

[Fresno Bee, Editorial, Tuesday, May 15, 2007:](#)

## **Fighting for breath**

### **State and federal governments must up the ante for clean air.**

There's one very tough nut to crack in the Valley's effort to clean our polluted air. Most of the pollution we generate comes from the cars and trucks we drive, along with other so-called "mobile sources" such as trains, boats and planes.

But the Valley air district has no control over those sources. Indeed, there's no local agency with the power to regulate emissions from vehicles. That power rests solely with the state and federal governments.

That means the San Joaquin Valley Air Pollution Control District must lead a strong and persistent lobbying effort to get the state and the feds to do more, and faster, to help us clean up the air. It won't be easy, especially at the federal level, where the Bush administration has shown almost no interest in environmental issues of any sort, beyond opening more resources to exploitation by private industry.

It's no coincidence that those same industries -- oil, forestry, agriculture, among others -- have been among the most generous of the administration's supporters.

One of the most damaging actions -- or inactions, to be precise -- has been the administration's adamant resistance to higher mileage standards for vehicles in this country. Greater efficiency would lead to less fuel being burned, which would in turn reduce air pollution -- but that hasn't had a very high priority in this administration.

New standards are inevitable, but the longer it takes to get them in place, the longer the Valley will be afflicted with dirty air.

The single biggest culprits among mobile sources are diesel engines. New engines are available that pollute far less than older ones, but it won't be easy to make the change. One problem, ironically, is the remarkable durability of diesel engines. They last a long time, reducing the economic incentive for owners to replace them. And replacement is expensive -- as much as \$500,000 for a big-rig truck. Retrofitting is possible in many cases, but even that can cost as much as \$30,000 per vehicle.

State and federal treasuries must be tapped to help pay for replacement and retrofit programs. The Valley's congressional delegation -- with the support of everyone who breathes the Valley's foul air -- must work overtime to make that happen.

We've criticized the air district in the past for not using its platform for stronger lobbying efforts, and we further criticized the district for its recent decision to postpone the day when we all breathe clean air. The air district governing board and its staff have an opportunity now to push the state and federal governments to do more, and we hope they grab it with both hands.

[Bakersfield Californian, Commentary, Tuesday, May 15, 2007:](#)

## **Expanding air board won't help**

Community Voices

In 1937, President Franklin Roosevelt was having a problem with the Supreme Court. It was striking down one after another of his initiatives. So Roosevelt came up with a solution -- add more members to the court, members he would appoint.

This "court packing" proposal was one of a popular president's most unpopular ideas, and no new judges were added to the court.

Turn the calendar forward to the present day, and state Sen. Mike Machado, D-Linden. He wants to "help" the San Joaquin Valley Air Pollution Control District. And he has a solution -- add more members to the district's board -- members that other politicians would appoint.

It was a bad idea in 1937, and it's a bad idea in 2007.

The current air district board is made up of members appointed by local elected officials in the valley, and answerable to the voters of this valley. That is as it should be.

Making the air district's board bigger won't necessarily make it any better -- and putting people on the board who would be appointed by statewide politicians could make things a whole lot worse.

While our air quality is not yet good enough, under the district's leadership, it has been getting substantially better. The air district was formed in 1991.

Since then -- nitrogen oxide emissions (which lead to smog) -- are down by 52 percent on a daily basis. Coarse particulate emissions -- which cause a variety of health problems -- meet government standards, and we have a proposed plan to meet the federal ozone standard by 2024.

The district and the valley have done all of this while coping with increased sources of pollution. We have some of the fastest growing cities in the state, with Bakersfield, Fresno, Modesto, Stockton and Visalia all over 100,000 people and counting.

And on I-5 and Highway 99, a growing share of the entire state's cars and trucks pass through, leaving their pollution behind, something over which the district has no control.

As Machado himself said at a recent hearing in the Legislature on his own bill, the Air Pollution Control District needs more resources to meet those challenges. That would be more funding for the district's programs to clean up the air, not more voices to heat up the air in the district's board room -- and certainly not more voices who aren't accountable to voters in our region.

That is why a number of state and regional organizations oppose Machado's move, including the Kern County Farm Bureau, the Manufacturers Council of the Central Valley, the California State Association of Counties and the San Joaquin Valley Regional Supervisors Association.

We urge the Legislature to say no to Machado's bill, SB 719, and to a companion bill by Sen. Dean Florez, D-Shater, SB 240.

Give us some real help instead, and let our locally elected officials continue with the work of improving air quality in our valley.

*Steve Worthley is chairman of the San Joaquin Valley Unified Air Pollution Control District and chairman of the Tulare County Board of Supervisors.*

## **Air-pollution fee program sputters**

### **Funds collected far less than anticipated**

By Alex Breitler - Record Staff Writer

Stockton Record, Tuesday, May 15, 2007

A unique rule that charges developers in the San Joaquin Valley for air pollution emitted by vehicles netted \$13million in its first year - far less than air-quality experts had expected.

The money is used to offset pollution from the increased traffic that results from new neighborhoods, shopping centers and other developments.

The San Joaquin Valley Air Pollution Control District had expected to collect about \$200 million over the program's first three years. The quiet start may be due to a slowdown in development around the Valley, officials said.

### **How it works**

- Developers are encouraged to reduce the effects of air pollution by putting homes or businesses near bus stops, building bicycle paths and sidewalks, increasing energy efficiency and other strategies.
- If after these actions are taken, emission levels are still above a certain threshold, the developers pay a fee. The amount depends on the quantity of pollution.
- The money the district collects is used to prevent pollution elsewhere.
- The program includes more than merely homes and businesses of a certain size. Schools, government buildings, hospitals and industrial properties are also subject to fees.

The fees the district collected were used to upgrade farmers' diesel irrigation pumps. That reduced pollution by about 855 tons in the past year, the district said.

"That's pretty significant," said Dave Warner, the district's director of permit services. "Measuring it by tons of emissions, we feel it was extremely successful."

But the rule, first of its kind in the nation, remains under fire by builders who say it's yet another financial burden that will be passed on to home buyers. A lawsuit filed last year by several building-oriented groups is pending.

The heart of the matter is this: Should developers pay for pollution indirectly linked to their projects?

Yes, said Kathryn Phillips, who follows air-quality issues for the conservation group Environmental Defense.

"Everybody recognizes air pollution is a costly hazard," she said. "There are ways to control it, and everybody ought to be part of the solution."

