

Industry trying to block smog cleanup

By H. JOSEF HEBERT, Associated Press Writer

Modesto Bee, Sacramento Bee, New York Times and other papers, Thursday, March 6, 2008

WASHINGTON — Big industries are waging an intense lobbying effort to block new, tougher limits on air pollution that is blamed for hundreds of heart attacks, deaths and cases of asthma, bronchitis and other breathing problems.

The Environmental Protection Agency is to decide within weeks whether to reduce the allowable amount of ozone - commonly referred to as smog - in the air.

A tougher standard would require hundreds of counties across the country to find new ways to reduce smog-causing emissions of nitrogen oxides and chemical compounds from tailpipes and smokestacks.

Groups representing manufacturers, automakers, electric utilities, grocers and cement makers met with White House officials recently in a last-ditch effort to keep the health standard unchanged. They argued that tightening it would be costly and harm the economy in areas that will have to find additional air pollution controls.

Oil and chemical companies also have pressed their case for leaving the current requirements alone in meetings on Capitol Hill and with the Bush administration. A dozen senators and the Agriculture Department urged EPA not to tamper with the existing standard.

On the other side are health experts who conclude that tens of millions of people, particularly the elderly and small children, are still being harmed by poor air quality.

EPA said last summer that the current health standard - no more than 80 parts of ozone for every billion parts of air - does not provide needed protection against asthma, heart attacks and respiratory problems.

EPA has estimated a reduction to 70 parts per billion could result annually in 2,300 fewer nonfatal heart attacks; 48,000 fewer respiratory problems, acute bronchitis and asthma attacks; 7,600 fewer respiratory related hospital visits, and 890,000 fewer days when people miss work or school.

Under court order to review the standard, the EPA must decide by mid-March on what to do.

"The less pollution in the air, the fewer people are going to get sick, fewer children will have asthma attacks, fewer people are going to die," says Janice Nolen of the American Lung Association, which has argued along with almost every other health and medical group to tighten the smog standard issued in 1997.

The federal health standards set air quality benchmarks that states and local officials must strive to meet through various pollution reduction measures, or risk federal sanctions such as the loss of federal highway money. The law says the standard must be based on protecting public health and not cost, a position the Supreme Court has reinforced.

EPA Administrator Stephen Johnson has acknowledged the standard should be tightened, but he has been unwilling to go as far as health scientists say is needed to protect older Americans, children and the 20 million people that suffer from asthma.

The EPA's independent science advisory panel recommended a standard of between 60 and 70 parts per billion, as did a second EPA advisory board on children's health.

Both industry lobbyists and environmentalists say they believe Johnson has taken the view that the standard should be tightened to 75 parts per billion - an approach that doesn't satisfy either industry or health experts

"It's a political compromise," says Frank O'Donnell, president of Clean Air Watch, an advocacy group. Even so, he adds, "every major industry is ... putting the squeeze on" to get the White House to leave the current standard in place.

"The results vary but most studies show a steady reduction in the public health burden as the standard is tightened," said Jonathan Levy of the Harvard Center of Risk Analysis.

Levy co-authored a 2006 study that examined the health benefits of tougher smog restrictions in California. It found that tightening the ozone standard to 70 parts per billion would annually result in 270 fewer premature deaths, 280 fewer emergency room visits for asthma and 1,800 fewer hospital admissions for respiratory disease in the state - a reduction of 75 percent in all three categories.

Another study estimated 3,800 premature deaths would be avoided nationwide.

Johnson met shortly before Christmas with representatives from environmental and health groups, including the American Academy of Pediatrics and the American Public Health Association. At the meeting, they echoed the views of 111 health scientists who last year told the EPA the ozone health standards needed to be lowered to between 60 and 70 parts per billion.

Industry groups argue that the science is inconclusive and that the need for a tighter standard has not been shown since 104 counties have yet to meet the current requirements. If the standard is lowered to 75 parts per billion, the number of counties in violation grows to nearly 400, and at 70 parts per billion to 533, according to the EPA.

That means states would be forced to clamp new emission controls on businesses, and motor vehicles to clean up the air.

"It could trigger layoffs nationwide, further eroding U.S. economic competitiveness," Sen. George Voinovich of economically stressed Ohio, and six other Republican senators recently wrote the EPA. More than a dozen senators have weighed in against any change, while 22 House members told the EPA it should abide by "overwhelming scientific evidence in favor of stronger smog standards."

