

## **Big West in big mess**

### **Venting of toxic gases worries residents, county officials amid plans to expand**

BY STACEY SHEPARD, Californian staff writer  
Bakersfield Californian, Wednesday, April 4, 2007

The Big West of California oil refinery has vented toxic gases into the Bakersfield air on numerous occasions in the past eight months, according to a violation notice issued by the county Tuesday.

Refinery officials claim the incidents were routine and quickly controlled.

But questions about the facility's safety record ring loudly now because of looming plans to expand the facility. Big West wants to add "half a refinery" to the existing operation to double the amount of gas and diesel it produces.

The new, supercharged refining process slated for the Rosedale Highway plant would require the use of hydrofluoric acid, which can form toxic clouds that can drift more than a mile and severely injure or kill humans.

Plans to use such a potent chemical have alarmed employees at the facility and nearby residents.

Edward Huhn, secretary and treasurer of the United Steelworkers Local 219, which represents about 125 workers at the plant, said the refinery's safety record is already shaky.

"The main concern is having proper procedures to go by to run a unit and run it safely," Huhn said. "We haven't really had that kind of a history since this company bought the refinery from Shell."

Now, county officials are demanding more information on safety procedures at the plant after citing the facility Tuesday.

The violation notice alleges that Big West failed to respond appropriately to an October release of a potentially lethal gas that migrated to nearby businesses and made some residents ill. It also says the refinery hasn't updated safety plans in a timely manner. Under state regulations, an updated plan on the unit that malfunctioned in October was due in 2004 but hasn't been submitted yet, the violation notice said.

"Based on that, we decided we needed to take action and couldn't wait any longer," said Matt Constantine, director of the Kern County Environmental Health Service Department. "We need to be sure that the surrounding public is safe."

The refinery must respond to the county within 14 days with a report of its investigation into the October incident, a plan to update safety plans for the unit that malfunctioned and provide a list of all other units with outdated safety plans.

"If the refinery is operating in an unsafe manner that's jeopardizing public health, we will do everything to stop that from happening," Constantine said. When asked if that meant shutting down the plant, he said, "I don't know if that's the case now, but that's why we're asking for more information."

Additionally, the San Joaquin Valley Air Pollution Control District fined the plant \$15,000 for the October gas release.

The department is also investigating another gas release at the facility that happened about two weeks ago, Constantine said.

Officials at Big West, a subsidiary of Flying J, said the company inherited some problems when it took over the refinery from Shell in March 2005. The company has hired several consultants to update the safety plans and expects them to be complete in several months, said Bill Chadick, Big West's health, safety and environmental director.

But gas releases "do happen from time to time and we have controls in place so that if and when they happen, we can correct it immediately," he said.

Chadick said refinery officials notified various agencies when the release happened, and filed a report with federal regulators, but said there appeared to be miscommunication about the kind of detail the county wanted.

"I think we are clearly in the job of doing things that are in compliance," Chadick said.

In light of the violation, county officials said they will pay close attention to the proposal to use hydrofluoric acid as part of the refinery's expanded operations. The department will prepare a recommendation on the expansion for the Kern County Planning Commission, which must approve the project.

"This is something that's located near schools, near commercial and residential concentrations of people," said Kern County Planning Director Ted James. "The county wants to be sure there are sufficient safeguards in place to protect the surrounding public. Those are things we will take into consideration as we evaluate this project."

Hydrofluoric acid, also called HF, is something most refineries have stopped using due to the grave public health risks it poses.

In 1987, more than 1,000 people were treated for injuries and 4,000 had to be evacuated following a hydrofluoric acid spill at a Texas City, Texas, refinery.

The same year, an HF release at a refinery in Torrance resulted in an attempt by the local air district to ban the substance.

The attempt failed, but the four refineries in the Los Angeles area that used the chemical have shut down or agreed to switch to a modified version of HF, which doesn't have the ability to form a migrating cloud.

"Since we have 16 million people living here, we wanted to do everything possible to phase out these acutely hazardous chemicals, especially when an alternative exists," said Sam Atwood, a spokesman for the South Coast Air Quality Management District.

Most refineries today use sulfuric acid as a substitute for HF.

If Big West's plans for expansion are approved, it would become the only refinery in the state to use HF in a nonmodified state, according to Gordon Schremp, a senior field specialist with the California Energy Commission.

Big West officials said they chose HF because it's a superior technology. Gene Cotten, who manages the refinery, said a series of safety measures will be put in place. He also noted that a sister refinery in Utah has safely used HF for more than 40 years.

"We've got a lot of experience in being successful in running an HF unit," he said.

But concerns about the use of hydrofluoric acid have already been raised in public comments on the refinery's proposed expansion.

"I am not convinced that the refinery can assure the people of Bakersfield that a terrible incident would not occur," Annemarie Torrez, an environmental lawyer who lives five miles from the facility, wrote in a comment letter on the project submitted to the county.

Another letter from Michael and Jillian Stump, who also live near the refinery, said: "Irrespective of who is at fault, the town has grown up around the refinery, a fact well-known to Flying J when it purchased the facility ... we have grave concerns about the safety of refinery operation in this area, given the vicinity of so many people trying to live, work, go to school and attend church."

### **Get involved**

Get Involved • Written comments on the proposal to expand the refinery will be accepted until 5 p.m. Thursday. Send comments to the Kern County Planning Department, 2700 M St., suite 100, Bakersfield, 93301, or e-mail [planning@co.kern.ca.us](mailto:planning@co.kern.ca.us).

• The Kern County Planning Commission will hold a public hearing at 7 p.m. May 10.

### **Approval process**

Step 1. The Kern County Planning Commission must approve the project. If its decision is appealed, the Board of Supervisors would have the final say.

Step 2. The San Joaquin Valley Air Pollution Control District must issue an air permit authorizing the project. This requires the refinery to submit a plan to comply with air regulations. The air district also reviews the project to ensure it won't drastically increase the concentration levels of pollution in the air.

Step 3. The U.S. Environmental Protection Agency must issue an air permit to proceed.

## **Refinery history**

1932: Opens as Mohawk Oil Refinery.

1975: Reserve Oil & Gas purchases the refinery.

1980: Getty Oil takes over.

1984: Texaco purchases the refinery.

1986: Texaco acquires a nearby refinery from Tosco.

1987: Texaco buys another nearby refinery owned by IVEC.

1998: Texaco and Shell enter into a joint venture to operate the refinery as Equilon Enterprises LLC.

2001: The Federal Trade Commission requires Texaco to divest its interest in the refinery following its merger with Chevron. Shell continues to operate it.