The hope is that builders will include pollution reduction in their plans, she said. An example would be placing a new neighborhood near mass transit to reduce the number of miles driven by residents.

Developers can reduce or avoid the pollution fees with steps such as these. But builders are already bound by city general plans that take air quality into consideration, said Nathan Magsig, an affordable-housing developer in the Fresno area.

In a worst-case scenario, the rule could add \$1,772 to the cost of a typical home by 2008 and from \$872,000 to \$1.3million to the cost of a typical shopping mall. The district uses a formula to determine exact fees.

Magsig, whose Coalition for Urban Renewal Excellence is among the groups suing the air district, said much of that cost will be borne by the buyer.

His question: What good is it to solve the air-quality problem if the poor have been priced out of the housing market?

"If you really want to get at our air-quality problem, it's going to require a tax on people who drive vehicles," Magsig said.

River Islands at Lathrop, an 11,000-unit development on Stewart Tract in south San Joaquin County, might not qualify for the pollution fees since plans were in the works before the rule became final.

In general, however, builders might be required to upgrade their plans and to pay a fee - a double whammy, River Islands project director Susan Dell'Osso said. "It doesn't seem quite fair," she said.

The air district cannot regulate tailpipe emissions directly - that's the job of the state and federal governments. It says it does have authority to charge developers under a 1988 state law.

The Sacramento Metropolitan Air Quality Management District is studying a similar fee, a spokeswoman said.

Despite the slow start, San Joaquin air officials said they still hope to meet the program's ultimate goal: reducing pollution by 10 tons a day within 10 years.

## **Get involved: Bike to work, help yourself and environment**

BY STACEY SHEPARD, Californian staff writer  
Bakersfield Californian, Tuesday, May 15, 2007

Gas prices are high, traffic is bad and you could use the exercise.

Need another reason to ride your bike?

Friday is National Bike to Work day, when those who normally commute in their car are encouraged to pedal to work instead.

Help is available to those who need it. Bike Bakersfield, a local bike advocacy group, will hand out water and snacks at five commuter stations along the bike path from 6:30 to 8:30 a.m. Friday.

The group is also offering free route planning advice for people who need help figuring out the safest path to their workplace ahead of time. For directions, call the Bike Bakersfield office at 321-9247 or e-mail your start and finish addresses to [info@bikebakersfield.org](mailto:info@bikebakersfield.org).

Other tips:

- Protect yourself by wearing a helmet. A helmet reduces the risk of head injury by 85 percent, according to Bike Bakersfield.
- Avoid roads and use the bike path if possible.
- If you must ride on roads, obey traffic laws and always ride with traffic. Bicyclists must follow the same road rules as motorists.
- Carry water, a cell phone and personal identification.

## **Budget could cost Kern**

BY VIC POLLARD, Californian Sacramento bureau  
Bakersfield Californian, Tuesday, May 15, 2007

Here's what the governor's revised budget plan will mean to us if he gets his way:

- Kern County will have about \$4.8 million less to spend on items like gang violence, potholes and library books. The governor wants to stop sending money to county governments to replace revenue they lose when they cut farmers a property tax break for agreeing not to sell their land to developers.

The governor said the payments to local government under the Williamson Act program came into the crosshairs when his administration was trying to find ways to cut the state's chronic budget deficit.

"And so we looked at various different areas," he said, "and that was one of the areas that we took out, because it was \$40 million, and we thought that we can use that money for better use."

County officials struggling to balance their own budgets don't agree. They will be lobbying hard to preserve the state funding, said Allan Krauter, Kern's legislative analyst.

- [The air may get a little cleaner with \\$111 million earmarked for anti-smog projects in major transportation corridors, which includes the Central Valley.](#)

It's a down payment on \$1 billion the state air board is authorized to spend on such projects from Proposition 1B, the \$19.9 billion transportation bond issue approved by voters last year. The money will be used for measures such as upgrading or replacing old, smoky truck engines and locomotives.

- The ambitious plan for a high-speed rail system through the valley will remain starved for money, despite a recent pledge of strong support from the governor. The revised budget seeks just \$1.7 million for the High Speed Rail Authority.

That was a deep disappointment to supporters of the plan because Schwarzenegger recently appeared to be reversing his earlier cool stance toward the project.

"A network of high-speed rail lines connecting cities throughout California would be a tremendous benefit to our state," the governor wrote in an op-ed piece in the *Fresno Bee*.

State Sen. Dean Florez, D-Shafter, said the lack of more funding was "extremely disappointing."

"It looks like the governor's budget folks don't read his op-eds, because his comments in the paper were so positive," Florez said in an e-mail. "So it's hard to give a reason for the disconnection between his words and the lack of support through the proposed budget action."

- Thousands of farmworker families still struggling to recover from job losses in the January freeze will get meals with the help of \$4.45 million added to the budget for food banks.

"I'm excited about this," said Gary Romriell, manager of the food bank sponsored by the Community Action Partnership of Kern. "It means we'll have some funding to get through a critical time."

## **Supervisors to review health, development**

By Seth Nidever

Hanford Sentinel, Tuesday, May 15, 2007

Health and safety issues will top the agenda of the Kings County Board of Supervisors Tuesday.

Supervisors will consider authorizing a campaign against obesity in Kings County.

An anti-obesity specialist hired by the California State University Fresno Foundation is already working with the Kings County public health department.

Supervisors will decide Tuesday whether to authorize a grant to explore ways in which land zoning and building policies might contribute to obesity.

The grant will be pay for a series of public forums exploring so called "smart growth" strategies, which are [practices designed to reduce urban sprawl and encourage mixed-use communities that encourage walking and reduce driving](#).

The stated purpose of the meetings is to "raise awareness among city planners, local elected officials and the community about how land-use decisions affect health and quality of life," county agenda documents say.

Recommendations emerging from the meetings will be incorporated into the Kings County general plan, the guiding rules for all land use. A major overhaul of the plan has begun, a process not expected to reach completion until late 2008.

"We are working with the health department to ensure that new development is healthier," said Bill Zumwalt, planning agency director.

In other business, supervisors will consider paying out \$36,000 to the Kings County Fire Department, the Hanford City Fire Department and the Lemoore City Fire Department. The funds have accumulated from fines against American Ambulance for failing to meet contractually established response times for emergencies and accidents.

American Ambulance is Kings County's official provider of emergency ambulance and paramedic services.

Supervisors meet at 9 a.m. in Board Chambers at the Kings County Government Center, 1400 W. Lacey Blvd.

