

## **Air plan could mean more fireplace restrictions**

### **Pollution district says goal is to cut particles from fireplaces, other sources**

By Ken Carlson

Modesto Bee, Friday, December 14, 2007

The San Joaquin Valley Air Pollution Control District is unveiling a plan for reducing the tiny particles in the air that are considered the most harmful form of air pollution.

About 80 percent of the particle pollution comes from automobile and truck exhausts, but the air district doesn't have authority to regulate those sources.

The rest of the pollution comes from stationary sources such as industrial boilers and residential fireplaces. Air district officials are considering tighter regulations for those sources, including more days when the district would put a damper on household wood burning to protect the public's health.

The plan dealing with what's known as "PM2.5" pollution -- air particles 2.5 microns or smaller -- will be discussed at workshops next week and in February before the district governing board considers adopting the measures in April. The plan also requires approval from the federal government, which could require tougher restrictions.

"In the valley, we have problems with smog and particulate matter, but there are studies showing that particulate matter has more severe impacts on people's health," said Seyed Sadredin, the district's executive director.

The particles are so small they are breathed directly into the lungs and may be absorbed into the bloodstream, raising the risk of heart attacks, strokes and other health problems.

The valley has met the standards set by the federal government in 1997 to safeguard the public against the short-term effects of particle pollution, although the Environmental Protection Agency tightened the rules last year.

Sadredin said the valley should be able to meet the 1997 short- and long-term standards for particle pollution with the new plan and make progress with the more stringent 2006 standards.

The initial draft of the PM2.5 strategy has many of the same measures as the district's ozone cleanup plan that some critics believe is not aggressive enough.

The ozone plan focused on reducing nitrous oxide emissions that lead to ozone formation in the atmosphere, and the same measures can control particle pollutants, Sadredin said.

The PM2.5 strategy also targets sulfur dioxide emissions from industrial boilers and steam generators, glass plants and fertilizer manufacturers.

As for pollution caused by motor vehicle traffic, the district will urge the state to adopt regulations for cleaner-burning diesel engines in trucks, cars and farm equipment.

Tighter fireplace restrictions?

Sadredin said valley residents probably will be most interested in the fireplace restrictions.

Last year, the district adopted a policy banning residential wood-burning when the air quality is unhealthy for the general population, as is the forecast in Stanislaus County for today.

One proposal in the draft plan would ban wood burning when the air pollution exceeds the level considered unhealthy for children, seniors and people with chronic illnesses.

The regulation would result in about 15 no-wood-burning days a year in Stanislaus, Merced and San Joaquin counties, compared with two or three days under the current restrictions, the director said.

Another idea is an education campaign telling residents that a crackling wood fire spews harmful emissions. It's better to use processed logs or natural gas fireplaces or certified stoves using pellets as fuel.

Health advocates have said the district's ozone cleanup plan needs to be more stringent to prevent human suffering and the particle pollution plan already was drawing criticism Thursday.

"If they can't identify how to get rid of the ozone, how can they make that the foundation for reducing particulate matter?" said Mary-Michal Rawling, program manager of the Merced-Mariposa County Asthma Coalition.

Rawling said the district should prohibit residential wood burning when the pollution is harmful to sensitive groups. Children, seniors and people with asthma and other chronic illnesses make up about half the population, she said.

The federal EPA is expected to require states within four or five years to submit plans for attaining the 2006 standards for particle pollution.

In another matter, the valley air district is proposing an immediate 8 percent fee increase for most district permits and an additional 8 percent in 2009-10. It would be the first across-the-board increase since 1997 in the district fees for permits, open burning, emission reduction credits, dust control plans, equipment registration and source reviews.

## **BURNING BAN**

Modesto Bee, Friday, December 14, 2007

Stanislaus County residents could face a \$50 fine if they stoke up their fireplaces today or this evening. Because of a forecast for poor air quality, the San Joaquin Valley Air Pollution Control District placed a ban on burning wood, pellets and processed logs. The ban will be in effect at least through midnight, according to a district news release.

**Exceptions:** Burning is allowed in homes that have no access to natural gas or no other source of heat. Also exempt are homes in western Stanislaus County above 3,000 feet elevation.

From Nov. 1 to Feb. 29, the air district advises residents to check the district's Web page before burning. At [www.valleyair.org](http://www.valleyair.org) <<http://www.valleyair.org>> click on "**Check Before You Burn.**" The status is updated by 4 p.m.

