

Gas station owners rebel against pollution rules

Operators balk at having to comply with a California requirement to install costly nozzles and hoses to capture fumes. The governor calls on the Legislature to delay enforcement by a year.

By Margot Roosevelt

L.A. Times, Wed., April 1, 2009

James Hosmanek, an ex-Marine, has operated his San Bernardino Chevron station for 21 years, patiently installing equipment to control gasoline emissions, even as the region's air grew smoggier.

Now he says he can't, and won't, obey the latest mandate: a state order to buy sophisticated nozzles and hoses to capture more of the vapors that cause respiratory disease and cancer. "It may be necessary to protect public health," he says. "But it's unaffordable."

Today is the deadline for California's 11,000 gasoline stations to comply with the nation's most stringent controls on the fumes that seep from refueling cars. And Hosmanek is among the estimated one of five station owners who have joined an open rebellion against air pollution authorities.

Last week, spurred by a high-decibel campaign by gasoline trade associations, Gov. Arnold Schwarzenegger called on the Legislature to delay enforcement by a year.

"Improving California's air is of the utmost importance," he wrote legislators. But "enforcement flexibility is an absolute necessity to ensure against the job and financial losses that could come from stations being shut down or fined for non-compliance."

If the Legislature agrees, it would be the second time in the last two months that business interests have succeeded in rolling back a major pollution regulation. In February, a measure was added to the state's budget package allowing construction firms to delay retrofitting diesel bulldozers and other equipment.

Ten public health and environmental groups have vowed to fight the vapor rule rollback.

"We are extremely disappointed with the governor's action," said Bonnie Holmes-Gen of the American Lung Assn. "California must not bend to pressure from a small group of gasoline station owners who are using the current economic situation as an excuse."

A campaign against the measure in recent weeks was laced with misleading information, according to officials with the California Air Resources Board. One alert mailed by the Responsible Clean Air Coalition, a group led by a former John McCain campaign staffer, Tom Kise, charged that, "On April 1st, more than 6,000 gas stations statewide are going to shut their doors because of zealous Sacramento bureaucrats."

But in a letter to legislative leaders Friday, local air pollution districts charged with enforcing the rule said, "Air districts do not intend to shut down any stations on April 1." Station owners have known about the deadline for four years, the letter said.

Owners who have applied for permits and made arrangements to install equipment will not be cited, the letter said. Some fines will be levied, but, "only the most recalcitrant operators who absolutely refuse to comply could be subject to significant penalties."

That reassurance does not comfort Hosmanek. Battered by competition from cheaper chains such as Thrifty and Arco, the 51-year-old businessman said he was refused credit by banks and equipment lenders. Refitting his eight nozzles and hoses would cost more than \$60,000, he said. "Even if I could get the funding, I couldn't make the payments."

With fewer customers, Hosmanek has laid off eight of his 18 employees. Down the road, he said, a Shell station began installing the equipment Friday.

"I asked the guy how he did it, and he said he put it all on credit cards," Hosmanek said. "That's financial suicide."

Single-station owners like Hosmanek aren't the only ones hurting. David Berri, an Irvine businessman whose family owns 22 stations in Orange, San Diego and Los Angeles counties, said he put a 25% deposit on vapor equipment last year. But his bank has since canceled his credit line. His family has put seven stations up for sale, but so far, there are no buyers.

"The economy snuck up on us," he said. "If I complied, I'm at the point this could bankrupt me, and I have a family to take care of."

State officials say they have little choice when it comes to imposing pollution rules. Federal law requires states to clean their air. The rule, they note, would prevent 10 tons a day of vapor emissions.

"That's a big deal in a state where nearly three-quarters of our residents breathe air that still fails to meet federal health standards for ozone," said the air board's Tom Cackette.

Board officials also note that letting laggard station owners off the hook would be unfair to the three-quarters of stations that have ordered equipment. Fewer than 5% of pumps, many of them in carwashes, convenience stores or car dealers, have indicated that they would voluntarily shut down, officials said.

In the Legislature, Assemblyman Martin Garrick (R-Solana Beach) and Sen. Dave Cox (R-Fair Oaks) are leading the charge to delay enforcement. On Monday, Cox called for the resignation of state Air Resources Board Chairwoman Mary D. Nichols for being "recalcitrant" in refusing Schwarzenegger's request for a delay.

But a compromise may be in the works. A bill sponsored by Assemblyman Ira Ruskin (D-Redwood City) would provide \$8 million in grants to stations for the equipment.

That could help owners like Hosmanek, who shows no sign of backing down.

"I'm not going to shut down," he said, despite facing what he contends could be thousands of dollars in fines. "I'm going to stand up and fight."

