil used every day in the United States for transportation.

Bush resisted calls for a suspension of shipments to the reserve in the past. When his 2004 presidential opponent, Sen. John Kerry, D-Mass., suggested the same idea during the campaign, Bush called it "playing politics."

On Tuesday, Bush said the nation's 685-million barrel petroleum reserve had enough fuel to guard against any major supply disruption over the next few months.

The president said Democrats in the past have urged higher taxes on fuel and price caps to control fuel expenses, but he said neither approach works. Instead, he called for increased conservation, an expansion of domestic production and increased use of alternative fuels such as ethanol.

David Friedman of the Union of Concerned Scientists said an even more effective move would be to require that vehicles sold in the United States get higher gas mileage.

"The fundamental problem is that the fuel economy of cars and trucks is a disgrace and the world is just consuming too much oil and gasoline," Friedman said.

The EPA said it will consider fuel waivers on a case-by-case basis if gasoline supply problems become apparent, which could result in price spikes or shortages of cleaner summer-blend gasoline.

EPA spokesman John Millett said the waivers would not adversely impact air quality because they are only for 20 days, although states can request extensions.

Refiners, meanwhile, said that most of the change to summer-blend gasoline already has been completed and waivers may not be needed -- and might even be counterproductive in some cases.

"You're going to have to be careful that you're not upsetting a plan that already is in the last stage of implementation," said Bob Slaughter, president of National Petrochemical Refiners Association.

Lawmakers hold key to energy aide's job

They won't hold hearings to confirm governor's adviser

By Mark Martin, Chronicle Sacramento bureau

In the S.F. Chronicle, Wednesday, April 26, 2006

Sacramento -- Gov. Arnold Schwarzenegger's top energy adviser will lose his job next month amid disagreement with Democratic senators over several environmental policies, including the governor's proposal to build a interstate electricity transmission line that lawmakers say could increase air pollution in the West.

Senate President Pro Tem Don Perata, D-Oakland, has told the governor's office the Senate will not hold confirmation hearings for state Energy Commission Chairman Joe Desmond, which will effectively end Desmond's term. State law requires the chairman be confirmed by the Senate within a year of his appointment by the governor, which in Desmond's case will be May 7.

Desmond's ouster is partially a result of division between the governor and senators on how the state will increase energy supply in the coming years.

Desmond has been a key backer for a multibillion-dollar project to build a transmission line connecting California to Wyoming and two other states that would zap electricity around the West. The so-called Frontier Line has been touted by Schwarzenegger as a way to provide cheap, stable electricity to a region with growing energy needs, but environmentalists and some Democrats worry it will spark a building boom of coal-fired power plants that will hurt air quality and increase greenhouse gas emissions that contribute to global warming.

Perata declined to comment, but spokeswoman Alicia Dlugosh confirmed that there would be no hearing on Desmond and said Perata thought Desmond was "going the wrong way on energy policy."

She noted that Perata had told Schwarzenegger in January of his plan, but the governor had continued to support Desmond.

Schwarzenegger Press Secretary Margita Thompson would only say the governor supported Desmond and "hopes Sen. Perata will bring him up for a vote."

Desmond was a key advocate for an ill-fated attempt last year by Schwarzenegger to reorganize the state's myriad energy agencies -- another reason Democrats would not support him.

"Mr. Desmond was the chief architect of the governor's attempt to reorganize the energy agencies in a way that would have made the energy decision-making process less accountable to the public," said state Sen. Debra Bowen, D-Marina del Rey.

Bowen is a member of the Senate Rules Committee, which holds confirmation hearings. Perata is the committee chairman.

The Senate's decision was applauded by environmental and consumer groups but derided by business interests.

"I guess Democrats are against providing a stable energy source for the state," said Dorothy Rothrock of the California Manufacturers and Technology Association.

The group supports the Frontier Line, which would connect Wyoming, Nevada, Utah and California. While Schwarzenegger and Desmond have championed the proposal as a way for California to tap into renewable energy sources like wind farms throughout the West, Wyoming officials have touted the project as a way to increase the use of the coal in their state to fire new power plants.

Environmentalists complain that Schwarzenegger and Desmond have advocated reducing greenhouse gases but are proposing a transmission project that could add millions of tons of carbon dioxide into the air instead of focusing more on clean energy sources.

"He (Desmond) is somewhat symbolic of Schwarzenegger's energy and environmental policies," said Jim Metropulos, a Sierra Club lobbyist. "He's for renewables and reducing greenhouse gas but then backs this coal project."

Seven Western utilities and the four state governments are currently studying the feasibility of the Frontier Line.

Desmond was a CEO of an energy consulting firm and head of the Silicon Valley Manufacturing Group's energy committee before joining the Schwarzenegger administration in 2004. He was appointed by the governor last year to head the Energy Commission, which forecasts the state's electricity needs and OKs licenses for power plants.

Desmond declined to comment on the opposition to his confirmation Tuesday afternoon.

He held a briefing with reporters earlier in the day in which he noted that the state's electricity forecast for the summer was good, noting that new power plants coming online in Southern California and improvements to transmission lines meant much of the state had comfortable reserves heading into the period of peak electricity usage.