EPA has put the annual cost of meeting a 75 parts per billion standard at \$9.8 billion. A 70 parts per billion ozone standard would cost \$22 billion annually. But the EPA notes that the costs of either could easily be offset or exceeded by reduced health care costs.

Manufacturing groups from Virginia and Wisconsin have asked their senators to intervene. National lobbying powerhouses such as the National Association of Manufacturers, the American Petroleum Institute, the American Chemistry Council and Alliance for Automobile Manufacturers have met with administration officials and lobbied Congress to keep the smog standard unchanged.

NAM Vice President Keith McCoy said his group told the White House Office of Management and Budget that the EPA was not considering the economic impact.

"Our position is that the existing standard ... should remain in place," said Daniel Riedinger, a spokesman for the Edison Electric Institute which represents investor-owned power companies and recently also took its case to the White House.

"Urge them to retain the current standard," Harry Berry, the county executive/judge in Hardin County, Ky., wrote to his senator, Republican leader Mitch McConnell. Berry warned tougher smog health requirements would be "another blow to the bottom line" for businesses in his area.

William Becker, executive director of the National Association of Clean Air Agencies representing the state and county officials who would have to enforce new air quality requirements, said his group isn't opposed to a tougher standard.

"It's going to make our job that much more daunting," Becker said, "but what trumps that ... is public health."

Activists seek cleaner air sooner Officials say they pursued every reduction possible.

By Mark Grossi

The Fresno Bee, Thursday, March 6, 2008

Activists on Wednesday criticized a 2014 cleanup target for dangerous soot and chemical specks in the Valley's air, saying it fits a pattern of delay from regional pollution officials.

"They're not doing everything they can to clean the air," said Liza Bolaños, Fresno-based coordinator of the nonprofit Coalition for Clean Air. Activists said tougher controls might speed it up by years.

The San Joaquin Valley Air Pollution Control District replied that its proposed plan for cleaning up the specks, called PM-2.5, is the most aggressive approach available. Officials said they pursued every reduction possible.

A similar disagreement took place last year when the Valley's ozone cleanup plan was approved. The arguments are surfacing again because measures that control ozone also reduce PM-2.5.

The tiny PM-2.5 particles -- 30 would fit along the width of a human hair -- can penetrate deep into the lungs, triggering lung and heart problems. The particles also are linked to premature death and billions of dollars in health care costs annually.

PM-2.5 comes from fires, vehicles and even commercial charbroiling. It also forms in fall and winter when oxides of nitrogen from vehicles combine with ammonia from dairies. The specks are called ammonium nitrate.

The Valley's levels of PM-2.5 have been reduced in the past few years, but the problem still ranks among the worst in the state.

The cleanup plan is supposed to come before the district board for possible approval in late April, when activists are expected to again raise their objections.

The district's cleanup strategy for PM-2.5 includes tighter rules on many activities, including the use of fireplaces. But officials are relying heavily on several state Air Resources Board rules. One of them is a hotly debated measure to control diesel truck exhaust.

The state has authority over vehicles, which create about 80% of the problem of ozone and PM-2.5.

"We would like to see ARB accelerate the reductions, and we think that might happen," said district planning director Scott Nester.

Activists said the district should not wait for the state. They said technical advances could better control pollution from engines on farm pumps and small boilers, which generate steam, heat and power.

Engineer Alvin Valeriano, a former district employee who now works on alternative air quality solutions, added that the district should consider limits on older trucks, tractors and construction equipment during episodes of high pollution.

"There are very simple, practical steps and proven technologies that would help," he said.

Clean air by 2014? Not good enough, say local environmentalists

By Dhyana Levey

Merced Sun-Star, Thursday, March 6, 2008

The Christian St. Augustine, before he became a holy man, once prayed: "Lord, make me chaste -- but not yet."

That, according to clean-air activists, is the same tack taken by regional regulators over a timetable for scrubbing the Valley's sometimes dirty air: clean air -- but not yet.

Although a plan to cleanse the Valley's harmful fine-particle pollution is moving along, activists claim the San Joaquin Valley Air Pollution Control District is dragging its feet.

The district recently released the second draft of a plan to address the Valley's problems with PM 2.5 particles, which can aggravate asthma and contribute to heart disease.

This draft is different from its original because it provides a more complete model to predict when the Valley can meet clean air standards for particulate matter, said Don Hunsaker, plan development supervisor for the air district.