2003: Shell announces plans to shut down the facility.

2004: California Attorney General Bill Lockyer enters the fray, urging Shell to seek a buyer for the facility instead of closing it.

2005: Flying J Inc. purchases the refinery.

Sources: Big West of California, Californian reports

## **Fast-growing Phoenix, beset by dirty air, targets construction in cleanup plan Maricopa County has proposed 41 air-clearing measures – from banning leaf blowers to requiring 'dust managers' on job sites.**

By Faye Bowers, correspondent

Christian Science Monitor, Friday, March 30, 2007

PHOENIX - A new plan to clear the skies in the Phoenix area, which has some of the dirtiest air in the nation, calls for major shifts in the way people here live and do business.

Cozy wood-burning fires? Not a good idea, because of the soot.

Leaf blowers? *Verboten*, at least on "bad air" days. They kick up dust.

And on construction sites where more than 50 acres of land will be disturbed, someone there must be the designated "dust manager."

Those are three on a list of 41 measures that may soon be required of businesses and residents in Phoenix, Scottsdale, Mesa, and other communities within America's fastest-growing county.

More measures may be added in the months ahead, but that's the blueprint as of Wednesday evening, when the regional Maricopa Association of Governments (MAG) approved the cleanup plan.

Maricopa County is only the second locale in the US to have the dubious distinction of being listed on the US Environmental Protection Agency's Five Percent Plan – a move that triggered the need for a cleanup plan. The EPA tagged the county at the end of 2006, after pollution from particulates – known to experts as "fugitive dust" – exceeded the emissions standard for two years running. In 2005, the area had 19 days over the federal limit; in 2006, it broke that record with 27 days over the limit.

Under the Five Percent Plan, Maricopa County must cut its particulate emissions by 5 percent a year, until it reaches the federal standard of 150 micrograms of fugitive dust per cubic meter of air, as measured within a 24-hour period. That means 4,594 fewer tons of airborne dust each year until at least 2009.

The plan MAG has put forward concentrates on construction-related activities – for good reason, experts say.

"Construction sites contribute most of the particles into the atmosphere," says Joe Fernando, a professor at Arizona State University in Tempe who works on particle dispersion problems. "It is realistic [and] possible to reduce those."

The good news is that California's San Joaquin Valley, the other region to fall under the Five Percent Plan because of particulate matter, has shown that dust-reduction measures can work. Moreover, the topography there resembles that of metropolitan Phoenix – a valley surrounded by mountains that trap the dirty air within.

In 2002, the San Joaquin Valley was required to submit to the EPA a plan to reduce airborne particulates by 5 percent a year, says Jaime Holt, public information administrator in Fresno for the San Joaquin Valley Air Pollution Control District. After finding that the San Joaquin Valley reached its goals in 2003, 2004, and 2005, the EPA in October 2006 said the valley attained standards for particulates.

The district's cleanup program included an intensive public-education campaign through the media, says Ms. Holt. "One of our initial strategies was to regulate fugitive dust – dust kicked up during agricultural or construction operations – like, 30 various things," she says. "On the individual level ... on certain days in winter when the air-quality index is over 150, we prohibit residential wood-burning."

MAG's measures appear to be similar. The top two involve public education and training programs. Some address unpaved roads, unpaved parking lots, and vacant lots where, when the earth is disturbed, dust particles can be carried aloft by the wind. Others address equipment used to move sand and gravel, and how they should operate. Still others deal with the use of all terrain vehicles, leaf blowers, and wood-burning stoves. Moreover, Maricopa County has hired an official involved in San Joaquin Valley's pollution-abatement effort.

A key, though, will be enforcement of any new measures, says Joe Anderson of Arizona State University, an expert on air-quality issues. "One of the biggest problems in [Maricopa] county has been a complete lack of enforcement. It's mostly about the political will to do what's needed."

The area's air-quality plan is still a work in progress. Maricopa County needs to submit to the EPA a comprehensive plan to reduce fugitive dust by the end of the year, and the EPA would have to sign off on it before measures would go into effect.

The stakes are significant. If the county doesn't meet these requirements, it faces sanctions – potentially losing some \$1.1 billion in federal highway grants.

The measures MAG approved on Wednesday will now be distributed to local governments within the regional council, such as the cities of Phoenix, Scottsdale, Mesa, and others. Those governments have until June 15 to agree to the measures or offer changes.

"Once they approve it, it becomes legally binding," says Kelly Taft, MAG spokeswoman.

If the cities or other local governments offer changes, those will be incorporated by MAG's air-quality technical advisory team, which runs computer models to determine if the measures will decrease airborne particulates to the required level, says Ms. Taft. The bottom line is that the plan MAG offers the EPA in December 2007 must guarantee a 5 percent reduction in particles per year, beginning in 2008.

## **Ruling could open way for stricter state air standards**

By John Ellis

The Fresno Bee, Wednesday, April 4, 2007

The U.S. Supreme Court's ruling in a case involving Massachusetts and the Environmental Protection Agency could clear the way for new California emissions standards that would be the toughest in the nation, environmentalists and state officials said Tuesday.

"It's basically the light at the end of the tunnel for the California global-warming standard," said Erin Rogers, outreach coordinator for the Union of Concerned Scientists. "It's the ruling we've been waiting for."

In a 5-4 decision, the nation's highest court said Monday that the EPA can limit vehicle emissions of greenhouse gases under the federal Clean Air Act. Massachusetts had petitioned the EPA to control the emissions from cars and trucks, but the agency said it lacked such authority under the Clean Air Act.

It is unclear how the decision will affect a federal lawsuit filed by the automotive industry against California's proposed new emission standards. U.S. District Judge Anthony W. Ishii in Fresno placed the action on hold pending the outcome of the Massachusetts case.

But environmentalists say the ruling -- a defeat for the auto industry and the Bush administration -- could help the efforts of California and other states that are seeking to regulate greenhouse gases such as carbon dioxide, which many scientists believe contribute to global warming.

California's regulations would set tailpipe emission standards for greenhouse gases. They are scheduled to take effect with the 2009 model year and are expected to cut exhaust emissions in cars and light trucks by 25% and in larger trucks and sport utility vehicles by 18%.

Eleven other states have since adopted California's standard.

In December 2004, more than a dozen San Joaquin Valley auto dealers joined DaimlerChrysler Corp., General Motors, the Alliance of Automobile Manufacturers and others in filing the Fresno lawsuit to block the new rules.

On Tuesday, the California Attorney General's Office requested a hearing to discuss the case's status. No date has been set, but Ishii said he anticipates scheduling a conference to allow the parties to express their thoughts on how they wish to proceed in light of the Supreme Court decision.