Stanislaus County board OKs gravel mine Eastern Stanislaus residents voice air, traffic concerns

By Adam Ashton

Modesto Bee, Wednesday, April 1, 2009

Residents along a rural road in eastern Stanislaus County on Tuesday failed to persuade the Board of Supervisors to squash a proposed mining operation that they fear will disrupt their neighborhood.

The supervisors unanimously supported George Morrow's proposal to develop an 80-acre site on Lake Road into a sand and gravel mining operation for as long as 10 years.

Supervisors said Morrow's business plan could leave the site in better shape than it is today as long as he follows commitments to restore the property with ponds, vegetation and wetlands.

After those steps, "this property probably will be more well-suited for agriculture," Supervisor Jim DeMartini said.

"I really do not see a problem with the project, knowing how highly regulated it is by the state. This property will be just fine," he said.

Lake Road residents, however, are more concerned about how the mine will affect their lives in the months and years ahead.

"I've never seen a pretty mine," said Lake Road resident Rebecca Miller Crum. "Maybe there is such a thing, but normally it's rocks and piles."

She and her neighbors worry that gravel trucks will present traffic hazards.

"There will be dangers and there will be injuries," said resident Howard Hoover.

Others contend that the mining could present [air quality risks](#), particularly with rising dust.

"I am waiting for someone with a big backbone to stand up to these aggregate people, because they have cart blanche," said Lillian Hampton, a Hickman resident who has raised concerns about east county mining operations for 20 years.

Representatives from the mining company, Jim Brisco Enterprises, said they will take steps to minimize harm to air quality and wildlife. Their plan does not call for rock crushing to take place at the site, and the property is to be bordered by trees and other vegetation to form a buffer for its neighbors.

Morrow, the company's president, said the operation likely would get off the ground slowly because of the region's weak economy. In time, it is expected to employ six people at the site and 20 through indirect jobs linked to it.

"We're a very small corporation, not in the business of aggravating neighbors," said Morrow, an Atwater resident.

Ag dustups 'major concern' with unplanted land

By Seth Nidever

Hanford Sentinel, Tuesday, March 31, 2009

Better check the doorjamb weatherproofing and the window pane seals: All indications are that this summer will be dustier than usual.

Three years of drought have left fields throughout Kings County barren and dry, the soil just waiting for a strong wind to blow it into the air.

It's become such an issue that the United States Department of Agriculture is strongly advising farmers to either leave last year's stubble in the field, or, if some tillage has already taken place, to leave it in large clods that are more wind-resistant.

"They are correct that it is a major concern," said Sarah Woolf, spokeswoman for Westlands Water District.

An estimated two-thirds of the district's 600,000 acres, mostly in Fresno and Kings counties, are being left unplanted because of drought and endangered species issues in the Sacramento Delta.

Farmers aren't expecting to receive any deliveries from the federal Central Valley Project that normally gives them Northern California water passed through the Delta and pumped south.

That's left vast swaths of land subject to wind erosion, creating the perfect conditions for impaired visibility on roads and the loss of fertile topsoil.

"Fields continually subjected to erosion may result in land that is incapable of returning to cropping ... at a later date," said Rita Bickel, a USDA agronomist.

For many Westside farmers who already tilled their land in preparation for the next planting that never came, there's not much that can be done other than letting the weeds grow a little bit to hold the soil down.

Ted Sheely, who farms several thousands acres on Kings County's west side, said he never tilled some fields because he anticipated a water shortage. Those fields are now weed covered and full of stubble from last year's crop, and Sheely plans to leave them that way.

Other ground was tilled and prepared for cotton that Sheely never planted because of the water shortage. He'll let that ground stay in a rough-plowed state.

Visibility on area roads can be seriously affected by blowing dust.

One major dust storm in November 1991 caused a huge pileup on Interstate 5 north of Coalinga that killed 14 people. The situation was similar to this year.

Severe drought conditions had left huge swaths of farmland unplanted, a circumstance that helped trigger the massive dust cloud that plunged visibility to near zero in a matter of seconds.

Sheely said he hit zero visibility conditions Sunday on a section of the Avenal Cutoff Road when the wind kicked up.

"I don't think we have a good solution to it," Woolf said.

House Democrats unveil pollution reduction plan

By H. Josef Hebert and Dina Cappiello, Associated Press Writers
In the S.F. Chronicle and other papers, Tuesday, March 31, 2009

WASHINGTON (AP) -- Democratic lawmakers on Tuesday proposed cutting greenhouse gases by one-fifth over the next decade, a faster clip than urged by President Barack Obama.

Their plan, seen as the first step toward Congress enacting climate legislation this year, was crafted to attract broader support among centrist Democrats. It includes measures to spur energy efficiency and to support technology to capture carbon dioxide, the leading greenhouse gas, from coal burning power plants.

The 600-page "discussion draft" will be the basis for climate debates in the coming weeks as the House Energy and Commerce Committee works to craft a bill by mid-May.