The year 2014 is the date it set.

And that just isn't good enough, clean air activists announced at a press conference Wednesday.

Representatives from the Central Valley Air Quality Coalition, the Merced-based MOMS Clean Air Network, Coalition for Clean Air, Earthjustice and the International Sustainable Systems Research Center insisted the district is ignoring opportunities to further reduce emissions by an earlier date.

"The air district is once again dragging its feet," said Liza Bolanos of the Air Quality Coalition. "It's accepting failure too early."

The international nonprofit ISSRC studied additional approaches to cleaning up these tiny particles in the air, which can come from such sources as heavy-duty diesel trucks, fires and machinery.

Alvin Valeriano, a contractor for ISSRC and a former air district employee, said emissions can be further reduced by using cleaner internal combustion engines, mainly used in the Valley to power irrigation pumps.

More regulations can also be placed on boilers, which generate power and steam for a variety of industries, and dryers, which dry such products as fruit. While the larger versions of these kinds of equipment are generally well regulated, smaller dryers and boilers are not, Valeriano said.

If the Los Angeles area is already addressing these issues, Valeriano wonders why the Valley can't.

Activists were disappointed that the air district is focused primarily on a truck emissions-reduction rule to be set by the California Air Resources Board.

The PM 2.5 plan relies on pollution-control laws set by the state air board, but those laws won't go into effect until 2014, Hunsaker said. There has been controversial delay over the rules, which involve expensive emission reduction practices for truckers.

But despite the 2014 date, "we have lots of reasons to think we will get there earlier," he added. Various incentive programs the air district provides could help it reach its goals at a sooner date.

Still, the clean air activists argue, that's not enough.

"The major flaw is relying on the state air board to do everything," said Nidia Bautista, community engagement director for the Coalition for Clean Air. "Just like with the ozone plan, the district is pointing fingers and washing their hands."

The comment period for the plan's second draft closed Wednesday, and the district is now working on a proposed plan. That version will be posted on the air district's Web site at www.valleyair.org by March 13. It will be open to public comments for 30 days. The state air board will hear the plan on May 22, and if approved, it will be sent to the Environmental Protection Agency.

New diesel pollution rules will save lives

By Kathryn Phillips - Special to The Bee
Sacramento Bee, Thursday, March 6, 2008

The California Air Resources Board took a decisive step last week that will soon save lives throughout the state. It adopted a fair plan to begin distributing \$1 billion in bond money to truckers and other freight haulers who are willing to help cut their toxic diesel air pollution.

This action couldn't come at a better time. In October, the Air Resources Board plans to adopt regulations that will require owners of older polluting trucks operating in the state to clean up their pollution. A similar rule already has been adopted for trucks that work at the ports.

As a group, trucks are the largest source of toxic diesel pollution in the state, and about three-quarters of the \$1 billion is earmarked for truck cleanup. Air pollution experts agree that if the state's most polluted regions are ever going to achieve clean air, diesel trucks have to get cleaner faster than they would through natural turnover. The reason: Diesel engines are tough and last a long time.

Older trucks are essentially heart-and-lung killers on wheels. It isn't unusual for a truck that's 20 years old – and older – to still be hauling heavy loads. Yet a 20-year-old truck has no pollution controls. The Air Resources Board estimates that pollution from freight activities in the state causes 2,400 premature deaths annually and will cost more than \$200 billion in lost days at work and school, health care, and deaths in the aggregate from 2005 to 2020. Everyday people who have nothing to do with the movement of freight end up bearing that cost through their health and happiness.

However, research shows that truckers are among the most vulnerable to their vehicles' pollution. The most recent study, conducted by Harvard University researchers and published in August, concluded that truckers have a much higher rate of lung and heart disease than most people because of truckers' increased exposure to diesel soot.

The proposed rule to clean up older diesel truck engines has met with early resistance. At public workshops held throughout the state, truckers, trucking company representatives, construction company representatives and agriculture lobbyists have claimed that the new rule is going to bankrupt them.

This kind of claim is not unusual. Air regulators hear it just about every time they propose a rule. What's different this time is that the state's residents are offering a helping hand to anyone who is willing to step up and do their part before the regulation passes.

The bond money, combined with about \$140 million a year in clean-up incentives available through the Carl Moyer Program, offers an opportunity for truckers and other diesel engine owners to get help to do the right thing before regulations are adopted. Moreover, the state air agency is joining with other agencies to investigate the possibility of establishing a low-interest loan program to help truckers clean up their vehicles.