## **Truckers to meet in Porterville**

By Gerald Carroll

Visalia Times-Delta and Tulare Advance-Register, Friday, Dec. 14, 2007

State efforts to get older trucks off the roads could force independent truckers and larger-scale trucking firms out of business, area drivers warn.

The California Air Resources Board this month ordered that pre-1994 trucks serving California ports and rail yards be replaced or retrofitted with more fuel-efficient systems. A second phase of the state's effort, scheduled for approval in October 2008, would expand the requirement to cover all pre-1998 models - whether they serve ports and rail yards or not.

By 2013, the state would allow only post-2004 trucks to operate without "highest-level" emissions controls.

"I have more than \$1 million in older equipment here," said Ron Faulkner, owner and operator of Tulare-based Faulkner Trucking. "That would pretty much wipe that out. It can't be sold. Who would buy it?"

Faulkner, who has 27 trucks, said he would be stuck with the expense of replacing trucks and gear that are aging but reliable.

"Independent operators who will be through if the state has its way," Faulkner said. "We have no trouble with cleaning up the air, and air quality is much better now than in years past, but our company won't be able to stay in business, either."

The tightening of state rules definitely would force workforce cutbacks, Faulkner Trucking safety chief Kelly Kyle said.

"I've spent 26 years of my life in the trucking business," Lyle said. "People's lives are at stake here."

Both the ports guidelines and the older-trucks provisions call for all trucks - even long-haulers from out of state - to conform to California law.

John Stewart, a part-time Visalia driver, owns a 1994 Peterbilt, an older model of the type being targeted by state regulators.

He bought the truck two years ago and made sure it had a computer-based fuel system, he said.

"I thought I was in the clear," he said. "Now, if this goes through, I won't be able to drive this truck, can't sell it - can't even part it out."

In other words, a total loss, Stewart said.

"The state just wants to get rid of the older trucks, no matter what," he said.

In addition to being unfair, Faulkner said, the regulations are impractical.

"How can that be enforced?" he said. "You try to stop and check trucks at the state line, and there will be trucks lined up for miles. It's not workable."

California Air Resources Board spokeswoman Patricia Rey said the state is working with statewide trucking organizations and drivers' associations to make the new rules work.

"Clean air is the goal," Rey said, "and trucks are among the worst polluters."

Faulkner and trucking colleagues are planning to meet in Porterville Saturday to discuss the effect of California's emissions-control plans. Area elected officials and state regulators have been invited to attend, Faulkner said.

## **Poor air quality prompts Spare the Air alert**

S.F. Chronicle Staff Report  
Friday, December 14, 2007

SAN FRANCISCO - Bay Area air quality officials have declared tonight a Spare the Air night and are asking people to cut back on driving and not to burn wood in fireplaces and woodstoves.

Air pollution on still winter nights consists mainly of small particles, the principal sources of which are wood burning and vehicles, the Bay Area Air Quality Management District said. Tonight's air quality is forecast to be unhealthy, the district said.

Anyone who feels compelled to have a fire should avoid moist or green wood, which produces more pollution than dry, seasoned wood, air quality officials said.

Unlike during Spare the Air days during the summer, there is no free public transit during wintertime alerts.

## **Jerry Brown fights global warming as California attorney general**

By Terence Chea, The Associated Press  
In the Bakersfield Californian, Friday, Dec. 14, 2007

Nearly four decades after entering California politics, Jerry Brown has reinvented himself yet again, this time as a carbon-fighting attorney general.

In less than a year as the state's top law enforcement official, the former governor, presidential candidate and Oakland mayor has emerged as a major player in the national debate on global warming.

With threats, petitions, negotiated deals and a series of lawsuits, the Democratic attorney general has used his new post to pressure automakers, county governments and the Bush administration to curb emissions of carbon dioxide and other greenhouse gases blamed for warming the planet.

"It is the most important environmental issue facing the state and the world, and that's why it's something that has to be dealt with creatively and very aggressively," Brown said. "I'm trying to reduce greenhouse gas emissions in a lawful, practical way."

But industry representatives and other critics say Brown is misusing his powers as attorney general to advance his climate change agenda.

"We disagree with the way he's using the courts to set national social and environmental policy," said Dave Stirling, vice president of the Sacramento-based Pacific Legal Foundation. "He's trying to force certain types of solutions on very difficult problems" - problems that should be handled by lawmakers in Washington, he said.

Like Republican Gov. Arnold Schwarzenegger, the 69-year-old Brown has made climate change a centerpiece of his administration, charging ahead with an issue that seemingly can't lose with the state's eco-minded voters.