House Speaker Nancy Pelosi, D-Calif., called the draft "a strong starting point" and has told colleagues that she would like to get a climate bill passed before Congress departs for its summer recess in August.

The Senate, where climate legislation was defeated last year by strong Republican opposition, has made it clear that this time it wants the House to act first.

The measure offered Tuesday by Democratic Reps. Henry Waxman of California and Ed Markey of Massachusetts calls for reducing greenhouse gases by 20 percent from 2005 levels by 2020, and 83 percent by mid-century. Obama has urged similar long-term reductions, but has proposed more modest early cuts with reductions of 14 percent by 2020.

Environmentalists embraced the proposal and said it includes the kind of flexibility designed to attract enough Democrats — those from coal-producing or heavy industry states, for example — to get it passed.

But getting the measure through the Energy and Commerce Committee, which Waxman chairs, will require compromises. The draft leaves for further negotiations one of the most contentious

issues: It does not say how pollution allowances would be distributed or whether they will be sold by auction or given away to polluting industries.

Obama has called for auctioning off all emission credits and using the projected \$650 billion in revenue to help people pay for higher energy costs and the development of new, more climate friendly energy sources.

Business groups have been strongly opposed to the idea, arguing emission credits must be provided for free to energy-intensive industries to ease the cost of compliance.

"In a lot of ways that's the central question," said Markey in an interview when asked about the distribution of emission allowances. "We will have to work that out."

Separately, the Senate on Tuesday embraced the idea that emission allowances under a cap-and-trade program should be auctioned and not given out for free. The endorsement of such a plan as part of a budget document reflects the views of a majority of the Senate, although it is not binding since Congress must first enact a cap-and-trade program.

The House climate proposal outlines aggressive limits on greenhouse gases, especially carbon dioxide from the burning of fossil fuels. And it would allow polluters to find alternative ways of compliance by buying allowances or investing in so-called "offsets" such as tree planting.

It also would prohibit EPA from regulating carbon dioxide and other greenhouse gases independently under the current provisions of the Clean Air Act, a move the Obama administration has said it is ready to make if Congress doesn't act.

The Democrats also sought to blunt some of the costs of the program to consumers by requiring tougher energy efficiency standards from appliances, buildings and cars and by requiring utilities to make at least 25 percent of their electricity from solar, wind and other renewable energy sources.

But the Waxman-Markey draft was quickly denounced by Republicans as a path toward dramatically higher energy prices.

"It would raise taxes on every American who drives a car, flips a light switch or buys a product manufactured in the United States," argued House Republican leader John Boehner of Ohio.

Rep. Joe Barton of Texas, the Energy and Commerce Committee's ranking GOP member, said the Democrats were trying to "save the planet by sacrificing the economy." He promised to produce a Republican alternative for the committee to consider.

Democratic supporters of the bill insisted that costs can be contained and that dealing with climate change will have economic benefits.

"Our goal is to strengthen our economy by making America the world leader in new clean energy and energy efficiency technology," said Waxman in a statement.

Highlights of draft bill to curb global warming

The Associated Press

Modesto Bee, Tuesday, March 31, 2009

House Democratic leaders released a first draft of legislation to curb emissions from global warming. Here are the highlights:

CAP-AND-TRADE PROGRAM

- Establishes a cap-and-trade program for electric utilities, oil companies and large industrial sources that release more than 25,000 tons of greenhouse gases a year.

Sets increasingly tighter limits on greenhouse gas emissions from electric utilities, oil companies and large industrial sources. They would have to reduce global warming gases by 3 percent below 2005 levels in 2012, 20 percent in 2020, 42 percent in 2030 and 83 percent by 2050.

- Allows companies covered by plan to buy and sell allowances and to invest in projects that reduce pollution elsewhere to meet mandates.

RENEWABLE ELECTRICITY STANDARD

- Requires retail electricity suppliers to produce a percentage of their energy from renewable sources like wind, solar, biomass and geothermal.
- Sets targets of 6 percent in 2012, rising to 25 percent by 2025.

COAL MEASURES

- Promotes development of technologies to capture and store carbon dioxide from coal-fired plants.
- Limits the amount of carbon dioxide that new coal-fired power plants can release to 1,100 pounds of carbon dioxide per megawatt-hour, beginning in 2015.

OTHER MEASURES

- Prohibits EPA from regulating carbon dioxide and other greenhouse gases under other provisions of the Clean Air Act.
- Establishes an energy efficiency resource standard requiring electricity distribution companies to encourage customers to use less electricity and natural gas.
- Directs EPA to set emissions standards for locomotives, marine vessels and non-road sources such as leaf blowers, chain saws and tractors.

House leaders pitch wide-ranging climate plan

Democrats Waxman and Markey propose a multi-part effort to reduce greenhouse gases and promote renewable energy. A lengthy congressional debate is likely to follow.