Gareth Lacy, a spokesman for state Attorney General Jerry Brown, said the Supreme Court decision "was a very positive decision for the state of California, a very positive implication for this case in Fresno."

Charles Territo, a spokesman for the Alliance of Automobile Manufacturers in Washington, D.C., declined to comment on the Supreme Court case or its ramifications on the California emissions lawsuit.

He referenced a written statement from Dave McCurdy, president and CEO of the alliance, responding to the high court's decision.

"The Alliance of Automobile Manufacturers believes that there needs to be a national, federal, economywide approach to addressing greenhouse gases," McCurdy said. "This decision says that the U.S. Environmental Protection Agency will be part of this process. The alliance looks forward to working constructively with both Congress and the administration, including EPA and the National Highway Traffic Safety Administration, in developing a national approach."

Raymond Ludwiszewski, an attorney with the Association of International Automobile Manufacturers, said the high court's ruling was a directive that greenhouse gas regulations should be developed at the federal level.

Bruce Beck, general manager of Sturgeon and Beck Pontiac Inc. of Tulare, declined to comment. Other Central Valley dealerships involved in the lawsuit did not return calls.

At issue in the Fresno case is whether California has the right under the Clean Air Act to regulate greenhouse gases through tailpipe emissions.

Under the Clean Air Act, California is the only state allowed to set emissions rules stricter than national standards, but it must first obtain a waiver from the federal Environmental Protection Agency. Other states, in turn, can opt for California's standards.

Attorneys for the automotive industry say California's new rules are fuel-economy standards, because limiting emissions requires increasing fuel economy, and those can only be set by the federal government.

They also say the state's efforts to regulate greenhouse gases on its own violate antitrust laws, the Energy Policy and Conservation Act, foreign policy laws and other federal statutes.

In addition to the California case in Ishii's courtroom, a similar case is scheduled to go to trial next week in federal court in Vermont. That judge did not delay his order, as Ishii did.

David Doniger, a Washington-based attorney for the National Resources Defense Council -- which has joined California in defending the regulations -- as well as auto industry officials say the legal issues being argued in both cases are virtually the same.

In a brief the NRDC is preparing in the Vermont case, it claims Monday's Supreme Court decision "knocks the legs out from under [the automobile industry's] arguments."

Doniger said the Supreme Court found the Clean Air Act does authorize regulating carbon dioxide and other global-warming pollutants. The NRDC will argue that the EPA's authority cited by the high court also authorizes California to regulate those pollutants if it obtains the EPA waiver.

The EPA said Tuesday it reopened the state's stalled waiver request and will schedule a public comment period as well as a public hearing on the matter.

## **EPA reopens California's bid for cleaner air**

By Samantha Young, Associated Press

Contra Costa Times and LA Daily News, Wednesday, April 4, 2007

SACRAMENTO - The Bush administration has reopened California's stalled petition seeking to control greenhouse gases after the Supreme Court's ruling this week that the government can regulate emissions from cars.

The action by the Environmental Protection Agency breathes life into California's effort to become the first state to cut tailpipe emissions from cars, light trucks and sport utility vehicles.

It also could influence the outcome of an auto industry lawsuit in California to block the state regulations, contained in a 2002 state law.

"We've reviewed the issues within the waiver request," EPA spokeswoman Jennifer Wood said Tuesday. "We're moving forward to the next steps of the process."

The agency next will schedule a public comment period and public hearing.

At stake is California's 2005 petition to gain an exemption from the federal Clean Air Act.

The state wants automakers to reduce the greenhouse gas emissions from cars and light trucks by 25 percent and from sport utility vehicles by 18 percent starting in 2009.

Ten other states have since adopted California's standard, while Maryland is considering a bill that would enact it.

The EPA had argued that the agency could not regulate greenhouse gas emissions from vehicles because to do so would require an increase in fuel economy standards, something only the U.S. Department of Transportation can set.

But in its 5-4 decision Monday, the Supreme Court ruled that the EPA had such authority.

"It's clear EPA has to consider California's waiver request now," said Sean Hecht, executive director of the environmental law center at UCLA. "That doesn't mean it's a foregone conclusion with respect to the waiver request."

California has special authority under the federal Clean Air Act to set its own vehicle pollution standards because it began regulating air pollution before the federal government did in the 1970s.

Other states that want to adopt California's standard cannot implement it until the EPA grants California a waiver.

Monday's court ruling prompted movement Tuesday in a separate lawsuit brought by the auto industry to prevent California from moving forward with its regulations if it receives the waiver.

The California Air Resources Board, along with several environmental groups, officially notified U.S. District Judge Anthony Ishii of the Supreme Court's decision. In January, he placed the lawsuit on hold pending a decision by the court.

It's unclear what the next step will be in the case, which is being heard in federal court in Fresno. But both sides said the Supreme Court's decision favors their argument.

"The case will affect all of the pending litigation that California has with both the auto companies and Midwestern energy companies," California Attorney General Jerry Brown said Monday.

The Natural Resources Defense Council intends to ask the judge to dismiss the case in light of the Supreme Court's ruling, spokesman Craig Noble said.

Raymond Ludwiszewski, an attorney representing the Association of International Automobile Manufacturers, interpreted the ruling by the Supreme Court as a directive that greenhouse gas regulations should be crafted at the federal level.

"I think the Supreme Court ruling makes it clear that the court viewed global warming as an issue that should be dealt with nationally and not at the state level," Ludwiszewski said Tuesday.

California's attempt to cut tailpipe emissions is a key component of the state's broader effort to reduce greenhouse gases to 1990 levels by 2020.

The auto regulations could help the state reach about 17 percent of its target, Air Resources Board spokeswoman Gennet Paauwe said.

The state also has sued the six largest automakers in an attempt to collect millions of dollars it expects to spend on repairing the damage from floods, wildfires and other natural disasters that are expected to intensify as temperatures rise.

The auto industry, meanwhile, also has sued Vermont, which is seeking to implement California's tailpipe regulations. That trial is scheduled to begin next week.

## **After Supreme Court ruling, EPA revives California's request to set tough emission standards**

By Samantha Young, Associated Press

In the N.Y. Times, S.F. Chronicle, San Diego Tribune and other papers, Wednesday, April 4, 2007

SACRAMENTO, Calif. - Stung by a Supreme Court ruling that it has the authority to establish vehicle emissions standards, the Environmental Protection Agency is allowing California to proceed with efforts to set the nation's first standards to cut tailpipe emissions from cars, light trucks and sport utility vehicles.