Some political observers speculate that Brown is pushing global warming - and racking up headlines - in preparation for another gubernatorial bid (Brown can run again because current term limits were not in place when he was governor). Others say he's championed the environment throughout his career and is only using the attorney general's office as a bully pulpit for an issue he cares deeply about.

"He was environmental before it was fashionable," said Barbara O'Connor, who directs the Institute for the Study of Politics and Media at California State University, Sacramento. "I think he really does believe this is essential for the planet."

Environmentalists are happy with what they've seen so far.

"Jerry Brown is taking the strongest action of any attorney general in the country," said Kieran Suckling, policy director at the Center for Biological Diversity. "What Brown is doing is not only setting a precedent for other states. He's also setting precedent for national policy on global warming at a time when there's a national vacuum."

Some observers compare Brown to Eliot Spitzer, who made a national name by taking on powerful Wall Street firms as New York's attorney general. His campaign for corporate reform landed him in the governor's office.

"They are both very willing to take on the federal government," said Sean Hecht, who heads the environmental law center at the University of California Los Angeles. "They perceive a failure at the federal level and decide to take aggressive action."

Brown, the son of two-time Democratic Gov. Edmund G. "Pat" Brown, has been a fixture of California politics since he was elected secretary of state in 1970. He then served two terms as governor, from 1975 to 1983, when he promoted energy efficiency and alternative energy sources like wind mills and solar panels when oil prices rose to record highs.

He also ran for president three times, studied Zen Buddhism in Japan, worked with Mother Teresa and hosted a talk show before spending eight years as mayor of Oakland, where he still lives and works.

Since defeating state Sen. Chuck Poochigian in the attorney general's race last year, Brown has picked up where predecessor Bill Lockyer, now the state's treasurer, left off.

Brown has pursued California's quest to enact its own vehicle emissions standards, which have been adopted by 16 other states but opposed by the auto industry.

The states won a major legal victory Wednesday when a federal judge in Fresno ruled that states can regulate greenhouse gas emissions from new cars and light trucks, dismissing a lawsuit by automakers that claimed federal regulations pre-empt state rules.

But California and the other states still need a waiver from the U.S. Environmental Protection Agency to impose their own tailpipe standards. Brown sued the EPA in November to force the agency to act on California's two-year-old request to regulate auto emissions.

Nationally, Brown has teamed up with the Sierra Club, Natural Resources Defense Council and other environmental groups to petition the Bush administration to start regulating carbon emissions from automobiles, airplanes and large oceangoing vessels. They plan to sue if the government doesn't act on their requests.

Brown has also pursued "public nuisance" litigation seeking millions of dollars in compensation for global warming-induced floods and other natural disasters caused emissions from automakers and coal plant manufacturers. But lawsuits against both industries were recently dismissed by judges, and critics say the courts are not the venue to tackle climate change.

"We remain convinced that tort litigation in state and federal court against certain industries is not the right way to address global warming," said Ted Boutros, who represented the world's six top automakers in the lawsuit. "It truly is a national and international policy issue."

Brown has also sought to force county governments and businesses in California to consider global warming in new construction projects and development plans. ConocoPhillips Co., the Port of Los Angeles and San Bernardino County recently agreed to reduce or offset carbon emissions under deals struck by his office.

Brown's lawsuit against San Bernardino County, which was settled in August, "got local governments and developers to sit up and take notice that they won't be able to do business as usual," said Bill Allayaud, the Sierra Club's California legislative director.

Brown says he'll keep pursuing his campaign against climate change until Washington takes serious action.

"The challenge is so all-encompassing," he said, "so the response must be equal."

## **EU uses Bush's climate summit as leverage**

**The Europeans warn they will boycott the talks in Hawaii next month if the U.S. doesn't bend on global warming targets in Bali.**

By Alan Zarembo and Thomas H. Maugh II, Los Angeles Times Staff Writers  
L.A. Times, Friday, December 14, 2007

NUSA DUA, INDONESIA -- The European Union threatened Thursday to boycott President Bush's climate summit in Hawaii next month if the United States didn't allow specific targets for carbon emission reduction to be included in a draft text being prepared at a summit here this week.

The text is a "road map" for negotiations to replace the 1997 Kyoto Protocol, which expires in 2012. The latest draft calls for industrialized countries to reduce emissions 25% to 40% below 1990 levels by 2020.

The U.S., however, has been adamant that the targets not be included.