By Jim Tankersley

L.A. Times, Wed., April 1, 2009

Reporting from Washington -- House Democratic leaders on Tuesday unveiled a sweeping plan to fight climate change and boost renewable energy, including mandates for renewable electricity nationwide and a market-based system for reducing greenhouse gas emissions.

It's a starting point in what promises to be a long and winding congressional debate over energy and climate policy this year. And it leaves some crucial questions unanswered -- most notably, how to allocate emissions permits and what to do with any revenue from selling those permits.

The plan, posted on the House Energy and Commerce Committee website, is a "discussion draft" sponsored by Rep. Henry A. Waxman (D-Beverly Hills), the committee chairman, and Rep. Edward J. Markey (D-Mass.), who chairs the House Select Committee on Energy Independence and Global Warming. Among the bill's provisions:

- * A nationwide mandate for renewable energy -- such as wind, solar and biomass -- in electric power generation, starting at 6% in 2012 and rising to 25% by 2025.
- * A "cap-and-trade" program to restrict greenhouse gas emissions by requiring utilities and other emitters to hold "allowances" for the carbon dioxide they send into the atmosphere. The level of allowances would shrink annually to reduce carbon emissions to 3% below 2005 levels by 2012, to 20% below 2005 levels by 2020 and to 83% below 2005 levels by 2050.
- * A mechanism for emitters to buy "offsets" -- a sort of emissions credit that comes from spending money to reduce emissions outside the scope of the cap-and-trade system.
- * A national standard, akin to California's, limiting carbon dioxide emissions from vehicles and a

new low-carbon fuel standard to further support biofuels and low-emission alternatives to gasoline.

- * Support for carbon capture-and-storage technology, which, if successful, would remove the carbon emissions from coal-fired power plants and store them underground, essentially allowing coal burning, a major carbon-emitter, to maintain its place in American power generation.

- * New mandates for energy efficiency in appliances, lighting, vehicles and buildings.

- * A variety of measures supporting "green jobs," including worker training.

- * Rebates for manufacturers hit hard by additional energy costs imposed by the bill.

Many environmentalists immediately applauded the plan.

Frances Beinecke, president of the Natural Resources Defense Council, said in a statement that "Chairmen Waxman and Markey are setting the stage for the strong action on energy and climate we need to move America in a new direction."

David Moulton, climate policy director for the Wilderness Society, said the congressmen "deserve high praise for introducing legislation that could break the congressional stalemate that has prevented this nation from tackling the potentially catastrophic challenge posed by global warming."

Other environmental groups' reviews were mixed.

Emily Figdor, the federal global warming program director for Environment America, called the draft a "pragmatic bill" with strong clean-energy standards and emission-reduction goals.

But, she said, "we're disappointed that the bill includes sky-high levels of carbon offsets, which provide less-certain reductions in emissions, and lavish subsidies, including from ratepayers, for still-unproven carbon capture-and-storage technology."

Next up is a lengthy congressional debate: Waxman has promised to pass a bill from the full committee by Memorial Day.

The full House is likely to approve whatever emerges. And then, perhaps, the real work begins in the Senate, where Sen. Barbara Boxer (D-Calif.) is writing her own climate bill, mindful of divisions in both parties over many key details.

Democrats launch push for climate change bill

By Richard Cowan and Ayesha Rascoe, Reuters
in the Washington Post Tuesday, March 31, 2009

WASHINGTON (Reuters) - Democrats in the U.S. House of Representatives launched a sweeping effort on Tuesday to control greenhouse gas emissions and at the same time help industries that will struggle to meet the proposed environmental requirements.

The draft legislation, which will be considered by the House Energy and Commerce Committee in coming weeks along with other panels, marks the latest attempt by Congress to bring the United States into a global effort to curtail emissions of carbon dioxide and other pollutants.

Many scientists think the growing amounts of pollutants are contributing to extreme weather, melting polar ice and threats to humans, animals and plant species.

"This legislation will create millions of clean energy jobs, put America on the path to energy independence, and cut global warming pollution," said House Energy and Commerce Committee Chairman Henry Waxman.

Chances for a climate change bill being enacted have improved with the election of Barack Obama as president and Democrats' growing majorities in Congress. But it is still likely to be a tough fight, especially in the Senate.

In February, Obama proposed his own climate change initiative and just last week his administration declared that climate-warming emissions are a danger to human health -- a move toward regulating the pollutants under the Clean Air Act.

But the proposal circulated on Capitol Hill by Waxman and Representative Edward Markey would establish a new "cap and trade" regime for reducing emissions of carbon dioxide and other harmful greenhouse gases separately from the Clean Air Act. Proponents think it would be a more targeted way of limiting emissions.