## **Bush Calls for Work for Higher Fuel Efficiency**

By Jim Rutenberg and Edmond L. Andrews

N.Y. Times, Tuesday, May 15, 2007

WASHINGTON, May 14 - President Bush announced on Monday that he had directed his administration to begin the long process of establishing higher fuel efficiency standards for new cars.

But officials said that it was unclear if at the end of that process Mr. Bush would take it upon himself to raise the gas mileage of the nation's automobiles, which has not significantly increased in decades. And Mr. Bush, speaking in the Rose Garden on Monday afternoon, said nothing would be put into effect until the regulatory process was completed at the end of 2008, just weeks before the end of his term.

Environmental groups, which have long called for substantial increases in the government-mandated fuel standards, expressed skepticism that the administration would enact new standards without Congressional action, and dissatisfaction that Mr. Bush had not offered specifics. And Rep. Edward J. Markey, Democrat of Massachusetts and the chairman of the House Select Committee on Energy Independence and Global Warming, called the announcement "a stall tactic."

Mr. Bush's announcement came during a period of new headlines about resurgent gasoline prices, as well as international and domestic political pressure to control American emissions of heat-trapping gases from burning petroleum and other fossil fuels. It comes six weeks after the Supreme Court, rebuffing the administration's arguments, ruled in favor of states that were seeking new federal controls on these emissions from automobiles.

The court found on April 2 that carbon dioxide, the principal heat-trapping gas, is a pollutant under the Clean Air Act and must be regulated by the Environmental Protection Agency unless the agency scientifically determines that it does not contribute to climate change or that action is not necessary. A growing scientific consensus holds that carbon dioxide emissions are a serious problem that ought to be addressed urgently.

The E.P.A. administrator, Stephen Johnson, said during a teleconference with reporters on Monday that the administration was not arguing otherwise. "We accept the Supreme Court's decision," Mr. Johnson said, hailing what he said was "the first regulatory step to craft a proposal to control greenhouse gas emissions from new motor vehicles."

Mr. Bush began the process with an executive order directing the E.P.A., the Department of Transportation, the Department of Energy and the Department of Agriculture to explore regulatory options to enact a proposal he announced in his State of the Union address earlier, which set a goal of reducing the projected growth of oil consumption within 10 years to a level 20 percent lower than current forecasts. Officials have expressed frustration that Congress has not enacted his plan, based on efficiency standards as well as incentives for alternative fuels, which environmentalists have harshly criticized as insufficient.

Mr. Bush said on Monday that he still preferred Congressional action to executive action and that his officials would "work with Congress to pass the 20-in-10 bill." He said he had directed his cabinet secretaries to complete the regulatory process by the end of 2008 and to "evaluate the benefits and costs before they put forth the new regulation."

The president has opposed setting across-the-board standards of the kind that Congress imposed decades ago, preferring flexibility to account for vehicle size and safety specifications, said Scott Stanzel, a White House spokesman.

Sen. Harry Reid, Democrat of Nevada and the majority leader, said in a statement that the Senate would move forward with its own proposals, which include raising average passenger car fuel standards to 35 miles per gallon over 10 years from 25 m.p.g.. But, he said of the president, "if he brings forward proposals that make legal, economic and environmental sense, we will work with him as we legislate."

Mr. Johnson, of the E.P.A., said that if the administration moved forward with the new rules, they would go into effect by the end of 2008.

Officials said the review would also consider regulatory avenues toward increasing the production of alternative and renewable fuels to 35 billion gallons a year, which would be significantly above the current mandate.

Environmental advocates said that taking many months to propose new rules, receive public comment and issue them in final form was reasonable. But they said Monday's announcement gave them no reason to abandon their doubts about the probable result.

"This really amounts to saying, 'Trust us, we're doing something,' " said David Doniger, policy director for the climate center of the Natural Resources Defense Council, which was a party to the Supreme Court case. "It's a clever effort, maybe a half-clever effort, to slip out of a corner. We haven't been promised any specific reduction in global warming pollution, or any specific increase in the efficiency in cars."

He said the president's directive seemed to limit the E.P.A.'s flexibility by requiring that it act with sister agencies, meaning, "they can only walk as fast as the slowest one of them."

Joan Claybrook, president of Public Citizen, a public interest group, criticized the president's plan for relying on his "20-in-10" proposal as a starting point because of its large reliance on alternative fuels, which "opens the door for coal-to-liquids based fuel, which has the potential to emit more than twice as much carbon dioxide as gasoline."

She called on Congress to set standards legislatively.

## **Arguments in Mileage Lawsuit**

N.Y. Times, Tuesday, May 15, 2007

SAN FRANCISCO, May 14 - Lawyers representing California and 10 other states gave arguments here on Monday in a lawsuit intended to force the government to increase gas mileage requirements for minivans, pickups and sport utility vehicles.

The suit, filed in November, asks the United States Court of Appeals for the Ninth Circuit to force the National Highway Traffic Safety Administration to conduct an environmental impact study of fuel efficiency standards announced in April 2006. Those rules, which require automakers to act by 2010, raised fuel efficiency requirements by a little over a mile per gallon.

Attorney General Jerry Brown of California said the rules failed to take into account how man-made pollution affected the environment, as well as ignored political instability in the Middle East and the development of newer, cleaner fuels.

"They didn't consider global warming; they didn't consider alternative technologies; therefore they didn't do their job," said Mr. Brown, standing on the steps of the courthouse. "It doesn't make any sense from a science point of view or a homeland security point of view."

Charles Miller, a spokesman for the Department of Justice, said the department had no comment.

## **Bush dusts off climate plan based on ethanol, mpg rules**

Zachary Coile, Chronicle Washington Bureau  
S.F.Chronicle, Tuesday, May 15, 2007

Washington -- President Bush responded Monday to the Supreme Court's rebuke of his administration for refusing to regulate greenhouse gases by rehashing a plan from his State of the Union speech to boost ethanol and tinker with fuel efficiency standards.

Bush said in a Rose Garden speech that he has ordered his top Cabinet officials to have regulations ready by the end of 2008. Critics said the president was stalling by waiting for the final days of his second term to take action.

"In effect, the president asked his agency heads to share ideas and come up with a plan that is due three weeks before he leaves office," said Rep. Edward Markey, D-Mass., chairman of the House Select Committee on Energy Independence and Global Warming. "Our oil dependence is too high, and the threat of global warming is too great, to allow half-measures and delay to take the place of action any longer."