The Hawaii talks, officially known as the Major Economies Meeting on Energy Security and Climate Change, will be meaningless if no targets are included in the text from the ongoing summit on the Indonesian island of Bali, said Humberto Rosa, chief negotiator from Portugal, which holds the rotating EU presidency.

"No result in Bali means no Major Economies Meeting," said Sigmar Gabriel of Germany, a top EU environment official. "This is the clear position of the EU. I do not know what we should talk about if there is no target."

Bush proposed the meeting of the world's 17 biggest polluters in September when he skipped an assembly of 80 world leaders convened by the United Nations to consider global warming.

Critics have charged that the Hawaii meeting represents an effort by the U.S. to control the agenda and force the adoption of voluntary emissions standards rather than the mandatory caps that could have resulted from a U.N.-sponsored convocation.

James Connaughton, chairman of the White House Council on Environmental Quality, told reporters that the EU's insistence on targets was "itself a blocking effort."

But former Vice President Al Gore, addressing the Bali delegates, said the lack of firm targets in the road map should not be a deal breaker. Accusing the U.S. delegation of "obstructing progress" on the climate talks, he said efforts should proceed with the expectation that a change in administration in Washington will bring a change in position.

"Over the next two years, the United States is going to be somewhere it is not now," he said. "I must tell you candidly that I cannot promise that the person who is elected will have the position I expect they will have. But I can tell you I believe it is quite likely."

In Washington, White House Press Secretary Dana Perino responded to Gore's speech:

"I can't understand where that comes from," she said, adding that the conference was called to establish a framework to set goals rather than to set specific targets right away.

She said the United States had objected to setting definite goals "because we're not prepared at this moment to do that." She said the administration wanted to conduct negotiations over the next year, a course Bush outlined this summer at a Group of 8 meeting in Germany.

Referring to the administration's support for higher fuel mileage standards and other steps, Perino said that "we have moved forward. While we have not set a specific target for a cut, we have said we're willing to do that, but we're willing to do that in the framework of post-2012, after Kyoto."

Jose Atienza, environment secretary of the Philippines, said that the U.S. position had stirred widespread resentment at the Bali meeting.

"Everyone is concerned about the stonewalling of the United States," he said. "You can feel it in the halls.

"The giant is not moving, and everybody else is trying to paddle," he said.

Meanwhile, a U.N. agency released new data showing that the last 10 years were the warmest on record.

"It's very likely the warmest period for at least the last 1,000 or 1,300 years," said Michel Jarraud, secretary-general of the World Meteorological Organization.

Jarraud also said the world's average surface temperature had risen by 1.33 degrees Fahrenheit since 1900.

[Sacramento Bee Guest Commentary, Thursday, December 13, 2007:](#)

### **Guest Commentary: Do our lungs a favor: Replace your old fireplace**

By Dr. Jason Eberhart-Phillips

"Chestnuts roasting on an open fire ... ."

Nothing captures the appeal of the winter holidays better than the warm glow of logs burning in a fireplace. For many people, the scent of wood smoke evokes happy memories, and it is a sure sign that winter has arrived in many communities.

But too much wood smoke in the air we breathe is harmful to health. That's why new restrictions on wood fires have recently been imposed in Sacramento County this winter when air quality is predicted to be unhealthy.

No such restrictions have been proposed in El Dorado County, but the county's air regulators are likewise concerned about the unhealthy effects of residential wood smoke in foothills communities.

They are even willing to issue rebates to residents for part of the cost of replacing old wood stoves and fireplaces with newer, cleaner equipment, as a way to clear the winter air.

Why all the fuss about wood smoke?

Short answer: It's a major part of our air pollution problem during the winter. On cold winter days, when the air is stagnant and temperature inversions limit air movement, the smoke that escapes from your chimney into the outdoor environment is trapped close to the ground, in the breathing space of your family and neighbors.

Wood smoke is a complex mixture of gases and particulate matter, a brew that includes several known human carcinogens and other chemicals with toxic effects. With prolonged exposure, wood smoke can decrease lung function, increase the risk of infections, aggravate asthma, worsen heart disease and may cause cancer.

The particles in wood smoke are of special concern. They are so small that they cannot be filtered out by the nose and upper airways, so they settle in the lungs. There they trigger structural damage and chemical changes, not unlike those seen in cigarette smokers.

Avoiding exposure to wood smoke on cold winter days is difficult in some local neighborhoods, even by staying indoors. The particles in wood smoke are so tiny that most of them easily re-enter the home and neighboring dwellings, seeping through closed windows and doors.