In a cap and trade system, owners of power plants and other industries that emit carbon dioxide would need permits for every ton they emit. Unused permits could be sold to other companies, but overall emissions would gradually drop.

83 PERCENT REDUCTION BY 2050

Under the Waxman-Markey proposal that uses 2005 as a base year, U.S. carbon emissions would have to be reduced by 20 percent by 2020, 42 percent by 2030 and 83 percent by 2050. Those goals are somewhat more aggressive than timetables Obama proposed.

The deep economic recession the United States is going through makes enacting a climate control bill all the harder.

Republicans, who will oppose the legislation in the House, have been eager to point out that at least in the short term, energy prices will rise, hitting consumers and resulting in more domestic job losses.

Democrats Unveil Climate Bill

By John M. Broder

N.Y. Times, Tuesday, March 31, 2009

WASHINGTON — The debate on global warming and energy policy accelerated on Tuesday as two senior House Democrats unveiled a far-reaching bill to cap heat-trapping gases and quicken the country's move away from dependence on coal and oil.

But the bill leaves critical questions unanswered and has no Republican support. It is thus the beginning, not the end, of the debate in Congress on how to deal with two of President Obama's priorities, climate change and energy.

The draft measure, written by Representatives Henry A. Waxman of California and Edward J. Markey of Massachusetts, sets a slightly more ambitious goal for capping heat-trapping gases than Mr. Obama's proposal. The bill requires that emissions be reduced 20 percent from 2005 levels by 2020, while Mr. Obama's plan calls for a 14 percent reduction by 2020. Both would reduce emissions of carbon dioxide, methane and other greenhouse gases by roughly 80 percent by 2050.

The Waxman-Markey bill, the American Clean Energy and Security Act emerges at a time when many Americans, and their representatives in Congress, are wary of wide-ranging environmental legislation that could raise energy costs and potentially cripple industry. The bill, a version of a so-

called cap-and-trade plan, also comes as the Environmental Protection Agency is about to exert regulatory authority over heat-trapping gases under the Clean Air Act.

The bill would require every region of the country to produce a quarter of its electricity from renewable sources like wind, solar and geothermal by 2025. A number of lawmakers around the country, particularly in the Southeast, call that goal unrealistic because the natural resources and technology to meet it do not yet exist.

The bill also calls for modernization of the electrical grid, production of more electric vehicles and significant increases in efficiency in buildings, appliances and the generation of electricity.

But the Waxman-Markey proposal does not address how pollution allowances would be distributed or what percentage might be auctioned or given free. Nor does it say how most of the tens of billions of dollars raised from pollution permits would be spent, or whether the revenue would be returned to consumers to compensate for higher energy bills. Those matters have been left to negotiations, which will begin when Congress returns from its Easter recess on April 20.

Under Mr. Obama's plan, roughly two-thirds of the revenue from pollution permit auctions would be returned to the public in tax breaks. Some members of Congress from both parties want to see all the revenue from any carbon-reduction plan returned to the public in some form.

Mr. Waxman, chairman of the Energy and Commerce Committee, said in a statement that his measure would create jobs and provide a gradual transition to a more efficient economy.

"Our goal is to strengthen our economy by making America the world leader in new clean-energy and energy-efficiency technologies," Mr. Waxman said.

The bill offers a sweetener for members from coal-producing states by including \$10 billion in new financing for the development of technology to capture and store emissions of carbon dioxide from the burning of coal, which currently produces half of the nation's electricity.

Representative Rick Boucher, a Democrat from the coal-rich southwestern corner of Virginia, insisted on that provision, noting that coal would remain a major part of the nation's energy mix for decades to come.

A coalition of business and environmental groups, the United States Climate Action Partnership, welcomed the measure as a "strong starting point" for addressing emissions of heat-trapping gases and said it had incorporated many of the partnership's recommendations.

But the group, which includes major manufacturing corporations like Alcoa, Du Pont and General Motors, said that it would push for a "substantial" number of free pollution allowances so that its members could make a gradual transition to less-polluting technologies.

Huge surge of lobbyists for climate change

Hailey R. Branson, Hearst Newspapers
In the S.F. Chronicle, Wednesday, April 1, 2009

Washington - -- House Democrats opened the congressional debate on climate change Tuesday by unveiling an ambitious plan to boost renewable energy and simultaneously slash domestic greenhouse gas emissions 20 percent over the next decade. And California Democratic Sen. Barbara Boxer is poised to lead the fight in the Senate.

But the new focus on climate change in the nation's capital has been accompanied by another kind of change: an explosion of lobbyists trying to influence the final shape of proposals by Boxer and Reps. Henry Waxman, D-Los Angeles, and Ed Markey, D-Mass.

