

## **Fireplace users will face tougher air pollution rules**

By Marc Benjamin, The Fresno Bee

Also in the Modesto Bee and Merced Sun-Star, Friday, October 31, 2008

Valley residents seeking to trim their heating bills in a sour economy will be tempted to light a log in the fireplace this winter.

But starting Saturday, they'll have fewer chances to strike that match without breaking the law.

Tough new air pollution rules could more than quadruple the number of no-burn days to an estimated 48 in some corners of the Valley this winter. And the rules will now apply to foothill residents, who have been exempt in the past from such limits. The rules apply through Feb. 28.

Rule violators will face a \$50 fine for the first offense.

Violators can escape the fine by attending an air pollution class. But additional offenses carry larger fines. A second violation in a three-year period drives the fine up to \$150 and further violations would escalate the fine from there.

Wood burning is banned on winter days when particle pollution hangs in the Valley's cold, hazy air. Restrictions on fireplace use are needed because the Valley's air quality is among the nation's worst, air pollution officials say.

But people who use and sell firewood don't seem ready to give it up.

"I don't think people are going to adhere to the regulations," said Tom Williams, of Fresno, who sells firewood. "With PG&E bills the way they are, people don't like to turn their heaters on." Other firewood sales people say \$500 in firewood for the winter can save much more in utility costs.

Fresno resident Linda Martinez, 60, has placed an ad looking for free wood and said she drives around looking for wood to burn in her downtown Fresno home. She said she burns the wood only on the coldest days.

"I can't afford \$300 electric bills," she said. "One nice fire in the evening pretty much warms my house." Under the regulation, wood burning will be prohibited when particulates in the air reach 30 micrograms per cubic meter, invisible to the naked eye. The current threshold is 65 micrograms per cubic meter of air.

Particulates aggravate asthma and cause headaches, eye and throat irritation, and coughing.

The additional limits on wood burning are expected to cut tiny particle pollutants by 435.7 tons in the Valley by 2010, with nearly half of the reductions occurring in Fresno County.

Only people who do not have access to natural gas are exempt, said Anthony Presto, a district spokesman.

Last year, people who live above 3,000 feet elevation -- places like Tollhouse or Shaver Lake -- were exempt. No longer.

Presto said the district will respond to complaints and patrol neighborhoods to look for smoking chimneys on no-burn days. The district issued 87 citations last year and 203 the year before.

Fewer citations were issued last year because more people were complying with the rule, said Jessica Hafer, a district air quality specialist.

The district will revive a rebate program early next year to encourage residents to buy lower-polluting heating devices, such as pellet stoves or natural gas fireplaces, he said.

Residents seeking to avoid high heating bills may be tempted to warm their homes with space heaters, ovens or barbecues. But fire officials warn that those alternatives could be deadly, igniting fires or causing carbon monoxide poisoning.

Even people using their fireplaces properly could be at risk, the National Fire Protection Association said. Among those surveyed by the association, 36% have never had their chimneys inspected or cleaned of residues that could catch fire.

People who need help paying their utility bill may qualify for discounts, said Jeff Smith, a Pacific Gas & Electric spokesman. PG&E also has programs that allow customers to average their utility bill across the entire year to smooth out billing peaks.

"If people are in a position where they may be falling behind on their energy bill we are really good about coming up with payment plans," Smith said.

### **Before you start that fire ...**

Bakersfield Californian, Friday, Oct 31, 2008

Remember to check the daily burn status before lighting indoor or outdoor fires starting Saturday.

From November through February, the San Joaquin Valley Air Pollution Control District prohibits indoor and outdoor residential burning when air quality is poor.

The rule applies to the valley portion of Kern County and the Frazier Park area. Homes with no natural gas service or where wood-burning is the sole source of heat are exempt.

The daily burn status can be found by calling 1-800 SMOG INFO, visiting [valleyair.org/aqinfo/WoodBurnPage.htm](http://valleyair.org/aqinfo/WoodBurnPage.htm), or by subscribing to the Daily Air Quality Forecast e-mail at [valleyair.org/lists/list.htm](http://valleyair.org/lists/list.htm).

### **Wood-burning will have restrictions as of Nov. 1**

Lodi News Sentinel Thursday, October 30, 2008

The San Joaquin Valley Air Pollution Control District is advising area residents that Check Before You Burn season begins Saturday.