Who is the driving force behind all of this new money? Gov. Arnold Schwarzenegger, the Legislature, air regulators and voters deserve most of the credit. Some credit also should go to environmentalists and health advocates, many of whom have worked side-by-side with industry and policymakers to identify incentives to step up the rate of cleanup for the state's air.

The ARB's vote last week means that by early spring about \$250 million of the new bond money will be sitting at local agencies within the four largest trade corridors – Central Valley, Bay Area, South Coast and San Diego. That money should be accessible by late spring to truckers willing to invest in cleaner engines. Cleaning the air isn't free or easy, but these new incentives will help ease the transition.

Status of truckers is a big hitch in port plan

L.A. and Long Beach mayors agree on all other key aspects of the clean-air strategy.

By David Zahniser and Louis Sahagun, Los Angeles Times Staff Writers

L.A. Times, Thursday, March 6, 2008

The mayors of Los Angeles and Long Beach have spent nearly a year marching in lock-step, crafting a groundbreaking \$1.6-billion plan for removing nearly 17,000 exhaust-spewing diesel trucks from the nation's two busiest harbors.

With remarkable ease, Los Angeles Mayor Antonio Villaraigosa and Long Beach Mayor Bob Foster spurred their respective ports to pass initiatives that would have been unthinkable a few years ago: first a ban on older trucks moving through the ports; then a \$35 fee on each cargo container to pay for newer, cleaner trucks.

But last month, Foster broke ranks with Villaraigosa by rejecting the plan's final piece, a proposal backed by the International Brotherhood of Teamsters to require independent truck drivers at the Long Beach harbor to be employees of trucking companies, a move that would make it easier for them to organize.

Foster's decision drew an outcry from the region's labor leaders and environmentalists, who have joined forces in the truck campaign. That, in turn, has thrown the two mayors' views into stark relief.

On one side is Villaraigosa, who grew up in Los Angeles and entered public life as a union activist. On the other is Foster, who spent his childhood in Brooklyn, N.Y., and worked for years in the management ranks of Southern California Edison, ending up as the utility's president.

Villaraigosa and his allies argue that truck drivers, most of whom are now independent contractors, need to be well paid in order to take care of the new trucks that the ports plan to help them buy. On the other side, Foster and his supporters say the union-backed provision will attract lawsuits and be difficult to defend in court, delaying the clean-air plan by two to three years -- or killing it altogether.

The fight has quickly made Long Beach, a community once known as Iowa by the Sea, a target of big-city politics, L.A. style. Since last month's vote by the Long Beach Board of Harbor Commissioners against that provision, a coalition of unions and clean-air advocates has bought at least five full-page, color advertisements denouncing Foster in the Long Beach Press-Telegram. With encouragement from Villaraigosa, Los Angeles City Councilwoman Janice Hahn, who represents the neighboring Port of Los Angeles, has been pressing Long Beach to reverse itself.

Two weeks ago, the Teamsters got tougher, urging the California Transportation Commission to deny Long Beach as much as \$550 million earmarked for such projects as the repair of the aging Gerald Desmond Bridge. Teamsters legislative representative Barry Broad said state transportation money should continue flowing to Los Angeles, which is expected to approve the employee provision.

"We're optimistic that the Port of Los Angeles will move forward with a rational plan," Broad said. "Meanwhile, it's going to be pandemonium and anarchy in Long Beach."

The Los Angeles Board of Harbor Commissioners is expected to begin reviewing options at a meeting tonight.

Each mayor insists that he has the right strategy for cleaning up the port complex, considered the largest stationary source of air pollution in Southern California. But the disagreement has left some industry leaders wondering whether politics will prove the undoing of the clean-air plan, which was supposed to ban every port truck built before 2007 by Jan. 1, 2012.

"This is something that has national implications beyond the harbor," said lobbyist Barna Szabo, who has a client that just received \$737,000 from the ports to buy trucks fueled by liquid natural gas. "So I think the schedule will be lost. The clarity will be lost. I'm just not sure where it's going to go, and it's a darn shame."

The mayors' two distinct styles were on display last week at a conference attended by shipping industry leaders, alternative fuel makers and advocacy groups. Villaraigosa, who typically shows up late to public appearances, threw the conference an hour behind schedule by the time he finished his luncheon address, which called for truck drivers to receive better wages and benefits.