Since 2005, California has sought an exemption from the federal Clean Air Act that would allow it to set the emissions standards in hopes of reducing greenhouse gases. The EPA had blocked California's waiver request, arguing that the authority to set fuel economy standards belonged only to the U.S. Department of Transportation.

But Monday's 5-4 Supreme Court ruling pushed the EPA to allow California to proceed with its request and could affect an auto industry lawsuit seeking to block the state's proposed regulations.

The 2002 regulations are designed to reduce the emissions from cars and light trucks by 25 percent and from sport utility vehicles by 18 percent starting in 2009.

"We've reviewed the issues within the waiver request," EPA spokeswoman Jennifer Wood said Tuesday. "We're moving forward to the next steps of the process."

The agency next will schedule a public comment period and public hearing.

California has special authority under the federal Clean Air Act to set its own vehicle emissions standards because it began regulating air pollution before the federal government did in the 1970s. Ten other states have adopted California's standards, and Maryland is considering doing so, but they have to wait to implement them until the EPA grants California a waiver.

"It's clear EPA has to consider California's waiver request now," said Sean Hecht, executive director of the environmental law center at the University of California, Los Angeles. "That doesn't mean it's a foregone conclusion with respect to the waiver request."

Monday's court ruling prompted movement Tuesday in a separate lawsuit brought by the auto industry to prevent California from moving forward with its regulations if it receives the waiver.

The California Air Resources Board, along with several environmental groups, officially notified U.S. District Judge Anthony Ishii of the Supreme Court's decision. In January, he placed the lawsuit on hold pending a decision by the court.

It's unclear what the next step will be in the case, which is being heard in federal court in Fresno. But both sides said the Supreme Court's decision favors their argument.

"The case will affect all of the pending litigation that California has with both the auto companies and Midwestern energy companies," California Attorney General Jerry Brown said in an interview Monday with The Associated Press.

The Natural Resources Defense Council intends to ask the judge to dismiss the case in light of the Supreme Court's ruling, spokesman Craig Noble said.

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"I think the Supreme Court ruling makes it clear that the court viewed global warming as an issue that should be dealt with nationally and not at the state level," Ludwiszewski said Tuesday.

California's attempt to cut tailpipe emissions is a key component of the state's broader effort to reduce greenhouse gases to 1990 levels by 2020. The auto regulations could help the state reach about 17 percent of its target, Air Resources Board spokeswoman Gennet Paauwe said.

The state also has sued the six largest automakers in an attempt to collect millions of dollars it expects to spend on repairing the damage from floods, wildfires and other natural disasters that are expected to intensify as temperatures rise. California is the world's 12th largest producer of greenhouse gases.

The auto industry also has sued Vermont, which is seeking to implement California's tailpipe regulations. That trial is scheduled to begin next week.

## **Auto industry objects to Calif. rules**

Samantha Young, Associated Press

In the S.F. Chronicle, N.Y. Times, Contra Costa Times and other papers, Wednesday, April 4, 2007

SACRAMENTO, Calif. - The auto industry hopes a recent Supreme Court ruling will help it block California's plans to set the nation's first standards to cut tailpipe emissions from cars, light trucks and sport utility vehicles.

The state has been seeking an exemption from the federal Clean Air Act since 2005 to set emissions standards in hopes of reducing greenhouse gases.

The Environmental Protection Agency had refused, arguing that the authority to set fuel economy standards belonged only to the U.S. Department of Transportation. The Supreme Court, however, eliminated that argument on Monday, ruling that the EPA has the authority to establish vehicle emissions standards.

Raymond Ludwiszewski, an attorney representing the Association of International Automobile Manufacturers, interpreted the ruling by as a directive that greenhouse gas regulations should be crafted at the federal level.

"I think the Supreme Court ruling makes it clear that the court viewed global warming as an issue that should be dealt with nationally and not at the state level," Ludwiszewski said Tuesday.

It's unclear what the next step will be in the case, which is being heard in federal court in Fresno. But both sides said the Supreme Court's decision favors their argument.

Several groups officially notified U.S. District Judge Anthony Ishii of the Supreme Court's decision. In January, he placed the lawsuit on hold pending a decision by the court.

"The case will affect all of the pending litigation that California has with both the auto companies and Midwestern energy companies," California Attorney General Jerry Brown said in an interview Monday with The Associated Press.

The Natural Resources Defense Council intends to ask the judge to dismiss the case in light of the Supreme Court's ruling, spokesman Craig Noble said.

Following the high court's ruling, the EPA agreed to allow California to move forward with its plans.

The agency's next will schedule a public comment period and public hearing.



The California regulations were designed in 2002 to reduce the emissions from cars and light trucks by 25 percent and from SUVs by 18 percent starting in 2009.

California has special authority under the federal Clean Air Act to set its own vehicle emissions standards because it began regulating air pollution before the federal government did in the 1970s. Ten other states have adopted California's standards, and Maryland is considering doing so, but they have to wait to implement them until the EPA grants California a waiver.

"It's clear EPA has to consider California's waiver request now," said Sean Hecht, executive director of the environmental law center at the University of California, Los Angeles. "That doesn't mean it's a foregone conclusion with respect to the waiver request."

California's attempt to cut tailpipe emissions is a key component of the state's broader effort to reduce greenhouse gases to 1990 levels by 2020. The auto regulations could help the state reach about 17 percent of its target, Air Resources Board spokeswoman Gennet Paauwe said.

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## **Bush Splits With Congress and States on Emissions**

By Felicity Barringer and William Yardley  
N.Y. Times, Wed., April 4, 2007

WASHINGTON, April 3 - A day after the Supreme Court ruled that the federal government had the authority to regulate heat-trapping gases, President Bush said he thought that the measures he had taken so far were sufficient.

But the court's ruling was being welcomed by Congress and the states, which are already using the decision to speed their own efforts to regulate the gases that contribute to global climate change. As a result, Congress and state legislatures are almost certain to be the arenas for far-reaching and bruising lobbying battles.

Mr. Bush made it clear in remarks on Tuesday that he thought his proposal to increase automobile fuel efficiency was sufficient for the moment; he gave no indication he would ask the Environmental Protection Agency to regulate emissions of heat-trapping gases.

"Whatever we do," he said, "must be in concert with what happens internationally." He added, "Unless there is an accord with China, China will produce greenhouse gases that will offset anything we do in a brief period of time."

But with Congress and the states more determined than ever to act, some of the nation's largest industries - including automobile manufacturers and the oil companies that make their gasoline, and electric utilities and the coal companies that fire many of their boilers - now face the increasingly certain prospect of expensive controls on emissions of carbon dioxide, the most common heat-trapping gas associated with climate change.