Environmentalists also fear the White House may use the 17-month rule-making process to delay or deny California's request for a waiver to allow the state to limit vehicle emissions of greenhouse gases. State officials plan to make their case to the Environmental Protection Agency at a hearing in Washington next week.

Frank O'Donnell of Clean Air Watch said Bush's plan appears to require the "concurrence" of a half-dozen agencies -- the EPA; the departments of Energy, Agriculture and Transportation; the Office of Management and Budget; and the Council on Environmental Quality -- before any new regulations could take effect.

"This appears to be an attempt to sideswipe the greenhouse gas standards developed by the state of California and adopted by 11 other states," O'Donnell said. "In other words, the White House has just wrapped the EPA in a straitjacket of bureaucratic process."

### **Two key features**

Bush's plan would have two key features, both previously announced at his State of the Union speech in January:

-- Require that U.S. drivers use 35 billion gallons of renewable and other alternative fuels by 2017 -- about five times the amount they consume today.

-- Set new Corporate Average Fuel Economy standards that would replace fleetwide averages with model-by-model efficiency standards. The plan would raise the fuel economy by 4 percent a year for cars starting in 2010 and for light trucks in 2012.

Bush indicated that he hopes to accomplish much of his plan through new regulations, but he also would push Congress to pass legislation putting his proposals into law.

"When it comes to energy and the environment, the American people expect common sense, and they expect action," Bush said.

The new Democratic-led Congress has not been overly receptive to Bush's fuel economy plan. For example, the Senate Commerce, Science and Transportation Committee voted last week to raise fuel efficiency standards to an average of 35 miles per gallon by 2020. The bill would preserve the fleetwide averages that Bush seeks to change. Critics say a model-by-model standard could allow automakers to continue making gas-guzzling vehicles.

For the last six years, the EPA has claimed it didn't have the authority to regulate greenhouse gases, and even if it did it wouldn't use it. But the Supreme Court's ruling in April said the agency could only avoid regulating by stating that greenhouse gases do not cause climate change -- a conclusion the agency's own scientists have rejected.

### **The rule on rule-making**

EPA Administrator Stephen Johnson was pressed by reporters Monday on why it will take so long to issue new rules.

"Having been at the EPA for 26 years now, I can tell you that a rule-making process typically ... takes between 18 and 24 months," Johnson said, adding that an early draft would be released this fall.

Critics say the agency has had the authority to raise fuel economy standards for passenger cars for years, but hasn't used it. The Bush administration has made only slight increases in fuel economy for light trucks.

California Attorney General Jerry Brown appeared Monday at the U.S. Court of Appeals for the Ninth Circuit in San Francisco, which is hearing a case by California and 11 other states arguing that the National Highway Traffic Safety Administration violated federal law by failing to consider the effects of global warming in 2005 when it raised fuel economy standards for sport utility vehicles and light trucks from 22.2 miles per gallon to 23.5 by 2010.

"After years of neglect, it is unconscionable to increase vehicle mileage standards by only 1 mile per gallon," Brown said. "We are asking the court to reject this dangerously misguided policy that exacerbates global warming and enriches foreign sponsors of terrorism."

### **Contrast to California**

The White House announcement stands in contrast to California's efforts to combat global warming. The state's tailpipe emissions law will require a 30 percent reduction in greenhouse gases from vehicles by 2014. Republican Gov. Arnold Schwarzenegger also signed an executive order in January requiring refiners to cut the carbon emissions from fuels sold in California by 10 percent by 2020.

Congress slowly is proposing to follow California's lead. Sen. Barack Obama, D-Ill., a leading presidential hopeful, has crafted a national low-carbon fuels bill modeled on California's. Lawmakers are also developing a cap-and-trade program for greenhouse gas emissions, although it's not clear if there's enough support in Congress to pass it.

House Energy and Commerce Committee Chairman John Dingell, D-Mich., a longtime ally of automakers, said in a speech to the Detroit Economic Club Monday that all sectors of the economy -- not just the auto industry -- should brace themselves for new limits on greenhouse gases.

The mileage system "has effectively served as a form of carbon cap. The auto industry today is the only industry in the country with a carbon constraint," he said. "But the light duty vehicle fleet only accounts for about 25 percent of our economy's greenhouse gas emissions. Rather than ratchet down only on cars and light trucks, I propose that we spread the burden evenly and equally."

### **Response to the high court**

What happened: President Bush, responding to the Supreme Court's ruling on global warming, ordered his Cabinet to cut America's gasoline usage by boosting ethanol production and raising federal fuel economy standards.

What it means: Rather than enact tougher regulations like California's -- requiring deep cuts in greenhouse gas emissions -- Bush's plan would help Midwest corn farmers and offer flexibility to U.S. automakers.



What's next: Bush's regulations would not go into effect until the end of 2008 just as he leaves office. But Congress may move faster with a new bill requiring new passenger cars to get 35 miles a gallon by 2020 or by other proposals to curb greenhouse gases.

## **Bush Moves to Counter Gas Emissions**

By Jennifer Loven, Associated Press Writer

In the S.F.Chronicle, Fresno Bee and other papers, Monday, May 14, 2007

WASHINGTON, (AP) -- President Bush, prodded by a Supreme Court ruling, said Monday his administration will decide how to regulate pollution from new motor vehicles by the time he leaves office.

Bush signed an executive order directing federal agencies to craft regulations that will "cut gasoline consumption and greenhouse gas emissions from motor vehicles." He ordered the agencies - the departments of Transportation, Agriculture and Energy and the Environmental Protection Agency - to have the rules in place by the end of 2008.

The announcement came as gasoline prices hit a new record. The average national price of a gallon of gas reached \$3.07 on Monday, above the previous peak of \$3.06 set soon after Hurricane Katrina hit at the end of August 2005.

"When it comes to energy and the environment, the American people expect common sense and they expect action," the president said in a Rose Garden appearance before reporters. "We're taking action by taking the first steps toward rules that will make our economy stronger, our environment cleaner and our nation more secure for generations to come."

What those rules would look like was anything but clear.

White House press secretary Tony Snow said the president's position opposing mandatory emissions caps has not changed. While recognizing that greenhouse gases are a serious contributor to climate change, Bush has said that anything other than a voluntary approach would unduly harm the nation's economy.

"The question is: do you try to set up a mandatory system or do you try to set up an innovation-based system?" Snow said. "The president prefers innovation."

But the Democratic-controlled Congress is considering a number of bills that would impose a cap on emissions of carbon dioxide, the leading gas linked to global warming, and a carbon trade system.