The number of climate change lobbyists has more than tripled in the past five years to roughly 2,340 in 2008, according to a Center for Public Integrity analysis of Senate lobbying disclosure forms. Climate change lobbyists now outnumber members of Congress by more than a 4 to 1 margin. The explosion comes at a time when the overall number of Washington lobbyists has declined from 15,397 to 15,139 over the past year, according to the Center for Responsive Politics.

'Huge, huge deal'

"The bottom line is, this is a huge, huge deal," said Jeffrey Holmstead a lobbyist with Bracewell & Giuliani, a top climate lobbying firm. "In terms of its importance to the U.S. economy and the energy sector, (climate change) is really a much bigger deal than anything that has come before Congress. The stakes are very, very high."

The climate change cadre spans the political spectrum, from environmental activists and Hollywood stars on the left to conservatives who argue global warming is a hoax. But at the center of the debate are California environmentalists.

Environmental groups have stepped up their lobbying efforts and have about 180 lobbyists on Capitol Hill, as opposed to less than 50 five years ago.

San Francisco's green giant, the Sierra Club, spent more than seven times as much money on environmental lobbying in last year than it did five years ago, up from \$100,000 in 2003 to \$730,000 in 2008.

The Environmental Defense Fund, which has regional offices in San Francisco, Los Angeles and Sacramento, filed 21 lobbying reports under the issue "environment and superfund." It filed only four in 2007.

Even so, business and energy lobbyists outnumber environmental lobbyists and alternative energy lobbyists by a margin of 8 to 1, says Marianne Lavelle, a staff writer for the Center for Public Integrity.

The increase in corporate lobbying is "alarming," says Frank O'Donnell, president of the environmental watchdog group Clean Air Watch. Because it will be too difficult to satisfy the demands of large numbers of lobbyists and their clients, it will be more difficult for Congress to pass legislation, he said.

"Blocking controversial legislation is always easier than passing it," he said.

Tony Kreindler, an Environmental Defense Fund spokesman, says his organization is well aware of the challenge.

A bit of David and Goliath

"It is a bit of a David and Goliath situation," he said. "We may be outnumbered compared to industry muscle, however we do have quite a bit of forward-looking companies who are pushing for action."

The bill introduced Tuesday by Waxman and Markey would tie the reductions to a mandatory cap-and-trade system, under which oil refineries, manufacturers and other industrial operations could comply with escalating new nationwide limits on carbon dioxide by buying and selling allowances to release the heat-trapping pollutant

Boxer, chair of the Senate Environment and Public Works Committee, says she'll do her best to work with anyone who seeks to move legislation quickly.

"The lobbying activity is divided into two: those who understand the need to act to avert catastrophe, and those who are pushing for no action," she said. "What guides me is the science, and therefore I am doing everything I can to move forward on an action plan."

The boom in climate change lobbying, some experts say, can be traced to the passage of an energy bill in late 2007 when members of Congress wrangled over whether to require utilities to use renewable energy sources. The provision was eventually dropped from the bill, but it pointed the way the green debate was going. During the presidential campaign, both candidates Barack Obama and John McCain endorsed a significant shift in Bush-era climate policies, forcing companies to face a new political reality no matter which candidate prevailed.

Waxman and three other Democratic House leaders sent an open letter to President Obama Friday declaring "now is the time for Congress to pass comprehensive energy and climate legislation," calling it "both economically and politically achievable."

The House bill introduced Tuesday could be the best shot at getting climate legislation passed, O'Donnell said. The Senate, including the Boxer's committee, "is lying low for now" and letting the House move first, he added.

Cap-and-trade is costly

The approach to climate change favored by the Obama administration and top congressional Democrats, called cap-and-trade, would significantly increase the costs of doing business for energy companies. Businesses that are heavy energy consumers also would be forced to pay higher taxes.

With so much at stake, energy companies are bulking up by hiring the top lobbying talent available. Chevron, for example, hired Drew Maloney, who served as legislative director for former House Majority Leader Tom DeLay, R-Texas. Dynegy Inc., a Houston-based natural gas and coal giant, paid Bracewell & Giuliani \$200,000 for "strategic advice on energy and environmental issues" and other lobbying, according to reports from the Senate Office of Public Records.

But while just about every energy company has a stake in the game, they're not all on the same side.

ConocoPhillips and Shell Oil, for instance, are working with the Environmental Defense Fund in a coalition called the U.S. Climate Action Partnership. It is pushing for Congress on greenhouse gas reduction.

"There are more people saying 'Yes, we've got to do something' than there are saying 'no,' " EDF's Kreindler said.

With the battle about to begin, Boxer also is optimistic.

"At the end of the day, when we act, we will not only avert the catastrophe of global warming, we will also create millions of green jobs," she said, "and so we are pushing harder than ever to address this issue."