At least 300 bills have been filed in 40 states that address heat-trapping gases and climate change in some form, said Adela Flores-Brennan, a policy analyst with the National Conference of State Legislatures.

In Washington, Congress has already begun a process that would eventually apportion both the responsibility for cuts in emissions that could cost tens of billions of dollars and the benefits and incentives that could mean billions of dollars of new income.

"Obviously, nobody wants to bear a disproportionate share of the burden," said Representative Edward J. Markey, Democrat of Massachusetts and chairman of the newly created House Select Committee on

Energy Independence and Global Warming. "It's now going to be a multidimensional chess game with the planet's future in the balance."

The way legislation apportions emissions cuts among industries - and, as important, how the credits earned by companies that reduce emissions are allocated - will be the focus of the lobbying, said Mr. Markey and lobbyists for environmental groups and industry.

"It's incumbent on everyone to roll their sleeves up, if they haven't already, to deal seriously with this problem," said Luke Popovich of the National Mining Association, the trade group for the coal mine operators who will be at the center of the lobbying. "If pain concentrates the mind, there will be more concentration on the issue now."

Coal is the major source of electricity in more than half the states, and coal is the fuel most closely associated with high levels of emissions of carbon dioxide. And coal interests have a bipartisan audience.

The United Mine Workers is a natural Democratic constituency, while the National Mining Association has been a reliable supporter of the Bush administration.

"There are differences within the industry," Mr. Popovich said, "but we are allied in favor of a solution that preserves coal's growth in the United States."

Next to the electric-utility sector, which is responsible for about 40 percent of emissions of heat-trapping gases, Mr. Markey said, comes the transportation sector, which contributes roughly 30 percent.

The auto industry has long opposed increases in fuel-efficiency standards, which automatically mean a reduction in heat-trapping gases. The oil industry has resisted controls on carbon dioxide emissions. Until recently, the two industries, while occasionally sniping at each other, had avoided explicit endorsement of the regulation that was most feared by the other.

But, with the likelihood of Congressional action increasing, that informal nonaggression pact has ended. Executives of the Big Three auto companies testifying in the House last month explicitly supported regulation of carbon dioxide. And a senior oil industry executive earlier this year gave a speech advocating increases in fuel economy.

The Supreme Court found Monday that the Environmental Protection Agency had erred in justifying its decision not to regulate carbon dioxide and other heat-trapping gases. The court said that by providing nothing more than a "laundry list of reasons not to regulate," the agency had defied the Clean Air Act's "clear statutory command." The ruling also said that the agency could not sidestep its authority to regulate heat-trapping gases unless it could provide a scientific basis for its refusal to do so.

In Congress, controls on automobile emissions remain a work in progress. In more than a dozen states, beginning with California in 2002, they have become a fact - although these laws have been stayed pending legal challenges. Those challenges were greatly weakened, however, by the Supreme Court ruling.

"States are not going to wait," said Dennis McLerran, executive director of the Puget Sound Clean Air Agency, created by Washington State. "States are going to continue to act on this. If there is some confusion from this or if it creates greater pressure on Congress, then that's all to the good."

Washington is among more than a dozen states that have followed California's lead in setting goals to restrict carbon dioxide emissions, and it is one of five Western states that have formed an alliance to combat climate change. States in the Northeast have formed a similar alliance.

Several environmental leaders said the court decision could persuade still other states to pass climate-change legislation.

Terry Tamminen, the former secretary of the California Environmental Protection Agency under Gov. Arnold Schwarzenegger and now a private consultant to states pursuing California-style caps on emissions, said he had recently worked with elected leaders in Wisconsin, South Carolina, Florida and Maryland. Some of these states are more conservative than states in the West and Northeast and have not been strongly associated with efforts to restrict pollution. The court ruling, Mr. Tamminen suggested, "will give cover for those Republicans who feel they need to take action."

"They can say, 'Look, the debate is now over,' " he said.

California has been in the vanguard, first with its bill to regulate carbon dioxide emissions from vehicle tailpipes in 2002, and then with its landmark 2006 law requiring a 25 percent reduction in the state's carbon dioxide emissions by 2020.

Arizona, New Mexico, Oregon and Washington have joined California to pursue a regional plan to cut emissions. The idea is to make it profitable for industries to pursue pollution reduction through cap-and-trade plans that would allow companies with emissions lower than the allowed caps to sell credits to companies that exceed them.

Most of the legislation in Congress follows the cap-and-trade model.

Outside the West and the Northeast, states are still finding their way. In North Carolina, government commissions are weighing measures like restricting auto emissions and establishing so-called renewable portfolios, which many states are proposing as a way to balance their energy supply between carbon-producing fuels like coal, oil and natural gas, and clean, renewable fuel sources like wind and solar power.

In Illinois, Gov. Rod Blagojevich has proposed restricting carbon emissions to 60 percent of 1990 levels by the year 2050, said Steve Frenkel, an aide to the governor.

"You've seen a lot of leadership coming out of the coasts," Mr. Frenkel said. "Looking in the Midwest, where there's a lot of coal and industrial pollution, how we handle this here is important for how we handle this nationally."

With about half the states getting at least 50 percent of their electric power from coal, Congress will have to wrestle with the disproportionate impact that climate change legislation could have around the country.

"You've got 35 senators reliably for a pretty strong program," said David Doniger, a lawyer with the Natural Resources Defense Council. "How do you get that to 50 or 60? You have to get senators who come from states where coal is important, autos are important and agriculture is important."

## **Bush agrees with greenhouse gas ruling, sort of New limits should not slow U.S. economic growth, he says. Boxer responds: 'The president still doesn't get it.'**

By Joel Havemann, Times Staff Writer

L.A. Times and Contra Costa Times, Wednesday, April 4, 2007

WASHINGTON - President Bush, while acknowledging Tuesday that he took "very seriously" the Supreme Court's ruling that the Environmental Protection Agency must regulate greenhouse gas emissions from automobiles as pollution, set up a potential conflict with Congress by attaching two conditions to comply with the decision.

Bush said that any regulatory program should not slow economic growth, nor should its benefits to the atmosphere be offset by mounting emissions from China, India and other growing economies.

Congress has been laying the groundwork for tougher regulation of greenhouse gases and Bush's stance appeared likely to retard EPA regulation of carbon dioxide and other gases that trap heat at the Earth's surface.

"The president still doesn't get it," Sen. Barbara Boxer (D-Calif.), chairwoman of the Senate Environment and Public Works Committee, said in a statement to The Times.