"It appears that the president wants to run out the clock to the end of his term without addressing our energy needs," said House Speaker Nancy Pelosi, D-Calif.

Last month, the Supreme Court declared that carbon dioxide and other greenhouse gases qualify as air pollutants under the Clean Air Act and thus can be regulated by the EPA. The court also said that the "laundry list" of reasons the administration has given for declining to do so are insufficient, ruling that the EPA must regulate carbon dioxide if it finds that it endangers public health.

EPA administrator Stephen Johnson said a draft proposal should be ready by fall, and that it will include a finding on whether carbon dioxide is a health threat. He suggested there could be no regulation if no threat is found, or if the agency determines there is "some other reason and rational explanation for why it was not necessary to regulate."

Bush said that, in writing any rules, agency officials must take into account the views of the general public, scientific knowledge, available technology, the cost and the impact the new rules would have on safety.

All this left environmentalists and Democrats on Capitol Hill concerned. A report this month from a United Nations network of over 2,000 scientists estimates the world must stabilize the amount of greenhouse gases in the atmosphere within eight years to keep global temperatures from spiking to disastrous levels.

The environmental group Environmental Defense said the effort "will fall far short of fixing the climate problem" without mandatory caps on carbon emissions.

"Whether EPA will lead the fight against global warming or lead us to a hotter planet remains to be seen," said Environmental Defense President Fred Krupp.

Bush and administration officials said the process will take time because it is so complicated. Johnson indicated that - at the least - the new rules could implement the president's plan for reducing gas consumption by 20 percent over 10 years.

As announced in Bush's State of the Union address in January, this plan envisions increasing the country's use of alternative fuels to 35 billion gallons by 2017. It also would give the administration the ability to rewrite mileage rules for passenger cars, which now must meet a two-decades-old fleet average of 27.5 mpg, so that they are based on a vehicle's size.

Bush says this is a safe way to boost car mileage, but critics say it could spur the production of more gas guzzlers. It is less ambitious than a bill approved earlier this month in a Senate committee, which would raise the nationwide fleet fuel economy to an average of 35 mpg by 2020, and others being drafted in the House.

Johnson said that since the Supreme Court decision gave the EPA "significant latitude" as to how to comply with its regulatory obligations, the administration interprets that as the authority to implement Bush's proposal without congressional approval.

However, he stressed that legislation to Bush's liking is preferable.

## **Bush moves to regulate auto emissions**

**Critics, questioning the president's timing and sincerity, say legal and political pressures forced his hand.**

By Maura Reynolds and Richard Simon, Times Staff Writers  
L.A. Times, Tuesday, May 15, 2007

WASHINGTON - As gasoline prices reached an all-time high and congressional Democrats prepared to push ambitious energy legislation, President Bush on Monday ordered his administration to take a step it had long avoided: regulating carbon dioxide emissions from cars and trucks.

Using the grandeur of the White House Rose Garden to draw attention to his unscheduled announcement, Bush said he took the action to meet his stated goal of reducing vehicle gasoline use by 20% over 10 years.

"When it comes to energy and the environment, the American people expect common sense, and they expect action," Bush said.

Critics accused Bush of trying to make a virtue out of necessity, saying he was forced to act out of legal and political obligations and noting that it was unclear what, if any, new regulation would result.

Last month, the Supreme Court ruled that the Clean Air Act required the administration to regulate greenhouse gas emissions from vehicles or to offer a scientific explanation for not taking action.

In coming weeks, the Democratic-led Congress plans to make it a priority to pass legislation to reduce greenhouse gases and U.S. dependence on foreign oil, including a measure to increase fuel efficiency standards.

"The White House merely announced its intention to propose a rule that may or may not have a real impact on global warming emissions," said Philip Clapp, president of the National Environmental Trust.

In his remarks, Bush did not endorse increasing fuel efficiency. And although he spoke about the need to "protect the environment," he did not explicitly link greenhouse gas emissions to global warming.

He ordered federal agencies to define the threat caused by carbon dioxide emissions and evaluate responses by the end of 2008. Bush leaves office in January 2009.

"This is a complicated legal and technical matter, and it's going to take time to fully resolve," he said.

California officials and some environmentalists were skeptical of Bush's motives, saying he might be trying to keep individual states from implementing laws to cut tailpipe emissions.

Under federal law, only California is allowed to pass its own air pollution laws, but it must obtain a waiver from the Environmental Protection Agency. After California receives permission, other states can follow. The

state submitted a waiver request for its landmark vehicle emissions law in December 2005. Eleven other states have adopted similar laws.

"We are concerned that this is a recipe for delay of our waiver and denial of our waiver," said Linda Adams, secretary of the California Environmental Protection Agency. "We are concerned that this is a stalling tactic."

Environmentalists share California's concerns.

Frank O'Donnell of Clean Air Watch said Bush's order was an attempt to "sandbag California's request for a waiver."

At least two factors propelled Bush's move.

First, the Supreme Court ruled six weeks ago in a lawsuit filed by California and other states that carbon dioxide is a pollutant that qualifies for regulation. The administration had argued that it did not have the authority to regulate it.

Second, public pressure to respond to the threat of global warming has grown significantly since Bush became president. Democrats, who took control of Congress this year, are preparing a raft of energy proposals, some of which may be voted on shortly after a Memorial Day recess.

"Democrats are committed to achieving greater energy independence - an issue this administration and past Republican Congresses have failed to adequately address," Senate Majority Leader Harry Reid (D-Nev.) said.

U.S. automakers, whose vehicles are less efficient than European or Japanese cars and trucks, have opposed congressionally mandated increases in fuel standards, arguing that lighter cars are not as safe and that consumer demand has driven up vehicle size and inefficiency.

"Automakers support reforming and raising car fuel economy standards consistent with the need to preserve jobs and consumer choice," said Dave McCurdy, president of the Alliance of Automobile Manufacturers.

Bush's announcement came on the same day the Energy Department announced that gasoline pump prices had reached their highest level ever - a national average of \$3.10 a gallon.

White House officials said it was a coincidence that Bush chose to talk about fuel use and vehicle emissions.

"If you're looking for a political calculation or some extraneous factor that prompted the timing, there is none," White House spokesman Tony Snow said. "Basically it's ripe, and therefore that's why we're doing it today."

White House officials say Bush has long been concerned about greenhouse gas emissions and their effects on the climate.

His public statements have been equivocal, often suggesting the science is incomplete and the economic effects of regulation are potentially dire.