On certain days the district can prohibit wood burning because of air quality conditions, starting Saturday and until Feb. 28. Smoke from residential fireplaces can greatly increase the amount of particulate matter in the Central Valley's air.

Because of tightened wood-burning restrictions, the air district estimates that no-burn days may double or triple in some counties this winter, according to a statement released by the district.

Wood-burning forecasts will be available each day at 4:30 p.m. at <http://www.valleyair.org>, or by calling (800) SMOG-INFO (766-4463.)

Residents can also obtain a fireplace exemption form at [www.valleyair.org/BurnPrograms/wood\\_burning.htm](http://www.valleyair.org/BurnPrograms/wood_burning.htm).

### **Fireplace burn restrictions start Saturday**

By Niesha Lofing

Sacramento Bee, Friday, October 31, 2008

It's cold, it's wet and a warm fire seems like a cozy end to the day.

But beginning Saturday, Sacramento County residents will have to remember to check their e-mail or make a call before using their fireplace, as it is the start of Check Before You Burn season.

The Sacramento Metropolitan Air Quality Management District program runs from Nov. 1 through Feb. 28, and restricts residential wood burning in Sacramento County on [poor air quality days](#), according to district documents.

The district's board adopted the restriction last October in an effort to reduce the harmful emissions that come from wood burning devices and remain in compliance with state and federal law, which requires the district to establish measures to reduce particulate matter.

Residential wood burning is the largest single source - about 50 percent - of the county's fine particulate matter winter air quality problems, according to the district.

There are some exemptions, including devices that operate only with natural gas or propane, cooking devices, homes and businesses where wood burning is the only source of heat, ceremonial fires used in religious activities or with a hardship waiver due to compelling economic hardship.

The four levels of the Check Before You Burn program:

#### Stage 2

-- All burning, in any type of device, is prohibited on days when air quality is forecast to exceed 40 micrograms per cubic meter.

#### Stage 1

-- Burning is prohibited on days when air quality is forecast to be 36 to 40 micrograms per cubic meter, unless fireplace inserts or stoves certified by the Environmental Protection Agency, or pellet stoves, are used.

#### Burning discouraged

-- Burning is discouraged on days when air quality is forecast to be 26 to 35 micrograms per cubic meter. Participation is voluntary.

#### Burn cleanly

-- Residents are allowed to burn when the air quality is forecast to be 25 micrograms per cubic meter or lower. Burning of manufactured firelogs is acceptable.

The program is enforced through complaints and visible smoke sightings by enforcement staff. The fine for a first-time violation is \$50 and requires the violator to attend a compliance class. Fines are higher for additional violations.

To report a suspected violation, call 1-800-880-9025.

The district also provides an incentive program for residents looking to replace their wood stove or fireplace, said Lori Kobza, a district spokeswoman.

The voucher program is available to county residents who meet the qualifications, which includes household income limit.

The district has had about 1,000 residents participate thus far. "We've got a lot of money dedicated to it," she said.

The district sends daily e-mails to county residents who sign up for air quality alerts. To sign up, go to <http://www.sparetheair.com/airalertedit.cfm>.

Be sure to check the "daily air quality forecast" box to receive the e-mail alerts.

Residents also may call 1-877-NO-BURN-5 to check the recorded daily burn status information. For more information about the Check Before You Burn program, go to <http://www.sparetheair.com/burncheck.cfm>

### **Wind brings dust, firefighting relief**

By Felix Doligosa Jr., Californian staff writer  
Bakersfield Californian, Friday, Oct. 31, 2008

Strong winds blew dust across areas of Kern County Thursday and caused problems for motorists.

River Road Thursday morning, according to the California Highway Patrol.

Other affected areas included Panama Road west of Lamont and Highway 58 near Fairfax Road, the CHP said.

The wind was "pretty nasty" but there were no major accidents, said CHP Officer Sam Friebe.

The National Weather Service issued a wind advisory for the southern San Joaquin Valley, especially for areas south of Bakersfield.

Some areas were predicted to have gusts as high as 50 mph, according to the National Weather Service. The advisory started at 11 a.m. and ended at 7 p.m.