She said Bush's legislative proposal to encourage cleaner automobile fuels would actually result in greater emissions of greenhouse gases. Bush has proposed a program of liquefying coal for use in automobiles - a process that releases substantial amounts of carbon dioxide.

The Supreme Court ruled 5-4 Monday that the EPA was required by law to regulate carbon dioxide and other greenhouse gases as pollutants. The administration, siding with automakers, had argued that carbon dioxide was not a pollutant as defined by the Clean Air Act, but the court held that it was merely a different kind of pollutant.

Asked about the decision at a Rose Garden news conference, Bush said, "I have said that it is a serious problem. I recognize that man is contributing greenhouse gases." But solving the problem, he said, must not cut into economic growth.

"It's going to require new technologies, which tend to be expensive, and it's easier to afford expensive technologies if you're prosperous."

He also said China and India must join the global warming fight. "Unless there is an accord with China," he said, "China will produce greenhouse gases that will offset anything we do in a brief period of time."

Responding to that remark, Boxer said: "I find it offensive that the president is still using China as an excuse to do nothing when the U.S. has always been a leader in environmental protection."

She said she would summon EPA officials before her committee this month to explain how they would follow the Supreme Court ruling. Her goal, she said, was passage of "the strongest possible global warming legislation."

EPA spokesmen said Tuesday that it was too early to respond to the decision.

Two House committees also have expressed interest in global warming legislation. A subcommittee of the Energy and Commerce Committee, whose chairman is Rep. John D. Dingell, a Democrat whose Michigan district is home to much of the auto industry, has already held 10 hearings on the subject.

Rep. Henry A. Waxman (D-Los Angeles), chairman of the Oversight and Government Reform Committee, also is interested in the issue, according to a spokesperson, but he has not formulated a plan.

The auto industry, the principal target of the ruling, reacted guardedly to the decision and Bush's response.

Dave McCurdy, chairman and chief executive officer of the Alliance of Automobile Manufacturers, said in a statement that "there needs to be a national, federal, economy-wide approach to addressing greenhouse gases. This decision says that the U.S. Environmental Protection Agency will be part of this process."

The group emphasized the importance of building more fuel-efficient cars because vehicles that use less fuel emit less carbon dioxide.

## **Partnership Board awards \$2.5 million in Seed Grants**

The Madera Tribune Monday, April 2, 2007

The California Partnership for the San Joaquin Valley Board announced recently that 15 seed grants - totaling \$2.5 million - were awarded to advance the work of the Partnership in turning around the region and improving the economy and quality of life for valley residents.

"We are pleased with the innovation and level of collaboration that these seed grants represent, and we are confident they will jumpstart major work in the region, and bring us closer to achieving the Partnership's objectives," said Sunne Wright McPeak, seed grant review committee chair and Partnership board member.

Governor Schwarzenegger and the state Legislature set aside \$2.5 million for the seed grants. The Partnership received 106 concept proposals for the seed grants, and the board invited 36 organizations to submit full applications, of which 35 organizations submitted.

"We are disappointed we could not fund all of the proposals because they show great promise and value for our Valley," said Connie Conway, Partnership Board chair. "We are committed to working with federal, state and foundation partners to find other funding sources and opportunities."

The board awarded seed grants for the following projects:

Advanced Communications Systems: San Joaquin Valley eHealth Network Project, UC Merced, School of Natural Science (\$225,000).

[Air Quality: Air Quality Education in Environmental Justice Areas, The Maddy Institute \(\\$225,000\).](#)

Economic Development: Central California Marketing and Cluster Development, CA Central Valley Economic Develop. Corp. (\$225,000); Building Angel Investment & Entrepreneurship, Golden Capital Network/Pacific Community Ventures (\$225,000); San Joaquin Valley Tourism, Central Valley Tourism Association (\$75,000 challenge grant).

Energy: Growing Clean Energy Capacity in the SJV, Kings River Conservation District (\$125,000).

Health and Human Services: Methamphetamine Recovery, Central California Social Welfare Evaluation, Research & Training Center (\$125,000); SJV Health Enterprise Zone Project, Central Valley Health Policy Institute (\$125,000).

Workforce Development and Higher Education: Developing a College-Counseling Access Center, Central Valley Higher Education Consortium (\$200,000).

K-12 Education: English Learner Leadership & Mentoring Academy, Fresno County Office of Education (\$250,000).

Land Use, Ag & Housing: Farmland Conservation Model Program, Fresno COG and Great Valley Center (\$200,000); Integrating Land and Water Solutions in Tulare Lake Basin, Tulare Basin Wildlife Partners (\$125,000).

Transportation: Metro Rural Loop Corridor Preservation Feasibility Study, City of Fresno Planning & Development Dept. (\$125,000).

Water: SJV Regional Water Plans Integration & Recycled Water Usage, CSUF Foundation (\$150,000); Sowing Seeds for Community Health, Self-Help Enterprises (\$100,000).

## **New fleet hybrid buses rolled out in Santa Barbara**

In the Bakersfield Californian, Wednesday, April 4, 2007

New hybrid buses have debuted in Santa Barbara County.

The fleet of eight hybrids - powered by diesel fuel and batteries - was rolled out Tuesday by the Santa Barbara Metropolitan Transit District. Biodiesel will be used by the 40-foot-long buses later this year.

"These are brand-new buses with state-of-the-art technology using battery technology and biodiesel engines. It's sort of like a giant Prius," district spokesman David Damiano said.

The buses have Cummins diesel engines, which will be using B5 biodiesel by May 1 and B20 this summer. Damiano said emission reductions through hybrid technology can top 90 percent.

The hybrids get 50 to 60 percent better fuel economy than standard diesel buses.

The transit district decided to spend \$3.2 million on the buses a year ago.

[Fresno Bee, Editorial, Tuesday, April 3, 2007:](#)

### **Supreme rebuke**

#### **High court is warming up to threat of a hotter planet.**

The U.S. Supreme Court struck another blow Monday against the Bush administration's inaction on global warming, a ruling that keeps intact California's pioneering efforts to cut greenhouse gases.

In a 5-4 decision, the court ruled that, contrary to arguments by Bush's lawyers, the U.S. Environmental Protection Agency has authority to regulate vehicle emissions that are warming the Earth's atmosphere.

It also determined that individual states have the right to challenge the EPA for stronger standards, since rising sea levels and other consequences of global warming could pose direct harm to these states.

Had the court ruled the other way, it would have tripped up a five-year-old California law -- since enacted by ten other states -- that requires auto manufacturers to sell motor vehicles with the lowest feasible carbon dioxide emissions by 2009.