Bush's comments Monday suggested he supported regulation with those caveats, saying that he had instructed agencies "to listen to public input, to carefully consider safety, science and available technologies, and evaluate the benefits and costs before they put forth the new regulation."

EPA Administrator Stephen L. Johnson said the regulatory process was lengthy but he expected his agency to complete the first stage this fall and to release a formal finding on whether carbon dioxide endangered the public.

Johnson said the agency would consider increasing fuel efficiency standards and alternative fuels, but he said he could not predict what regulations would emerge.

"It just seemed logical that we would be pursuing both of those," he said, "certainly as part of our proposal."

## **Bush orders agencies to make regulations on greenhouse gases**

**Critics say president wants to 'run out the clock' by not calling for action**

FROM WIRE REPORTS

Tri-Valley Herald, Tuesday, May 15, 2007

WASHINGTON - With gasoline prices spiraling to record highs last week and a recent Supreme Court ruling requiring executive action to restrict global warming gases, President Bush on Monday ordered four federal agencies to draw up regulations to reduce greenhouse gas emissions from cars and trucks by the end of his administration.

But Democrats, environmentalists and some energy experts said the president was simply de-laying measures that he has the power to impose now.

"In effect, the president asked his agency heads to share ideas and come up with a plan that is due three weeks before he leaves office," said Rep. Edward Markey, D-Mass., chairman of the new House select committee on climate change. Markey said that "will leave motor vehicle fuel economy stuck in neutral until Bush's successor takes office."

"It appears that the president wants to run out the clock to the end of his term without addressing our energy needs," said House Speaker Nancy Pelosi, D-San Francisco.

During a brief event in the White House Rose Garden, Bush said he was asking for rules to "cut gasoline consumption and greenhouse gas emissions from motor vehicles." The regulations, he said, should be consistent with his previously announced plan to reduce projected gasoline consumption by 20 percent over the next decade.

"We're taking action by taking the first steps toward rules that will make our economy stronger, our environment cleaner and our nation more secure," Bush said.

"This really amounts to saying, 'Trust us, we're doing something,'" said David Doniger, policy director for the climate center of the Natural Resources Defense Council, which was a party to the Supreme Court case.

"It's a clever effort, maybe a half-clever effort, to slip out of a corner. We haven't been promised any specific reduction in global warming pollution, or any specific increase in the efficiency in cars."

California officials and some environmentalists were skeptical of Bush's motives, saying it may be an attempt to keep individual states from implementing laws to cut tailpipe emissions.

Under federal law, only California is allowed to pass its own air pollution laws, but it must obtain a waiver from the Environmental Protection Agency. After California receives permission, other states can follow. The state submitted a waiver request for its landmark vehicle emissions law in December. Eleven other states have adopted similar laws.

"We are concerned that this is a recipe for delay of our waiver and denial of our waiver," said Linda Adams, secretary of the California Environmental Protection Agency. "We are concerned that this is a stalling tactic."

Environmentalists share California's concerns.

Frank O'Donnell of Clean Air Watch said Bush's order was an attempt to "sandbag California's request for a waiver."

Critics also noted that Bush had shifted the policy focus to the Environmental Protection Agency, which has a lengthy rule-making process, and away from the Transportation Department, which sets corporate average fuel economy standards.

The Sierra Club's executive director, Carl Pope, said Bush has "the clear authority" to raise CAFE standards, which haven't been changed in two decades. "He can and should act immediately to do so," Pope said.

Under Bush's plan, the federal departments of Agriculture, Energy and Transportation will work with the EPA to develop a regulatory structure to lower vehicle emissions. "This is a complicated legal and technical matter, and it's going to take time to fully resolve," Bush said.

EPA Administrator Stephen Johnson said in a conference call that the administration will still prefer legislation mandating more efficient cars and trucks. In his State of the Union address in January, Bush called for raising efficiency standards by about 4 percent a year for the next 10 years, but the administration has not introduced legislation to do so.

Two Senate measures that would have a similar effect have attracted widespread Democratic and Republican support.

Political pressure has mounted with gasoline prices. On Monday the Energy Department's Energy Information Administration announced that gas prices last week shot up by 5 cents a gallon to an average of \$3.10 for unleaded regular fuel. That beat the previous record, set after Hurricane Katrina disrupted oil supplies in late 2005, although it fell short of the inflation-adjusted record of \$3.22 a gallon set in 1981.

Bush's announcement Monday came more than a month after the Supreme Court admonished his administration for failing to regulate greenhouse gas emissions from cars and trucks. The court said the Clean Air Act gives the EPA the responsibility to regulate carbon dioxide and other gases that scientists say contribute to global warming. The administration had argued that it did not have that authority or obligation under the act.

On Monday, the administration went to federal appeals court in San Francisco to fight a lawsuit brought by 11 states, the District of Columbia and four environmental groups that say the Transportation Department's 1.3 mile-per-gallon increase in standards for light trucks was inadequate. California Attorney General Jerry Brown, the lead plaintiff in the case, Monday called the increase "pathetic and illegal."

Meanwhile, Bush renewed his call for a government mandate to boost the use of alternative fuels to 35 billion gallons by 2017, nearly seven times the current level. Together with greater fuel efficiency, the initiatives would cut gasoline usage by 20 percent from what it would otherwise be in 2017 and stop the growth of U.S. carbon dioxide emissions within 10 years, according to the White House.

One obstacle to raising fuel efficiency through legislation is John Dingell, D-Mich., chairman of the House Energy and Commerce Committee.

In a speech at the Detroit Economic Club Monday, Dingell said that "it's time to move beyond what has become a stale and sterile debate over Corporate Average Fuel Economy standards." He added, "it is becoming clear that regulating miles per gallon is no longer adequate."

Dingell said vehicles account for only 25 percent of greenhouse gas emissions, and he would insist on a cap-and-trade system that would "spread the burden evenly and equally" over the entire economy.

A week ago, Illinois Sen. Barack Obama, a Democratic presidential candidate, spoke at the same venue. He blamed automakers for much of their financial problems and said higher fuel efficiency would help them and the nation.

"It is neither my place, nor my purpose, to provide a point-by-point rebuttal to last week's speech," Dingell, a longtime friend of the auto industry, said. "I admire Senator Obama's enthusiasm and his desire to focus on solutions. But - with all due respect, as the Sopranos would say, 'I would not travel to Chicago for the purpose of teaching people how to butcher hogs.'"