The San Joaquin Valley Air Pollution Control District also issued an air quality alert Thursday for the valley areas of Kern County.

The blowing dust could expose people to particle pollution that could cause health problems such as asthma attacks and increase risk of respiratory infections, the district said.

The wind did some good Thursday as it helped in putting out a hay maze fire east of Bakersfield.

About 30 firefighters battled a blaze at about 3 p.m. at the Murray Family Farms along Highway 58 and General Beale Road, according to the Kern County Fire Department.

The blaze burned in bales of hay as firefighters reduced the spread of the fire on food crops and a nearby building. The wind helped the fire burn out quicker, said Sean Collins, KCFD spokesman.

Firefighters were still battling the blaze Thursday evening. There were no injuries.

Cooler weather and rain are expected to hit Bakersfield today and for the rest of the weekend, according to Shaun Tanner, meteorologist with Weather Underground.

Temperatures are expected to hit 74 degrees on Friday with a 30 percent chance of rain, Tanner said.

"There will be enough of a break for trick-or-treaters, but around 9 or 10 p.m., there may be rain," he said.

### **Free emissions testing at Delta College**

Lodi News Sentinel, Thursday, October 30, 2008

San Joaquin Delta College will be offering free emissions testing on Saturday from 9 a.m. to 3 p.m. at the college's main campus in Stockton. Vehicles will be subject to a brief tailpipe emissions test with an emission testing device and if necessary cars will proceed to a free on-site diagnostic station for an under-the-hood check.

If vehicles do not pass the emissions test, Valley CAN will provide a coupon for up to \$500 worth of emission-related repairs at a local Gold Shield certified smog shop. No registration or paperwork is necessary for the emissions testing. The first 100 participants on Saturday will receive a San Joaquin RTD two-day unlimited bus pass.

The event is being hosted by Valley CAN (Clean Air Now), the Advanced Transportation Technology and Energy Initiative Center and San Joaquin Delta College. Delta, which is located at 5151 Pacific Ave. in Stockton, will hold the events in the parking lots near Pershing Avenue and Burke Bradley Road.

### **Nearby residents sue SoCal cement factory**

The Associated Press

Tri-Valley Herald, Friday, October 30, 2008

RUBIDOUX, Calif.—A Riverside County cement factory has been sued on behalf of nearby residents who accuse the company of negligence, intentionally inflicting emotional distress and wrongful death for releasing a toxic substance into the air.

Regional air regulators announced earlier this year that the TXI Riverside Cement factory in the Rubidoux area was releasing high levels of hexavalent chromium—the same cancer-causing contaminant featured in the movie "Erin Brockovich."

Attorneys for the plaintiffs did not set an amount for damages.

TXI did not immediately return a phone message seeking comment Thursday.

TXI agreed in June to pay \$600,000 in penalties and spend \$400,000 toward site improvements as part of an agreement with regional air quality officials to reduce its emissions.

State and county officials announced a lawsuit against TXI in July, saying it exposed neighbors to toxic cement dust without warning them.

The suit by residents was filed by Los Angeles-based law firms Girardi & Keese and Masry & Vititoe, which gained fame as litigators in the pollution case portrayed in the film "Erin Brockovich."

A hearing was set for Jan. 23.

## **Oil industry worries about cost of new laws**

By John Cox, Californian staff writer  
Bakersfield Californian, Friday, Oct. 31, 2008

Fear and frustration united Kern's oil industry Thursday as executives gathered to examine plans for reducing California's carbon emissions.

Much of the talk at Bakersfield's twelfth biennial Oil and Gas Conference centered on the many unanswered questions — in particular, new expenses for oil producers — under two far-reaching laws designed to combat climate change.

"I'm scared to death" about early assessments of the laws' potential impact, said Gaurdie Banister, president and CEO of Bakersfield-based Aera Energy LLC, speaking to an audience of more than 200 industry representatives inside the Bakersfield Marriott at the Convention Center. "I really am scared to death that at the end of the day, that's how we're going to have to operate."

One of the laws, the Global Warming Solutions Act of 2006, better known in oil circles as AB 32, aims to roll back California's greenhouse gas emissions to 1990 levels by 2020. The other, an executive order called the Low Carbon Fuel Standard, calls for lowering the "carbon intensity" of the state's passenger vehicle fuels by at least 10 percent by 2020.