"These truckers [are] working jobs that most of us -- and I'm looking at all of you in your suits and ties, you're doing very well -- that most of us would never accept," he told the crowd. "These are jobs that are dirty. They are jobs that don't provide healthcare. These are independent contractors who could never afford to do what we need to do to retrofit our [truck] engines."

A day later, Foster made a more punctual appearance, staying 20 minutes after his speech to greet a group of admirers. Chewing gum as he spoke, Foster talked of children getting sick from diesel exhaust and warned that the union-backed measure would be a distraction from the goal of rapidly cleaning the air.

"We cannot wait, and I'm not going to stand around and see kids in Long Beach continue to contract asthma, continue to have truncated lung development . . . or continue to miss school," he told the crowd.

Because he has been so vocal on the clean-truck program, Foster has borne the brunt of the criticism since the five-member Long Beach Board of Harbor Commissioners voted to allow trucking firms to continue using independent owner-operators.

Moments after that vote, one Villaraigosa ally declared that the region's environmental and labor groups would sever their ties to Foster forever, dooming his political future.

"He's done," said Jonathan Parfrey, who heads Green L.A, a coalition devoted to shaping and promoting Villaraigosa's environmental agenda.

Foster refused to back down, saying that until this fight, he has had good relations with the region's labor unions.

"My job is not to promote their interests. My job is not to promote corporate interests. My job is the public interest, and I take that seriously," he said. "So the end result is, if this happens to be the only office I ever hold and the only term I ever serve, I'm comfortable with that."

The Teamsters-backed provision is favored by an array of clean-air advocates, public health groups and a dozen unions, as well as the powerful Los Angeles County Federation of Labor, an ally of Villaraigosa. But it is opposed by business leaders, particularly the American Trucking Assn.

Despite the acrimony, environmentalists and business leaders agree on one thing: Neither can

imagine the side-by-side ports having separate systems for regulating truck drivers. To David Pettit, senior attorney with the Natural Resources Defense Council, the boundary between Los Angeles and Long Beach means little when it comes to air pollution.

"In practical terms, this is one big port, and the best way to clean it up is for the ports to act as one," he said.

A trucking industry representative agreed, but warned that his organization would sue Los Angeles if it followed through with Villaraigosa's plans for requiring that truck drivers be employees.

"The mayor's biggest problem is he has good intentions, but they are not legal," said Curtis Whalen, executive director of the intermodal motor carriers conference of the American Trucking Assn.

The political elites in Los Angeles and Long Beach have a web of relationships that go well beyond the one-year alliance between Foster and Villaraigosa. Foster was Hahn's boss at Edison a decade ago, before she became a city councilwoman. Long Beach Harbor Commission President Mario Cordero has a daughter, Celine Cordero, working for Villaraigosa.

The coalition pushing the truck plan, meanwhile, is based at the office of the Los Angeles Alliance for a New Economy, a labor advocacy group whose executive director, Madeline Janis, is a high-profile Villaraigosa appointee at the Community Redevelopment Agency.

Janis' organization has been a major Los Angeles player in battles over raising the wages of hotel workers near Los Angeles International Airport and a recent push for hospital expansion in the San Fernando Valley. The group is so focused on the truck campaign that it registered two of its employees as lobbyists. And on the day of the vote in Long Beach, it sent Foster an extensive public records request demanding copies of all correspondence between him and business entities.

The truck fight has exposed other differences between Long Beach and the nation's second-largest city. Villaraigosa, a national political figure, met personally with Teamsters President James Hoffa Jr. in November 2006 to discuss the truck proposal. Foster, 61, heard from the union's West Coast representatives.

Villaraigosa also has not hesitated to raise huge campaign contributions from groups with a stake in special interests pushing the clean-truck plan. He secured \$500,000, the largest donation of the campaign for the ballot measure known as Proposition S, from Change to Win, a labor coalition organization pushing the truck plan. Villaraigosa said last this week that he still believed the Teamsters-backed proposal would ensure that truck drivers maintain the new alternative-fuel trucks. And although his close allies have made Foster a target, Villaraigosa said he planned to keep working with Long Beach.

City wants power to stop energy plant Hayward backs bill giving more local say on thermal facilities

By Rachel Cohen, STAFF WRITER
Tri-Valley Herald, Thursday, March 6, 2008

HAYWARD — The buck stops here, or that's what City Council members are hoping state Assemblywoman Mary Hayashi's bill will accomplish when it comes to the construction of a second thermal power plant on the city's shoreline.