## **Democratic presidential candidate Richardson promotes energy plan**

By SCOTT LINDLAW - Associated Press Writer

Sacramento Bee, Monday, May 14, 2007

MOUNTAIN VIEW, Calif. -- Democratic presidential contender Bill Richardson, previewing the national energy strategy he will unveil this week, on Monday proposed dramatic increases in automotive fuel economy in the next 10 years and the near-elimination of industrial greenhouse gas emissions by 2050.

The New Mexico governor and former U.S. energy secretary called for "an Apollo program" that would vault the nation into a massive undertaking to wean itself from fossil fuels. He also said he would encourage shared sacrifice, but was quick to add that under his vision Americans could keep their SUVs. Those big vehicles would get better gas mileage, he said.

"We need to become energy-independent," Richardson told about 200 employees of search-engine giant Google Inc. at its Mountain View headquarters Monday. "Having our dependence on foreign oil is not worth it."

Richardson said he would reduce U.S. imports of foreign energy from 65 percent to 10 percent; require that 20 percent of all electricity generated in the United States come from such power sources as wind or solar by 2020; and mandate a 90 percent greenhouse gas-emission reduction by 2050.

And he called for "a massive public and private investment - yes, tax dollars - in promoting renewable technologies."

Richardson, who was energy secretary in the Clinton administration, was disdainful of President Bush's announcement Monday that his administration will decide how to regulate pollution from new motor vehicles by the time he leaves office. Bush signed an executive order directing federal agencies to craft regulations that will "cut gasoline consumption and greenhouse gas emissions from motor vehicles."

The new rules could help Bush implement his plan to reduce gas consumption by 20 percent over 10 years.

"It's insufficient," Richardson said of Bush's plan. "It's weak. It has no mandates. It's all voluntary."

Richardson said the notion of sacrifice has been missing during the Bush administration. He added, however, that he would not urge Americans to "stop heating your home."

"I'd say be more careful, everybody pitch in - kids, companies, citizens," Richardson said. He would encourage purchases of energy-efficient appliances, lighting and cars, he said.

"I don't mean sacrifice in a negative way," he said. "I think sacrifice (would be) for the common good to become less energy (dependent) to countries that jeopardize our national security - OPEC countries."

Richardson is to outline the complete energy proposal on Thursday in Washington.

Several Democratic presidential candidates have sought to make energy a centerpiece of their campaigns. One, Hillary Rodham Clinton, also has called for an "Apollo program" on energy.

Richardson is the third presidential candidate to submit to a grilling by employees of Google. Clinton visited in February, Republican John McCain earlier this month.

Like the others, Richardson fielded a series of questions, first from moderator Elliot Schrage, a vice president; then from rank-and-file staff members who queued up at a microphone. Their questions ranged from the Iraq war to health care to genocide in Darfur.

The forum prompted an unusual exchange when a questioner quizzed Richardson about federal farm legislation and how it may promote the consumption of junk food.

Richardson began by confessing he didn't know the answer, then gave a rambling answer about foreign policy.

"What was the answer you would have wanted me to give?" he finally asked, before directing an aide to get the questioner's contact information.

"Find me afterward," the aide, Adam Steinhorn, shouted to questioner.

"No, no, no, YOU find HER," Richardson ordered his aide.

## **Court hears arguments in suit over federal gas mileage rules**

By MARCUS WOHLSEN - Associated Press Writer  
Sacramento Bee, Monday, May 14, 2007

SAN FRANCISCO -- Lawyers for 11 states and several environmental groups told a federal appeals court Monday that the Bush administration failed to consider global warming when setting new gas mileage rules.

The plaintiffs, led by California's attorney general, told the 9th U.S. Circuit Court of Appeals that federal regulators ignored the effects of carbon dioxide emissions when calculating fuel economy standards for light trucks and sport utility vehicles.

The new mileage standards, announced in March 2006, require an increase in the average fuel economy for all passenger trucks sold in the United States from 22.2 miles per gallon to 23.5 miles per gallon by 2010.

Filed in November, the suit seeks to force the National Highway Traffic Safety Administration to recalculate its mileage standards from scratch, with carbon dioxide emissions taken into account as a major factor in the agency's analysis.

Speaking outside the courthouse, Attorney General Jerry Brown called the March revisions "pathetic" and said it "has the hand of lobbying, not the mind of science."

Lawyers for the traffic safety administration, which sets the mileage standards, called the cost of greenhouse emissions from vehicles "unquantifiable" and said prioritizing their reduction went beyond the agency's legal mandate.

"Congress directed the agency to balance the ultimate goal of increased fuel economy against the need to preserve economic stability and consumer choice," Bush administration lawyers wrote in a brief responding to the lawsuit.

Federal law does not allow the agency to "disregard those considerations in favor of a full-bore effort to combat the global concerns raised by the emission of carbon dioxide by vehicles," the lawyers wrote.

Monday's arguments before the 9th Circuit came the same day President Bush ordered federal agencies to find a way to begin regulating vehicle emissions by the time he leaves office.

Last month, the Supreme Court ruled against the Bush administration in another case by declaring that carbon dioxide and other greenhouse gases qualify as air pollutants under the Clean Air Act and can be regulated by the Environmental Protection Agency.

The Supreme Court's decision means transportation officials also must assess the environmental impact of carbon dioxide emissions in whatever new standards they set, California Deputy Attorney General Susan S. Fiering said.

"If we can improve fuel economy for passenger cars and light trucks, it will have a nontrivial impact on greenhouse gasses," Fiering said.

But the range of estimates for the monetary impact of greenhouse emissions were "too imprecise and uncertain" to assign them a specific value when creating the new mileage standards, said Justice Department lawyer Thomas Byron, who represented the traffic agency in court.

Along with California, plaintiffs in the suit include Connecticut, Maine, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, New York City, the District of Columbia and several environmental groups.

The Department of Transportation estimates the new mileage standards would save the U.S. about 10.7 billion gallons of gasoline.

The case is California v. National Highway Traffic Safety Administration, 06-72317.

## **Villaraigosa to offer green plan for L.A.**

**His blueprint, vague on such details as funding, aims to cut emissions by cars and the DWP.**

By Duke Helfand and Steve Hymon, Times Staff Writers

L.A. Times, Tuesday, May 15, 2007

Joining the ranks of political leaders who are seizing the issue of climate change, Mayor Antonio Villaraigosa will release his own proposal today to curtail greenhouse gases in Los Angeles over the next two decades.