Attendees pressed an assortment of speakers for specifics on what the laws would mean for their operations. But the speaker in perhaps the best position to address the issue — a strategy manager at the state Air Resources Board — said he was unable to provide many answers because the board is still working out details.

The strategy manager, Jim Nyarady, said the board only released a proposed scoping plan for AB 32 about two weeks ago. He said the first regulations under that law would not become enforceable until 2010.

More than once during a sometimes tense question-and-answer session, Nyarady deferred to another presenter on hand Thursday, Joe Sparano, president of the Western States Petroleum Association, an oil and gas industry trade group.

Sparano said AB 32 is among the most difficult regulatory challenges the industry has ever faced, largely because oil companies must comply with the law while also finding a way to provide an adequate, reliable and affordable fuel supply.

While he did outline possible approaches to meeting the challenge — including broad use of offsets, a market-based “cap-and-trade” system and the use of diesel as a transition fuel — Sparano said industry costs under the new laws remain unclear.

Conference attendee George Nitschke said the industry needs to know those costs before it can truly embrace any proposed solution.

“Once you get a dollar number, you can start to plan against it,” said Nitschke, founder of Good Earth Mechanics, a company that markets renewable energy technology in concert with more traditional oil production.

Another industry representative at the conference, operations superintendent Tommy Calhoun with Houston-based oil company Plains Exploration & Production, questioned whether AB 32’s authors took the industry’s needs into account.

“Their overall goal is commendable,” he said, “but the reality is a little bit below ... how those goals can be achieved.”

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## **Wind shifts smoke from prescribed burn in foothills**

Sacramento Bee, Thursday, October 30, 2008

Shifting winds brought clouds of smoke out of the Eldorado National Forest and into neighborhoods today on the third day of a prescribed burn near Highway 88 and Iron Mountain Road.

[Smoke](#) has been drifting as far as Foresthill in Placer County and El Dorado Hills in El Dorado County, said Kristi Schroeder, spokesman for the forest service.

A total of 400 acres of forest were burned this week as part of the prescribed burn, which was initiated to reduce heavy fuels in the area and to improve foliage for wildlife, Schroeder said.

Schroeder said the fire should be doused in today's storm.

Prescribed burns are done in the fall and winter because they are easier to manage in cooler weather.

"We have a very narrow window," Schroeder said.

The forest service is planning prescribed burns in 9,000 acres of the Eldorado National Forest this season. The scheduling of the burns will depend on weather conditions, moisture in the fuels to be burned and permission from the local air pollution control district, among other things.

A map of the planned burn locations is available at [www.fs.fed.us/r5/eldorado/](http://www.fs.fed.us/r5/eldorado/).

"Making the national Forest less susceptible to wildfires is a major emphasis in Forest Service land management activities," said Jennifer Boyd, Eldorado National Forest Fuels specialist in a press release.

## **Bond measures facing hard sell in time of economic crisis**

By Tony Castro, Staff Writer

L.A. Daily News, Friday, October 31, 2008

A high-speed bullet train connecting Northern and Southern California - \$9.95billion.

Rebates to companies and consumers to buy hybrid vehicles - \$5billion.

Help for children's hospitals - \$1billion.

These price tags sounded reasonable in May, when the nation's economy was more stable and the Dow stood at a lofty 13,000. Now, not so much.

Getting California voters to approve new taxes for a bunch of bonds on Tuesday's ballot appears to be a tall order, especially with Thursday's news that the gross domestic product fell at an annual rate of 0.3 percent during the third quarter. One more negative quarter and the U.S. economy will officially enter a recession.

On top of the bonds, other tax increases on the ballot, including Measure R - which would raise the county sales tax from 8<MD+,%30,%55,%70>1/<MD-,%0,%55,%70>4 percent to 8<MD+,%30,%55,%70>3/<MD-,%0,%55,%70>4percent to fund transportation projects - and a parcel tax for gang-prevention programs look like hard sells.

"No one could have imagined when these bond measures were placed on the ballot that we'd be in a financial free fall today," said Bob Stern, president of the Center for Governmental Studies in Los Angeles.

And now the Wall Street financial crisis could make it even more difficult for the four bond measures that would authorize the state to issue more than \$17 billion in bonds.