At its meeting Tuesday, the council unanimously voiced its support for Assembly Bill 1909 to require the California Energy Commission to obtain the approval of the local governing body of a

jurisdiction and ensure that the construction conforms with all applicable local ordinances, regulations and standards.

"If AB1909 were in effect today, the City Council would be provided the ability to either approve or disapprove locating a second power plant within Hayward," concluded City Manager Greg Jones in a draft resolution. "The CEC would no longer have the authority to override local LORS (laws, ordinances, regulations and standards) and impose the location of a power plant on the city."

The bill applies only to jurisdictions where the CEC is trying to place a second thermal plant, said Chris Parman, Hayashi's chief of staff. The CEC defines thermal plants as those that burn fossil fuel, such as coal, oil and gas. The bill does not apply to renewable energy.

The CEC last year approved building the Russell City Energy Center in Hayward and has been attempting to locate a second natural-gas power plant in the city. Despite their support, many council members said they were unsure how effective AB1909 would be because it would not go into effect until January 2009.

"I'm not sure this bill can be passed in time," Councilwoman Barbara Halliday said.

Councilman Kevin Dowling pushed to move the bill more quickly through the state Legislature, but such urgency would require a two-thirds vote, and Parman said a simple-majority vote would be more attainable. He said he plans to report back to the council on the hearing dates in the Natural Resources and Local Government Resources committees. Councilman Olden Henson added that council members would like to testify at those hearings.

Parman said more than 1,200 residents have contacted Hayashi's office about the power plants, which would be located within a mile of a 540-student elementary school, neighborhoods of 8,000 residents, and three colleges with more than 16,000 students total — Chabot, Heald and Life Chiropractic.

"The concept of local control in land-use decisions is critical to a jurisdiction's ability to plan for the community's future development and the overall well-being of its residents," the city's resolution states.

The [Bay Area Air Quality Management District](#) was scheduled to hear an appeal from Hayward resident Rob Simpson discussing the Hayward energy plants at its meeting this morning in San Francisco. Simpson also serves on the Keep Hayward Clean and Green Task Force and the Hayward Area Planning Association.

Activists knock Chevron upgrade

RICHMOND: Environmentalists say changes to refinery waiting for city OK will encourage more pollution

By Katherine Tam, Staff Writer

In the Contra Costa Times, Thursday, March 6, 2008

An environmental group fears that Chevron will process lower-quality, more-contaminated crude if it receives approval to upgrade equipment at its Richmond refinery, even though the oil company told the city it would do no such thing.

Processing lower-quality oil would release 5 to 50 times more pollutants, which would affect residents and wildlife, said Greg Karras, a scientist with the Oakland-based nonprofit Communities for a Better Environment.

"Our health and lives should not be compromised in the name of Chevron's profit," CBE member Jessica Tovar said at a Tuesday news conference.

Representatives at the refinery said Tuesday afternoon that they had not had time to thoroughly review the group's allegations.

"The refinery will refine the same type of crude oil as it refines now, and the (environmental impact report) concludes there will be a reduction in overall emissions from the project," spokesman Dean O'Hair said.

Chevron is proposing to replace its hydrogen plant, power plant and reformer. The company would process the same amount of oil as it does now, but new equipment would allow it to refine a wider range of crude into gasoline, according to the final EIR issued in January.

The project must win permits from the city, the state and the [Bay Area Air Quality Management District](#). The city's Planning Commission, charged with determining if the EIR is complete and if the project should move forward, could rule as early as March 20.

At the news conference Tuesday, Communities for a Better Environment showed documents to support its claims that Chevron submitted inconsistent information to different agencies and falsely reported certain production levels to the city.

Chevron told the city it lacks the equipment to process heavier crudes. But critics say Chevron submitted information to the air-quality district that shows it has a solvent deasphalting plant configured to use solvents to extract more oil from more-contaminated, or heavier, crude.

Just because Chevron has the capacity to process heavier crude oil is no guarantee that it will. But Karras said lower-quality oil is cheaper, an incentive for oil companies seeking to increase profits.

The environmental impact report should be redone because it is based on incomplete data Chevron submitted to the city, the group said.

Chevron's O'Hair said he believes CBE's allegations will have "no merit" upon review.

"The EIR is inconsistent with the CBE's allegations," he said.