The plan, obtained by The Times, relies on greatly expanding renewable energy sources and providing alternatives to driving in a city well-known for its love affair with the automobile, one of the largest sources of greenhouse gases in the region.

Villaraigosa will declare his intention to reduce the city's carbon dioxide emissions 35% below the 1990 level by 2030, even as the city's population of 4 million is expected to keep growing. Carbon dioxide is the leading contributor to global warming.

"This is the most ambitious climate change plan by a major American city," Villaraigosa said. "We can't wait for Washington to act. As city leaders, we have a responsibility to confront the gathering climate crisis."

Villaraigosa's announcement comes amid meetings in New York, hosted by Mayor Michael Bloomberg and former President Bill Clinton, in which leaders from some of the world's largest cities are outlining their plans for combating climate change.

Scheduled to address the New York gathering Wednesday, Villaraigosa will add his voice to dozens of other American mayors who are trying to tackle the defining environmental issue of the era, one that until recently struggled to move beyond the confines of scientific journals and environmental newsletters.

He will join other high-profile figures - including Gov. Arnold Schwarzenegger and former Vice President Al Gore - who are casting new attention on the potential consequences of a hazard that threatens to raise temperatures, undermine water supplies and alter ecosystems on which both wildlife and agriculture depend.

Schwarzenegger has touted a state law that calls for a 25% reduction in carbon dioxide emissions by 2020.

All of these efforts build on a 1997 agreement on reducing greenhouse gases - the Kyoto Protocol - that has won the backing of more than 170 countries, the United States not among them. President Bush has refused to push for the treaty's ratification.

Many of Villaraigosa's ideas are retreads from environmental speeches he has given since taking office nearly two years ago. His blueprint says little about how the changes would be paid for, and the role of technology is given far more heft than changing people's behavior and persuading them to use less energy.

Even as Villaraigosa takes a more visible role in the climate-change debate, mayors in other big cities have begun to move more aggressively than Los Angeles.

Boston and Washington, for example, are requiring that large privately owned buildings meet certain energy efficiency standards; San Francisco is exploring harnessing tidal power to generate electricity; and Denver is pursuing a massive expansion of its rail network over the next decade.

Seattle and New York are talking about congestion pricing, which would charge people who drive in certain parts of town to raise money for mass transit projects. Such a plan is not discussed in Villaraigosa's blueprint.

Experts believe that Los Angeles is in a unique position to act on global warming because the city owns its utility, several airports and an expansive port.

Furthermore, many activists and politicians believe that although cities may not have regulatory control over pollution sources, they can use land-use regulations to require more energy efficient buildings and create cities that enable people to drive less.

"How do you set the patterns for growth and create the change of behavior? You have to do it over a longer period of time," said Ashok Gupta, director of the air and energy program for the Natural Resources Defense Council. "I don't think that commuting behavior and transit patterns and density patterns are going to be changed quickly."

About half the carbon dioxide produced in the city comes from cars, buses and other vehicles that jam thoroughfares and highways - a problem of regional proportions. According to the Southern California Assn. of Governments, 77% of Southland commuters drove to work alone in 2005.

One section of Villaraigosa's plan is titled "Focus on mobility for people, not cars." Without offering specifics, it calls for expanding the regional rail network and also suggests offering better bus service to Los Angeles International Airport and regional airports.

Another section, titled "Create a more livable city," pushes for more development around mass transit lines.

The Department of Water and Power, which supplies electricity for 1.4 million homes and businesses, is responsible for one-third of the total emissions because it relies heavily on burning coal at power plants in Utah and Arizona to produce electricity.

Villaraigosa's plan calls for securing 35% of the utility's energy from renewable sources by 2020. That would quadruple its use of renewables, which currently stands at 8% of its power mix, up from 3% in 2005, when Villaraigosa took office.



Alex Farrell, a UC Berkeley professor of energy and resources, said the good news is that there is no shortage of clean power.

"There's a lot of wind, and there's a lot of sunlight. I wouldn't worry about the lack of resources," he said. "But turning those resources into power that's affordable is clearly a challenge."

Villaraigosa's plan calls for dozens of other measures, including installing solar heating at all city-owned swimming pools, distributing fluorescent light bulbs to the 1.4 million households in the city, creating 35 new parks, planting 1 million trees and fully implementing a clean-air plan for the ports of Los Angeles and Long Beach.

But Villaraigosa's plan skirts the issue of cost.

DWP Board President David Nahai voiced confidence in the utility's ability to meet the mayor's goals for renewable energy, citing its vast network of transmission lines that can carry power from remote areas.

He said that the growing reliance on alternative energy sources would probably mean modest rate increases but that moving in that direction makes sense. (According to sources close to the mayor, a recent poll of city voters showed that 61% would support a significant rate hike to reduce the DWP's reliance on coal, a major greenhouse gas producer.)

"At the end of the day, we must talk about the cost ... of inaction," Nahai said. "After all, floods, fires, hurricanes and drought have economic effects too. We cannot afford not to act."

## **AG accuses San Angelo company of environmental violations**

The Associated Press

Contra Costa Times, Tuesday, May 15, 2007

AUSTIN- The state attorney general's office said Monday it has sued a West Texas tank manufacturer for alleged environmental violations, including the storage of waste in large containers that were accessible to children.

Conner Steel Products of San Angelo failed to comply with air quality and solid waste management regulations, Attorney General Greg Abbott's office said in a statement announcing the suit, which was filed Thursday in Travis County.

The steel and fiberglass tank manufacturer agreed in 2004 and 2005 to comply with environmental regulations, but follow-up inspections earlier this year revealed more violations, the AG's office said. Among the accusations were that the company kept open 55-gallon waste containers that children could get to and released harmful emissions of styrene-a hazardous chemical-from a fiberglass fabrication unit.

According to a Texas Commission on Environmental Quality report, fiberglass emissions raised styrene levels beyond federal limits in the air of a nearby neighborhood.

In a statement, company spokesman Butch Conner said the manufacturer was evaluating the allegations.

"Conner Steel Products is committed to compliance with environmental requirements, and will take any appropriate actions that may be determined to be necessary," Conner said.

The state is seeking up to \$25,000 per violation each day, as well as a temporary injunction stopping unauthorized waste discharges and emissions. A hearing on the injunction was set for June 12 in Travis County.

The company is accused of sidestepping the environmental commission by performing sandblasting work without registering or getting site approval. The state also said the company improperly disposed of welding residue and sent prohibited waste to the city landfill.