The only sure way to protect the public on winter days is to reduce wood smoke emissions at their source. In July, the El Dorado County Air Quality Management District Board of Directors set aside \$55,000 to pay county homeowners between \$200 and \$450 when they replace old, smoky wood stoves and fireplaces with EPA-certified devices. Details about the incentive program can be found at <http://www.co.el-dorado.ca.us/>.

Newer, EPA-certified equipment releases much less smoke than older models, and because these devices burn wood more efficiently, they also save money in the long run on fuel. Heaters that run on propane or natural gas are even less polluting than wood-burning appliances.

If you like wood fires, now may be the time to replace your old wood stove or fireplace. Your lungs, and those of your neighbors, will thank you.

[Letters to the Fresno Bee, Friday, Dec. 14, 2007:](#)

### **Fresno, Valley need vision for energy future**

Thanks for the Dec. 5 editorial outlining a vision for -- and specific actions needed -- to promote a green energy economy in Fresno ("Valley ripe for renewable energy growth").

We could not agree more. Solar power programs are already developing nicely, but biogas from dairies and other agriculture-related progress present a tremendous opportunity for Fresno, the nation's largest farming county. Seeing our Valley farms and dairies as a huge opportunity is a giant step forward, and The Bee should be congratulated for doing so.

To achieve this worthwhile vision, we need a sustained effort that encompasses everything from the state level, such as the California Public Utilities Commission, down to local planning commissions. As The Bee states, the message "needs to reverberate in every city council and county board room, in every business and every school."

With the help of local elected and appointed officials, schools and universities, business leaders and agriculture, Fresno can build the framework of a renewable future where farms and dairies produce not just our food supply, but also play an ever more important role in producing high-paying jobs, renewable fuels, energy independence and environmental benefits. Let's start today.

*Michael Boccadoro, Executive Director  
Agriculture Energy Consumers Association  
Sacramento*

### **Negative effects**

The Kings River Conservation District has filed an application for a natural-gas-fired power plant near Parlier between Manning and Bethel avenues. The proposed power plant will begin construction in 2009, when and if the final approval of the California Energy Commission is given.

The proposed power plant is approved by the mayor and city council manager of Parlier, who both think this will be a great economic boost for the small agriculture-based community by creating jobs and bringing in businesses.

I wanted to comment, not on the economic gains, but on the health and climate effects this power plant will be contributing. Natural gas contains methane. Methane is a hydrocarbon and a greenhouse gas that is a huge contributor to climate change.

Since the Valley already suffers from great masses of pollution, this natural-gas-fired power plant will not be a smart move. Residents of Parlier and nearby cities need to be accurately informed about the effects this proposed power plant can have on their lives and the lives of their children.

*Kristina Hernandez, Reedley*

[Letter to the Contra Costa Times, Friday, Dec. 14, 2007:](#)

### **Spare the Air Day not well advertised**

Monday, Nov. 26 was a "Spare the Air Day." I heard this on the 6 p.m. news . . . I had started a fire about 3 p.m.

I had watched the morning news for two hours, read the Times front to back, but 6 p.m. was the first I'd heard of it. I even went back to the newspaper to check if I'd missed the information. I had not.

How does someone know if it's a "Spare the Air Day?" If our government is talking about passing laws to prohibit fires on such nights, we need some sort of fool-proof plan to get the information out.

What about cars' exhaust on these days? What harmful particles do they emit into the air and how do they compare to a fireplace?

The Bay Area Air Quality Management District must educate people on how it arrives on figures showing amounts of harmful particles emitted into the air by fireplaces, cars and charbroiling beef, and why it chose to target fireplaces.

*William Nakamura, Concord*

[Note: The following clip in Spanish discusses the California law against the automotive industry, obligating them to design models that are less pollutant to the quality of air. For more information, contact Claudia Encinas at \(559\) 230-5851.](#)

### **Reafirma corte federal ley de California sobre la industria automotriz**

Noticiero Latino

Radio Bilingüe, Thursday, December 13, 2007

Una Corte Federal en Fresno ratificó una ley de California que obliga a la industria automotriz a diseñar modelos menos contaminantes. El gobernador, Arnold Schwarzenegger dijo en reacciones que la decisión de la corte es "una importante victoria contra el sobrecalentamiento terrestre". Es la segunda acción legal que otorga el derecho de regular a la industria automotriz e imponer sus leyes estatales contra el cambio climático. Hay al menos una decena de estados que secundan a California en una demanda para que la Agencia federal de Protección Ambiental permita que entre en vigor la ley más estricta contra la contaminación del aire en el país.