"Voters are thinking they're going to tighten their belts now, and I expect they're going to think government ought to tighten its belt, too," said John Matsusaka, president of the Initiative and Referendum Institute at the University of Southern California.

Taxpayer advocacy groups say California, with a budget deficit of \$15 billion and the governor thinking of borrowing an additional \$7 billion from the federal government, simply can't afford any more big bond measures right now.

"We're outrageously in debt, and the state's credit rating is so bad that we may have to eventually pay higher interest on these bonds," said Kris Vosburgh, executive director of the Howard Jarvis Taxpayers Association. "It could go to interest rates that would make Tony Soprano look like a compassionate lender."

Voters have a history of turning down similar proposals when the economy goes south, said Mark DiCamillo, director of the California Field Poll, which has charted California bond measures since 1976.

"The immediacy of the current economic troubles plus the presence of other high-cost initiatives on the ballot may make it much more difficult to support them this time," he said.

### **Proposition 10**

The most controversial of the bond measures is Proposition 10, which would authorize the sale of \$5 billion in bonds to give rebates of up to \$50,000 to buyers of vehicles that run on alternative fuels and to pay for research and production of alternative-fuel vehicles.

Billionaire Texas oilman T. Boone Pickens has contributed \$10.75 million to the campaign, which would benefit his company, a provider of natural gas for alternative-fuel vehicles.

Backers say 10 would help reduce California's greenhouse-gas emissions blamed for global warming, improve air quality and jump-start the market for alternative-fuel vehicles.

But opponents say the state can't afford the bond measure, which would eventually cost \$9.8 billion, or about \$325 million annually, over 30 years.

The Howard Jarvis Taxpayers Association is also encouraging no votes on two of the other three bond measures - Proposition 1A, which would authorize \$9.95 billion in bonds to finance a high-speed- rail project; and Proposition 3, which would authorize \$980million in bonds for capital improvement projects at children's hospitals.

Vosburgh said his group is not taking a position on Proposition 12, known as the Veterans Bond Act of 2008, which would allow the state to issue \$900 million in bonds to fund the CalVet home-loan program.

General obligation bonds, such as Propositions 1A, 3 and 10, are usually paid off from the state's general fund, which is largely supported by tax revenues. Other bonds, such as Proposition 12, are paid from designated revenue sources, like the Cal-Vet program and the mortgage payments of veterans whose homes it finances.

The state's authorized general obligation bond debt has nearly tripled over the past six years, from \$42 billion in 2001-02 to a massive \$120 billion in 2007-08, according to state officials.

Supporters of Proposition 1A say a nearly 800-mile system of bullet trains that can top 200mph would link Anaheim, Los Angeles, Fresno and San Francisco, and draw 117 million riders a year by 2030 - far more than the 3 million now taking the high-speed Amtrak train in the densely populated Boston-Washington corridor.

They also say it will turn a billion-dollar profit by 2030, even as it keeps ticket prices remarkably low.

"This is the next big thing that's going to transform the state," said the project's executive director, Mehdi Morshed, a former state bridge engineer who likens high-speed rail to construction of the transcontinental railroad and California's freeway system.

But opponents point to the state's poor economy and seemingly endless budget deficits, and that paying off the bonds over 30 years with interest would cost about \$19.4 billion, according to the state Legislative Analyst's Office.

### **Hospital bonds**

Proposition 3 would authorize money from the bonds for construction, equipment and other capital expenses at five teaching hospitals in the University of California system and, presumably, eight private, nonprofit children's hospitals across the state.

However, the ultimate price tag, including interest payments, would cost taxpayers \$2 billion at a time when opponents say the state is overextended financially.

But the real opponent facing all the bond measures is the economy and the sentiments of Californians in the face of the state's worst slump at least since the early 1990s.

Some 71 percent of adults believe that the state is headed in the wrong direction, according to a recent Public Policy Institute of California poll, and three out of four voters believe that the next 12 months will see more economic bad news.

"We're in very uncertain times, and I think many people are going to vote 'no' on almost everything," Stern said. "It's a bad time to be asking for money for anything."

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The Associated Press

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A hearing was set for Jan. 23.