California is permitted to establish pollution standards stronger than the federal government's. But if the court had determined that the EPA and the states lacked authority to treat carbon dioxide as a pollutant, it would have crippled California's law.

It also would have taken away one of California's key tools for reducing greenhouse gases, since vehicles account for 41% of these emissions.

Until Monday, there appeared to be a strong chance that the court would rule against the states. Justice Antonin Scalia, in particular, questioned if Massachusetts was imminently imperiled by sea level rise and, if it was, whether the federal government could do anything.

"I mean, when is the cataclysm?" said Scalia, seeming to mock the science that state lawyers presented the court.

Scalia ended up in the minority. Writing for the majority, Justice John Paul Stevens made clear that states face serious harm from a warming planet, and that the EPA has authority to act, even if its actions alone can't be expected to reverse global warming.

The auto industry has sued California over its 2002 law, and now that the Supreme Court has ruled, the attention will shift to U.S. District Court here in Fresno, where the case will be heard.

It would be far better, for both automakers and their customers, if the automakers were to abandon this suit and join the global effort to control greenhouse gases. Yet given Detroit's history of putting their bottom line over societal obligations, we are not holding our breath -- even though we probably should be.

[Sacramento Bee, Editorial, Wednesday, April 4, 2007:](#)

### **Editorial: A clear victory**

#### **Alas, fight over utility emissions isn't over**

In contrast to their sharply divided opinions on greenhouse gas legislation, a unanimous U.S. Supreme Court this week ruled in favor of environmentalists and against polluting industries on another contentious issue: whether power companies must employ the newest and most effective technologies when they substantially upgrade and modify their facilities.

The case involved Duke Energy Corp., which operates coal-fired plants in the South and Midwest. In a suit originally brought by the Clinton administration, EPA regulators contended that Duke should be required to install the newest and best pollution control technologies available when the utility upgraded coal-fired power plants that it owned and operated.

Duke argued that these changes should be excused from the costly new controls because the modifications at issue only permitted the aging plants to run more hours per day, without putting out more pollution per hour.

Writing for the court, Justice David Souter overturned an appeals court ruling that had accepted Duke's interpretation of EPA regulations, calling that interpretation "too far a stretch." Instead the justices endorsed the agency interpretation, which allowed regulators to measure increased annual outputs.

The consequence of the ruling on public health and the environment is crucial. At issue are 30 old coal-fired generating units that Duke operates at eight power plants in North and South Carolina. Modifications at the plants permitted them to operate more hours every day, thus increasing significantly the total amount of pollutants they emitted. Measuring the plants' output of sulfur dioxide (which causes acid rain) and nitrogen oxide (which causes smog) only on a per-hour basis would mask this increase. To measure the output of pollutants in any way but annually, the practice the high court has now endorsed, would have defeated the very public health and environmental benefits EPA is supposed to protect.

Unfortunately this week's ruling is not the end of the controversy. Incredibly, the Bush EPA has proposed new regulations that would put in place the same per-hour pollution measurement the Supreme Court has just rejected.

In addition, Duke Energy says it will continue to press the agency over whether the modifications at issue in the lawsuit constitute routine maintenance, which would be exempt from new pollution control requirements, or substantial expansion and modifications. The Bush administration, apparently always

eager to please its friends in the coal industry, has issued regulations that include an industry friendly definition of routine maintenance. When environmentalists sued the agency, that definition was rejected by a lower court, but the Bush EPA has appealed the decision to the Supreme Court, and Duke Energy has announced it will continue to litigate on the issue.

So the court likely will be tested again. Can it continue to hold the line in favor of the environment, public health and common sense, or will the Bush administration and its industry allies prevail? The 9-0 decision in this case is promising, but stay tuned.

[Hanford Sentinel, Commentary, Tuesday, April 3, 2007 \(12:54 pm\):](#)

### **California Focus: Will a big delay kill LNG again?**

By Tom Elias

The last time big corporations sought to foist liquefied natural gas (LNG) and its perpetual high prices on California consumers, environmental issues did not kill the project, even though that's the romantic version of the story. Economics weren't fatal, either.

Instead, delays did in the plan, long waits spawned by a lawsuit filed by the Chumash Indian tribe, which contended the proposed importing facility at Pt. Conception in Santa Barbara County impinged on tribal holy space.

The Chumash never had to prove their case. That was because after their lawsuit hung around the courts for two years in the early 1980s, a worldwide glut of natural gas occurred, driving prices so low that not even the powerful politicians behind that LNG product could justify its costs.

It is now 25 years later, and once again the prospect for major delay hangs over the most active plan to bring LNG - natural gas cooled to a subfreezing liquid and hauled across the Pacific Ocean - to a receiving facility planned 14 miles off the Oxnard/Malibu coast of southern Ventura County.

The new possibility of a long delay stems from the Democrats' takeover of Congress last winter, which made West Los Angeles Rep. Henry Waxman chairman of the House Committee on Oversight and Government Reform, a unique post allowing him to issue subpoenas without so much as a vote of his committee

Waxman hasn't yet issued a subpoena in the case of the planned offshore Cabrillo Port, a project of the Australian energy giant BHP Billiton LLC, which aims to introduce imported gas into the California pipeline network. If Billiton succeeds, Californians will likely be stuck paying prices at or above last year's record levels forever. This is guaranteed by the cost of the gas itself, plus the multi-billion-dollar price tag on the project and the huge tankers that would serve it.

It's not that California needs the gas, either. There is plenty of supply available for domestic sources and every indication is that known supplies will hold up for at least the next quarter century. The only study saying otherwise was done Sempra Energy, now building an LNG plant of its own in Baja California.

Nevertheless, key state agencies like the Public Utilities Commission and Energy commissions authorized the Sempra-owned Southern California Gas Co. and San Diego Gas & Electric to give up one-fourth of the state's reserved natural gas arriving from Texas and Colorado via the El Paso and Transwestern pipelines and replace it with LNG.

One way the Billiton project, called Cabrillo Port, has been hustled along was via a June 2005 decision by the federal Environmental Protection Agency to exempt it from local air quality permitting standards imposed by the Ventura County Air Pollution Control District. The EPA said "further analysis" of Cabrillo Port led to its decision

No one in Congress or any other major governmental position protested that ruling, which figured to cut at least a year off the project's schedule. That is, no one protested until January, when Waxman demanded the EPA turn over documents related to the decision.

Now Waxman is claiming the EPA failed to provide evidence of any analysis at all before it granted the smog waiver. Instead, he says, documents reveal that the EPA's top air quality official met with Billiton in

March 2005 and then personally intervened with local EPA staffers handling the case about one month later.