Information submitted to different agencies might differ, he said, because some agencies are looking at different aspects of the project and want more detail. Information that is different isn't necessarily inconsistent, he added.

The project will result in a more reliable refinery that also creates 1,200 construction jobs, O'Hair said.

Chevron defends refinery upgrade

Bay City News Service

A spokeswoman for Chevron's Richmond refinery today defended a proposed project to upgrade some of the plant's equipment, saying the project would not enable the refinery to process heavier crude oil than it currently processes.

"It's not an expansion project, it's an upgrade," refinery spokeswoman Camille Priselac said. "The refinery is going to continue using the same types of crude and the same amount of crude."

The refinery currently processes light and medium crude oil. The proposed upgrades, referred to as the Energy and Hydrogen Renewal Project, would not enable it to process heavy crude oil, Priselac said.

Greg Karras, a senior scientist with Communities for a Better Environment, an environmental justice organization, however, alleged during a press conference in Richmond this morning that the proposed project would enable the refinery to process dirtier, cheaper crude oil that could result in five to 50 times [more pollution](#), including increased mercury, sulfur and greenhouse gas emissions.

Karras went on to allege that refinery officials lied to the city when it certified that the final environmental impact report was correct in stating that it would not enable the plant to process dirtier crude oil.

The environmental impact report states that the only pollution increase would be a 1 percent increase in sulfur emissions.

Priselac said the refinery has proposed to replace its 1930s power plant with a new power plant that would allow the refinery to become independent from the Pacific Gas and Electric Co. power grid. It has also proposed to replace its 1960s gasoline reformer with a new gasoline reformer.

The proposed project would reduce overall emissions and make the refinery more efficient and energy independent, Priselac said.

According to Karras, however, the proposed upgrades would give the refinery the capacity to refine dirtier crude oil, and, according to his experience with the oil industry, refineries have always used the capacity they have built for.

"Why would they go to cheaper, dirtier oil? (Because) price discounts can exceed \$5 per barrel, which, for a refinery Chevron's size, could be about \$400 million per year," Karras said.

He added that those price discounts would not necessarily translate into cheaper prices at the pump.

Communities for a Better Environment uncovered the refinery's alleged plan to switch to dirtier oil after looking at the final environmental impact report and finding that "it didn't make sense," Karras said.

They then looked at documents submitted to the Bay Area Air Quality Management District and the Regional Water Quality Control Board and found that the project was similar to one proposed in 2001 in which the refinery applied for a permit to upgrade its refining capacity to be able to refine dirtier oil, Karras alleged.

The air district did not approve the project, Karras said. Karras also said refinery officials have not agreed to limit the quality of crude oil they would be permitted to bring into the refinery.

"This project is about refining cheap and dirty crude at a cheap and dirty refinery," said Jessica Tovar, a community organizer for Communities for a Better Environment and a resident of Atchison Village, a neighborhood seated along the fence line of the refinery.

Sylvia Hopkins, another Atchison Village resident, said children in her neighborhood had extremely high rates of asthma hospitalizations and that she personally needed to use a machine to help her breathe every night.

Hopkins also said that residents in her neighborhood had unusually high rates of cancer.

According to Hopkins, elevated levels of sulfur, heavy metals and particulate matter were found inside and outside her house.

If the refinery were to begin processing dirtier crude oil, it would need to process that oil at higher temperatures, which could lead to more flaring, fires and explosions, Tovar said.

In some areas of west Contra Costa County, residents have double the asthma rate than the county's average rate, according to a 2005 report issued by Contra Costa Health Services Department.

Carla Perez, executive director of Communities for a Better Environment, said that while there are no published scientific studies that have been able to measure the damage done to people's health after breathing in chemicals from refinery flaring, anecdotal evidence has suggested that the pollutants may cause lung disease, cancer and other health problems.

"We know flares emit certain chemicals," Perez said. "We know what health effects those chemicals tend to cause. And we know what symptoms people are experiencing."

People living near the Chevron refinery frequently experience severe asthma attacks, dizziness, migraine headaches and rashes, Perez said.

One study showed that people living downwind from the Chevron refinery have the highest rates of hospitalization due to asthma attacks in California, Perez said.

Women living in west Contra Costa County also have some of the highest rates of breast cancer in the state and some of the worst breast cancer mortality rates, Perez said.

Henry Clark, executive director of the West County Toxics Coalition, said his organization has been "waging a struggle against Chevron for the past 20 years."