## **Bush administration seeks last-minute regulations**

**Many of the new rules would weaken consumer and environmental protections and could be difficult for McCain or Obama to undo.**

By R. Jeffrey Smith, Washington Post  
In the L.A. Times, Friday, Oct. 31, 2008

Reporting from Washington -- The White House is working to enact an array of federal regulations, many of which would weaken rules aimed at protecting consumers and the environment, before President Bush leaves office in January.

The new rules would be among the most controversial deregulatory steps of the Bush era and could be difficult for his successor to undo. Some would ease or lift existing constraints on private industry, including power plants, mines and farms.

Those and other regulations would help clear obstacles to some commercial ocean-fishing activities, ease controls on pollutants that contribute to global warming, relax drinking-water standards and lift a key restriction on mountaintop coal mining.

Once such rules take effect, they typically can be undone only through a laborious new regulatory proceeding, including lengthy periods of public comment, drafting and mandated reanalysis.

"They want these rules to continue to have an impact long after they leave office," said Matthew Madia, a regulatory expert at OMB Watch, a nonprofit group critical of what it calls the Bush administration's penchant for deregulating in areas where industry wants more freedom. White House spokesman Tony Fratto responded that "this administration has taken extraordinary measures to avoid rushing regulations at the end of the term. And yes, we'd prefer our regulations stand for a very long time -- they're well-reasoned and are being considered with the best interests of the nation in mind."

As many as 90 new regulations are in the works, and at least nine are considered "economically significant" because they would impose costs or promote societal benefits that exceed \$100 million annually. They include new rules governing employees who take family- and medical-related leaves, new standards for preventing or containing oil spills, and a simplified process for settling real estate transactions.

Although it remains unclear how much the administration will be able to accomplish in the coming weeks, the last-minute rush appears to involve fewer regulations than Bush's predecessor, Bill Clinton, approved at the end of his tenure.

In some cases, the regulations reflect new interpretations of language in federal laws. In other cases, such as several new counter-terrorism initiatives, they reflect new executive branch decisions in areas where Congress -- now out of session and focused on the elections -- left the president considerable discretion.

The last-minute activity has made this a busy period for lobbyists who fear that industry views will hold less sway after the November elections.

According to the Office of Management and Budget's regulatory calendar, representatives of the commercial scallop fishing industry came in two weeks ago to urge that proposed catch limits be eased, nearly bumping into National Mining Assn. officials who want to ease rules meant to keep coal slurry waste out of Appalachian streams. A few days earlier, lawyers for kidney dialysis and biotechnology companies registered their complaints at the OMB about new Medicare reimbursement rules.

Bush's aides are acutely aware of the political risks of completing their regulatory work too late. On the afternoon of Bush's inauguration, Jan. 20, 2001, his chief of staff issued a government-wide memo that blocked the completion or implementation of regulations drafted in the waning days of the Clinton administration that had not yet taken legal effect.

"Through the end of the Clinton administration, we were working like crazy to get as many regulations out as possible," said Donald Arbuckle, who retired in 2006 after 25 years as a career official at the OMB. "Then on Sunday, the day after the inauguration, OMB Director Mitch Daniels called me in and said, 'Let's pull back as many of these as we can.' "

Clinton's appointees paid a heavy price for procrastination. Bush's team was able to withdraw 254 regulations that covered matters from drug and airline safety to immigration and indoor air pollutants. After further review, many of the proposals were modified to reflect Republican policy ideals or were scrapped altogether.

Seeking to avoid falling victim to the same partisan tactics, White House Chief of Staff Joshua Bolten in May imposed a Nov. 1 government-wide deadline to finish major new Bush administration regulations, "except in extraordinary circumstances."

That gives officials just weeks to meet an effective Nov. 20 deadline for the publication of economically significant rules, which take effect only after a 60-day congressional comment period. Less important rules take effect after a 30-day period, creating a second deadline of Dec. 20.

As the deadlines near, the administration has begun to issue regulations of great interest to industry, including, in recent days, a rule that allows the nation's natural gas pipelines to operate at higher pressures and new Homeland Security rules that shift passenger security screening responsibilities from airlines to the federal government. The OMB also approved a new limit on airborne emissions of lead this month, acting under a court-imposed deadline.