Gas stations given more time to reduce vapor release from pumps

By Mary Enbom, Vallejo Times-Herald

Contra Costa Times and Tri-Valley Herald, Wednesday, April 1, 2009

Air regulators have eased off threats to close gas stations that don't meet today's deadline to upgrade pumps to reduce toxic vapors. But the technology's cost -- about \$11,000 per pump -- still threatens to put hundreds of stations out of business.

Designed to prevent gas emissions from entering the atmosphere while drivers fuel up, the mandated equipment is expected to cut the release of 10 tons a day in smog-producing compounds.

Local air districts can impose daily fines of as much as thousands of dollars, and shut down stations temporarily or permanently depending on levels of compliance. But under last-minute pressure from Sacramento, local air officials said no gas stations will be shut down, although fines still will be imposed.

Even without the fines, state officials estimate that 5 percent of California's 11,000 gas stations will close because they cannot afford the upgrades.

Most vulnerable are smaller, independently owned stations that have trouble getting financing in today's lending crisis.

Hosain and Fatemeh Azizian said they will spend \$70,000 to bring into compliance their Valero station at Broadway and Highway 37 in Vallejo. The Azizians said they closed their Santa Rosa station two weeks ago due to the upgrade costs, and fear they'll ultimately have to close their Vallejo station, too.

"I don't know how I'm going to pay," Hosain Azizian said. "The last two years, I borrowed against my house, my business, everything. I'm down to nothing. I'm borrowing against my credit card, my wife's credit card. I have no choice."

The regulation has been on the books since 2000, but many station owners waited until recently because of the expense, and possibly because they expected cheaper equipment to come on the market, said Dimitri Stanich, spokesman for the California Air Resources Board.

"They've been arguing that it's too quick, too costly, and they can't get things that they need," Stanich said. "The regulation is not a surprise to anyone, and they've had plenty of time to comply.

"We're in difficult economic times. Getting loans for this is not as easy as in the past so I sympathize with them," Stanich said. "But we're talking about people's lives. If you know anyone who has asthma or COPD (Chronic Obstructive Pulmonary Disease) -- they're having a very difficult time on a hot day just living."

But critics say there's been a shortage of equipment, a lack of regulators, long waits for installations, and a spike in prices because of the demand. The costs are expected to be passed on to motorists with a 1 cent-per-gallon increase.

As complaints poured in from gas station owners and industry leaders, Gov. Arnold Schwarzenegger urged lawmakers to pass a bill by Assemblyman Ira Ruskin, D-Redwood City, that would make \$8 million in grants available for the upgrades. On Friday, the governor urged the California Air Resources Board to extend the deadline. State Sen. Dave Cox, R-Fair Oaks, is pushing legislation to postpone implementation for a year, but it won't be heard until after today.

Bay Area Air Quality Management District, charged with enforcing compliance, gets 200 calls a day on the issue, mostly from worried gas station owners, spokeswoman Lisa Fasano said. Brad Harmon of Walnut Creek's First Star Capital said his company has seen a huge spike in gas stations looking for funding after being turned down by banks.

Fasano said Tuesday that fines will range from \$400 to \$2,500, depending on the station's size and how far along they are in the process.

Although about half of the state's gas stations won't meet the deadline, as of Monday, 80 percent had the needed permits, Stanich said.

Alireza Shahidi, owner of Buskirk Gas Mart and Carwash in Pleasant Hill, said his retrofit would be complete a day before the deadline. He said he's one of the lucky ones. Because his carwash and large convenience store generate cash, he is not reliant on gas sales, and he could get an upgrade loan easier.

But because of backlogs, he said he waited six weeks for his permits, and months to get financing and line up overbooked contractors for the job.

"When all is said and done, (the retrofit) will cost me 50 grand. We don't make enough money to drop 50 grand," Shahidi said.

With the economy driving up gas stations' overhead costs, and gas sales dropping, "I know a lot of people who aren't going to make it," he said.

We won't close gas stations tomorrow, OC's air district says

By Brian Joseph, Sacramento Correspondent
O.C. Register Blog, Tuesday, March 31, 2009

The South Coast Air Quality Management District - which is charged locally with enforcing the costly new regulations that could close at least 51 independently owned gas stations in Orange County - says it will not shut down any stations when the rules go into effect on Wednesday.

As we reported yesterday, the California Air Pollution Control Officers Association, which represents the local air districts in charge of enforcing the new regulations, told the state last week that it would implement the new standards as scheduled, but would go easy on gas stations that have not complied.

The new regulations require gas stations in California to install \$11,000 gas-dispensing nozzles that reduce smog-causing pollution. But in this weak economy, the owners of small gas stations can't afford it. (We note, however, that they've known the regulations were coming for nine years.)

South Coast spokesman Sam Atwood said this morning that the district, which encompasses all of Orange County, will not close gas stations that have not met the new regulations by tomorrow. Instead, it will require owners to agree to a fine, the size of which will depend on three factors: the number of pumps at the gas station, whether the owner filed related paperwork before Dec. 31 and the station's ownership structure.