"Communities like mine, like North Richmond, have already taken more than their fair share of pollution," Clark said. "We've already suffered more than our fair share from asthma and death. For them to come back and say it's OK because it only adds a little more injustice ... this here is environmental racism."

Clark blasted the refinery for committing environmental crimes against the primarily low-income minority communities near the refinery.

"There's been a thorough review of the project" by the city of Richmond, its consultants and other government agencies, including the Bay Area Air Quality Management District, Priselac said, noting that although the permitting process was only supposed to take one year, it has dragged on for three.

The refinery must receive permits from the city of Richmond and the Bay Area Air Quality Management District before it can begin construction.

Copyright © 2008 by Bay City News, Inc. -- Republication, Rebroadcast or any other Reuse without the express written consent of Bay City News, Inc. is prohibited.

[Merced Sun-Star Editorial, Thursday, Mar. 06, 2008:](#)

Our View: Indian casino on 99 bad idea

Public should make concerns heard about project north of Madera at March 12 hearing.

A hearing on the draft environmental impact statement for a new Indian casino proposed for Madera County will let the public comment on whether this mega-gambling site should be built on Highway 99 just north of Madera.

We oppose this project for two main reasons: It's an off-reservation casino and its Highway 99 location would soon make it a congested urban area.

We have long supported Indian gaming on tribal land in rural areas. But the proposal by the North Fork Rancheria of the Mono Indians does not meet that basic standard.

If the casino and resort are built on the 305-acre site, they will create urban traffic, [air quality](#) problems and stretch an inadequate infrastructure.

Highway 99 is a major north-south artery in this state and it would bring faraway traffic to the casino. While that would be good for casino operators, it would create many unintended problems for residents living throughout the region.

When voters approved expanded Indian gaming, they envisioned the gambling operations in rural areas and on land the tribes already owned.

As we have said previously, we are sympathetic to the plight of the North Fork tribe.

The North Fork tribe lost its original rancheria decades ago after the federal government terminated recognition of 41 California rancherias. The government years later settled a lawsuit by restoring the status of the tribes.

But in the case of North Fork, the rancheria was transferred to individuals and the tribe itself was "landless." The tribe later purchased about 60 acres near North Fork for housing and a community center.

That land isn't suitable for a casino, so the tribe went reservation shopping. Instead of finding land in a rural area that would meet the objections of most, the North Fork Rancheria decided to push for a Highway 99 casino.

No matter how the proponents dress up this project, it's still in the wrong place.

We hope the public hearing on March 12 is not just a sham to get the environmental study completed.

The Bureau of Indian Affairs, which is on course to approve the project, should actually listen to opponents of this project. They are correct in their contention that this casino and resort shouldn't be built on Highway 99.

The North Fork Rancheria's proposal would be welcomed if it were in the proper location. It would generate much-needed jobs for the region and revenue for Madera County and the tribe.

But money and jobs don't magically make this a good location for a casino and 200-room hotel. This is a bad bet for the entire region.

[Bakersfield Californian, Letter to the Editor, Thursday, March 6, 2008:](#)

Stagger commute times

If larger cities would stagger the times that people went to work -- such as 6 a.m., 8 a.m., 10 a.m. --it would allow a more orderly roadway, reducing traffic jams and in turn reducing smog. It would save millions of gallons of gas daily, driving down the cost of fuel. Bakersfield, along with other cities, needs to calibrate the traffic signals.

ALEX COZART, Bakersfield

[Note: The following clip in Spanish discusses California toughens its laws against contaminating industries. For more information on this clip, contact Claudia Encinas at \(559\) 230-5851.](#)

Endurece California medidas contra empresas contaminantes

Noticiero Latino

Radio Bilingue, Wednesday, March 5, 2008

Autoridades ambientales de California multaron con 850 mil dólares a una cadena de ferreterías que en años pasados vendió un producto que produjo 20 toneladas de gases que sobrecalientan la tierra.

La Oficina de Recursos del Aire de California impuso la multa a la cadena Ace por vender 25 mil galones de un líquido limpia brisas de vehículos preparado para servir en ambientes congelantes.

Es la segunda multa a la misma cadena en California. En 2005 la misma oficina impuso 40 mil dólares de multa por la venta de otro producto similar.

La directora de la oficina estatal, Mary Nichols dijo que la compañía vendió esos productos innecesariamente.