Many of the rules would ease environmental regulations, according to sources familiar with the administration's internal deliberations.

A rule put forward by the National Marine Fisheries Service and now under final review by the OMB would lift a requirement that environmental impact statements be prepared for certain fisheries-management decisions and would give review authority to regional councils dominated by commercial and recreational fishing interests.

An Alaska commercial fishing industry source, granted anonymity so he could speak candidly about private conversations, said senior administration officials promised to "get the rule done by the end of this month" and that the outcome would be a big improvement over existing regulations.

Two other rules nearing completion would ease limits on pollution from power plants, a major energy industry goal for the last eight years that is strenuously opposed by Democratic lawmakers and environmental groups.

A third rule would allow increased emissions from oil refineries, chemical factories and other plants with complex manufacturing operations.

[Modesto Bee editorial, Friday, October 31, 2008](#)

### **Scientist, doctor add perspectives to valley air board**

A crucial appointment to the board that governs the valley's air district has been made by the governor. Henry Forman, a professor of chemistry and biochemistry at the University of California at Merced, will fill the spot reserved for a scientist on the board.

The scientist position is one of four new seats authorized by legislation last year to expand the board of the San Joaquin Valley Unified Air Pollution Control District.

Originally, the board had 11 members. Eight were supervisors from the eight counties that make up the air district; three were members of city councils in the district. The supervisors often leaned toward serving interests of business and agriculture, which aren't always supporters of aggressive efforts to clean the air.

Senate Bill 719 addressed that by adding seats for a doctor and a scientist with expertise in air pollution and health issues that arise from it. In April, the governor appointed Dr. John Telles, a Fresno cardiologist, to the spot for a doctor.

Now Forman has been named to the scientist post, and he seems an excellent choice. The 61-year-old is a founding faculty member at UC Merced, and his research focuses on the ways lungs react to and protect themselves from lung diseases, including asthma, cystic fibrosis and damage from pollutants. He earned his Ph.D in biochemistry from Columbia University.

In addition to the seats for a doctor and scientist, the board will add two more city council members, for a total of five, under separate legislation passed this year. That will address an earlier anomaly that saw Fresno, Bakersfield and Stockton, the three largest cities in the district, often without a representative on the board.

The expansion of the air board did not come without a struggle, but it now appears the effort is paying off. Telles has forced a more rigorous and skeptical approach to the board's work, and we hope the addition of Forman will continue that useful trend.

Much good work has been done to clean up the valley's air, but there is a great deal more left to do before we can truly call our air clean.

[Contra Costa Times editorial, Friday, October 31, 2008](#)

### **Changing the rules on power plant emissions**

MediaNews editorial

AS HIS FINAL term in the White House thankfully winds down, President Bush and his administration are trying to force new policy on the Environmental Protection Agency that will change regulations at power plants and worsen the environment.

If the rules are implemented, power plants would be allowed to increase emissions without adding pollution controls. In addition, a separate rule, which could be implemented by late November, will allow more power plants to be built near national parks and wilderness areas.

Obviously, this is an attempt to deliver more energy in this country without any consideration of the long-term ramifications to our environment and health.

What's worse is the timing — rules finalized more than 60 days before the administration leaves office are harder for the next administration to undo.

Former EPA attorney John Walke said to McClatchy Newspapers that two EPA officials told him that the agency has to meet a Saturday deadline for new, lesser pollution controls.

The Clean Air Act requires older plants with new equipment to install pollution technology, if their emissions increase. The rule change would allow plants to measure emissions on an hourly basis rather than a total yearly output. The twist is that plants can actually run for more hours, increase the output of emissions while staying within the threshold without having to add pollution controls.

Of course, the Edison Electric Institute loves it. The association that represents 70 percent of the U.S. electric-power industry told the EPA that plants can produce more energy with less fuel and that would actually lower emissions.

But an EPA official told McClatchy that analysis supporting the rule change is weak. Even more curious is that the Bush administration has no intention of making the analysis public for a comment period before implementing the new rule.

This comes as no real surprise in light of Bush's and the EPA's previous policies of lightening up on industries creating emissions, a la the automobile industry. We urge President Bush to examine all the facts before acting, but to be honest, that is unlikely.