Waxman now insists the EPA provide more documents, saying the agency's refusal to submit some paperwork "appears to intensify ... concerns about EPA's handling of this process." In short, Waxman is charging favoritism of Billiton by senior EPA officials.

For sure, Billiton's plans are favored by state officials all the way up to the level of the governor, who has said he prefers the Billiton plan over other current LNG proposals.

Says Susan Jordan, director of the California Coastal Protection Network and a longtime fighter against LNG, "BHP Billiton has known since 2004 that Cabrillo Port was a non-starter under the Clean Air Act. BHP's solution was to go behind the public's back to pressure the EPA to drop the requirements that every other major new source of pollution would have to comply with ... nothing short of full compliance with the Clean Air Act is acceptable."

The bottom line is that that Cabrillo Port will not go forward until the EPA satisfies Waxman that it followed all its usual processes. He has the power to thwart the agency's next budget and can call any of its officials on his carpet if he chooses to issue subpoenas.

And if the EPA-granted waiver should be reversed, the timetable for full-scale LNG development in California will be set back at least a year or two. No one knows what might happen during that time. In fact, the scene is very similar to that of 1980, when no one anticipated the worldwide glut of gas that killed the Pt. Conception project.

Thomas D. Elias is a syndicated columnist on California issues.

## **Jon Carroll Column**

[S.F. Chronicle columnist, Wednesday, April 4, 2007:](#)

By Jon Carroll

One of the stranger things to happen in recent political discourse -- and this is a crowded field -- is the morphing of global warming into a left-wing plot, a conspiracy by godless scientists to ... well, it's not clear what benefit the scientists get from spreading lies about global warming. Maybe they just want research money to study this nonexistent warming thing.

I have a pretty good idea where that meme started. If you believe that global warming is man-made, then you believe that greenhouse gases are a bad thing. If you believe they're a bad thing, you believe they should be reduced. And reducing greenhouse gases would mean using less petroleum, in all its myriad forms. And since the current administration is dedicated to the protection of petroleum companies, it is only natural that it would try to convince its base that somehow global warming is being promoted by the same people who approve of gay marriage, abortion and secular schools.

The idea that global warming is a liberal plot is a lunatic notion, but it's surprising how closely it maps with public opinion. It's an extremely successful con job, and it's bought the oil companies at least a decade of profits and indolence. It's not clear why evangelical Christians -- or that portion of them that are die-hard supporters of George Bush -- should be so interested in the financial well-being of oil companies. It's not as if they're getting anything out of it.

So the president, who is nothing if not consistent, is trying to stick it to environmentalists again. Last year, he nominated three people for top-level jobs at posts that affect the environment. All three nominations were blocked, and thank you, Barbara Boxer. But now the president is thinking of making recess appointments of the same three people. He thinks it's a game of chicken. He thinks he has to win.

Is politics the art of compromise? Not anymore. Politics is the art of slandering your enemies and rewarding your campaign contributors.

Who are these winners? Fortunately, Judy Pasternak of the Los Angeles Times has done the research so you don't have to. First there's William Wehrum, nominated as head of the air quality division of the EPA - which is the post he currently holds, thanks to a temporary promotion. Wehrum is a lawyer who formerly represented the chemical, utility and auto industries.



His specialty is mercury and lead emissions. He thinks the EPA standards are far too strict. He has taken steps to loosen the rules because, really, how much harm can microscopic amounts of natural substances do? (Scientists say: plenty, but you know scientists. They're the ones behind the global warming hoax.) So Bush wants a guy in charge of clean air who is in fact in favor of dirty air.

Next we have Alex Beehler, a former Pentagon official and a former executive with Koch Industries, a private oil and chemical company in Kansas. Beehler is slated to be the new head of the EPA inspector general's office, which monitors how well the EPA is enforcing its own regulations. Sounds like a match made in heaven. Inspector: "How's the river quality around here? And do you like your current job?" Employee: "I love my job and I love this river." Inspector: "Carry on."

When Beehler worked for the Pentagon, he was involved in an effort to influence to EPA standard on perchlorate, a substance that interferes with iodide uptake by the thyroid gland. (Not enough iodine leads to goiter.) It's also been shown to impair fetal brain function. It exists in rivers in at least 25 states. Since most of the perchlorate in the water comes from rocket and missile fuel, the Air Force might have had to undertake expensive cleanup activities if the EPA's rules were enforced.

So Beehler: clean water, unless it costs money.

Finally there's Susan Dudley, who would head a section of the White House Office of Management and Budget that reviews all proposed government rules. She used to work for the Mercatus Center at George Mason University, a think tank partially supported by (wait for it) Koch Industries. She is already on record as believing that the EPA rules are too strict.

In her writings while at the center, she argued that the government should keep its big nose out of areas like smog, air bags and energy regulation. (Yes, the return of the free market to the energy sector certainly benefited the people of California.) She's also big on arsenic in drinking water -- she doesn't mind it so much. She wrote that the EPA should not value the lives of older people as highly as the lives of younger people when making arsenic calculations.

Oh: She's now a special adviser to the White House on regulations, meaning that all Americans already have the benefit of her wisdom, even older, disease-ridden citizens. Such a comfort. I have to go lie down now.

[Note: The following clip in Spanish discusses the Supreme Court's ruling that EPA must regulate greenhouse gas emissions from automobiles. For more information, contact Maricela at \(559\) 230-5849.](#)

### **La Suprema Corte de Justicia impone a la EPA la obligación de controlar la contaminación del aire**

**El gobernador, Arnold Schwarzenegger dijo que la decisión de la corte es muy alentadora y urgió a la EPA a cumplir cuanto antes con dicha orden**

Noticiero Latino, Fresno, CA

Radio Bilingüe, Tuesday, April 3, 2007

La Suprema Corte de Justicia determinó por mayoría de votos que la Agencia federal de Protección Ambiental (EPA, en inglés), tiene la obligación de regular en Estados Unidos emisiones que contaminan el aire y sobrecalientan la tierra.

La decisión de cinco votos contra cuatro, del tribunal supremo del país, deja sin excusas a la administración del presidente George W. Bush, subordina a la EPA a la ley de Aire Limpio y pasa al gobierno federal una responsabilidad que por lo menos once estados comenzaban a buscar por sí mismos.

La misma resolución de la corte deja sin efecto una demanda de las principales empresas automotrices, que se negaban a regular la contaminación de sus vehículos con una demanda contra California que interpusieron en Fresno.

El gobernador, Arnold Schwarzenegger dijo que la decisión de la corte es muy alentadora y urgió a la EPA a cumplir cuanto antes con dicha orden.