The next president needs to act wisely and consider all options when it comes to energy policy, not only to keep us moving forward, but to also consider the long-term effects to our environment. That will take real leadership, something we really haven't seen over the past eight years.

[Note: The following clip in Spanish discusses lawsuit against rule that requires clean air at ports in California. For more information on this and other Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

### **Demanda contra reglamento que impone limpieza del aire en puertos de California**

Manuel Ocaño

Noticier Latino

Radio Bilingüe, Friday, October 31, 2008

La Comisión Federal Marítima aprobó por mayoría de votos demandar al estado de California por un reglamento que obligaría a miles de camiones de carga que operan en los puertos de Long Beach y Los Ángeles -los mayores del país-, a cambiar viejos motores por nuevos, menos contaminantes.

California y la Administración Regional de Calidad del Aire del Sur de California consideran que los puertos son los focos de mayor contaminación en la zona, con el aire más deteriorado en el país.

Se calcula en cuatro mil 200 muertes prematuras por año a causa de dicha contaminación. La comisión marítima argumenta que muchos camioneros irían a la quiebra al cambiar camiones o motores.

[Note: The following clip in Spanish discusses environmental group's opinion on Proposition 7 is intentional.](#)

### **Opina grupo ambientalista que Proposición 7 está sólo bien intencionada**

Manuel Ocaño

Noticier Latino

Radio Bilingüe, Thursday, October 30, 2008

Un grupo ambientalista de California, el Consejo para la Defensa de los Recursos Naturales opinó que la Proposición 7, que será presentada el martes en referendo puede ser una propuesta bien intencionada pero sería contraproducente.

Según ese grupo, la propuesta busca aumentar la generación de energía renovable que sustituya métodos que hoy contaminan en California, pero por los objetivos y plazos que establece pueden ser contraproducentes.

Ambientalistas opinan que incluso el ciclo de generación de energía alternativa pudiera interrumpirse en el estado si se prueba la Proposición 7. El debate continúa tanto en la Prop. 7 como en la Proposición ambientalista 10.

[Note: The following clip in Spanish discusses groups hold a conference on the regional environmental program of Frontera \(Border\) 2012 to discuss issues on air pollution, health issues and pollution of water.](#)

## **Sostienen reunión grupos del programa ambiental Frontera 2012**

By Juan de Dios Olivas

El Diario, Thursday, October 30, 2008

Los grupos regionales de trabajo del programa ambiental Frontera 2012 sostuvieron ayer una reunión pública para analizar los avances en materia de agua, aire, residuos y contaminación del suelo, salud ambiental en la frontera de México y Estados Unidos.

En el encuentro que tuvo lugar en el salón Francisco I Madero de la Presidencia Municipal participaron dependencias ecológicas de los tres niveles de gobierno y sus similares de Texas y Nuevo México, así como investigadores de instituciones educativas de nivel superior.

Ahí, el delegado estatal de Semarnat, José Ignacio Legarreta Castillo, quien junto con el secretario de Desarrollo Urbano y Ecología Carlos Carrera Robles encabezó el encuentro, enfatizó la necesidad de utilizar la educación como medio para que la población valore los esfuerzos que se realizan y se tenga conciencia del cuidado del medio ambiente.

El funcionario federal nombró los trabajos efectuados por las distintas mesas de trabajo que en materia de agua, residuos y contaminación de suelo, aplicación de la Ley, aire y salud ambiental, se establecieron para enfocar proyectos de mejora ambiental.

Recordó los avances que se tienen para la destrucción de neumáticos usados, tratamiento de aguas residuales y de coordinación binacional para atender emergencias como la ocurrida en Ojinaga semanas atrás.

Por su parte, Carrera Robles señaló que los avances que se tienen hasta ahorita, fueron valorizados ayer para dar continuidad a esos esfuerzos y con ello lograr las metas planteada por el Programa Frontera 2012 hace 6 años y refrendadas recientemente.

El funcionario señaló que esta reunión es un alto en el camino para determinar entre otras cosas como se van a tratar las llantas en esta frontera y de que manera se va a verificar la calidad del aire en esta región fronteriza.

Algunos de los planes que encabeza la Frontera 2012 se refieren a la creación de plantas tratadoras de agua residuales, incrementar los programas voluntarios de reducción de emisiones y reducir la exposición a plaguicidas.