Gas stations owned by major oil companies or by businesses that own 50 or more stations will be treated differently than small, independent owners.

In all, Atwood said the fines will range from roughly \$1,000 to \$6,000 a month. And owners will have an incentive to get up to code quickly, because the fines will go up in August.

Atwood said the district's goal isn't to put anyone out of business. But if owners don't agree to the fines in about a month and make no effort to comply with the regulations now or in the future, Atwood said the district could move to close gas stations.

South Coast and the other local air districts' announcement on Friday came at about the same time that Gov. Arnold Schwarzenegger urged the California Air Resources Board to delay implementation of the new regulations for as much as a year. State Sen. Dave Cox, R-Fair Oaks, has introduced legislation to do just that and several lawmakers called for such a delay at a rally outside the Capitol last week.

County to do battle with ozone

USA TODAY, Wednesday, April 1, 2009

PHOENIX (AP) — The start of ozone season means stricter enforcement of pollution laws by Maricopa County.

The federal Environmental Protection Agency is cracking down on ozone pollution by unleashing tougher standards.

Failure to reduce ozone pollution could lead to sanctions and the potential loss of federal highway building funds.

Last March, the EPA reduced the ozone limit from 0.084 parts per million to 0.075 parts per million.

Maricopa County's air-quality monitors exceeded the daily standard 18 times during the 2008 reporting season which runs from April 1 to Sept. 30.

Ozone is a colorless gas that can irritate the eyes, nose and lungs and worsen existing heart and respiratory ailments.

EPA to monitor air pollution near Chicago school

USA TODAY, Wednesday, April 1, 2009

CHICAGO (AP) — The U.S. Environmental Protection Agency said Tuesday it will monitor air pollution near an elementary school on the city's North Side to determine if there is a health risk.

St. Josaphat Catholic School is one of 62 schools in 22 states where the EPA will test outdoor air quality, focusing on toxic chemicals known to cause cancer, respiratory and neurological problems.

Children are more susceptible than adults to pollutants because they're still growing.

The EPA will monitor the school for hexavalent chromium and heavy metals because it is located near a cluster of factories, including a metal plater and a leather factory, as well as a busy intersection, said Chet Wayland, director of the EPA's air quality assessment division.

The agency wanted to test a mix of schools near factories and areas where auto emissions might be a concern, Wayland said.

"This school fit the perfect mix, plus it was in a true urban core," he said.

The Archdiocese of Chicago said it learned about the program Monday after being contacted by the EPA. The monitor will be installed in about three weeks and operate for about 60 days.

If a high pollution level is found, Wayland said the EPA will take steps to try to reduce it.

But "one of the things we don't want to do is assume there is a big problem there," Wayland said. "The first thing have to do is get data."

[Letters to the O.C. Register, Wed, April 1, 2009:](#)

Government growing insane with our money

Reading through the four letters to the editor in Monday's Register ["Wagoner tossed from GM as we roll downhill," Letters], one common thread weaved its way through the thoughts of the writers: We need less government. Alas, the state continues its romp over the people.

If you ever wonder why, just realize that the more money they grab out of our pockets, the more government grows. Watching the news you can see the state exploding into previously untouched territory. They want to limit our purchase of large-screen TVs and considered keeping us from buying black cars. They dig ever deeper into old AQMD issues. They want gas station owners to buy new gas nozzles to decrease vapor emissions, which are already limited by the current nozzles.

The only reason the state can reach so far and continue to steamroll the people and businesses in this state is because they have our money. Stop the insanity!

Pete Gizzi, Laguna Niguel

Nozzle nonsense

The politicians have finally proven that they can't have an IQ more than 25. It is completely stupid to enforce a law requiring vapor-recovery nozzles on gas pumps when the cost is going to drive hundreds of gas stations out of business. Of course, this won't affect the economy too much. It will only create hundreds more unemployed.

Claude Bedell, Mission Viejo

[Fresno Bee editorial, Wed., April 1, 2009:](#)

**Valley could win all around with emphasis on solar energy
Schools offering training are encouraging signs for Valley.**

Solar energy is riding a wave just now, and the Valley is the perfect place to catch it. That's why it's encouraging to see local schools gearing up to train college students for the opportunities that this expanding industry will offer.

The time is right for solar. Given the need to reduce our national dependence on imported oil, demand for cleaner air and the urgent necessity to create new, high-paying jobs, solar offers a wealth of benefits.

The Obama administration has made a strong commitment to boosting alternative energy production. Already, attractive tax incentives are fueling strong growth in the installation of solar technology on homes and businesses alike.

It's long been recognized that the sun-baked central San Joaquin Valley is an ideal laboratory for developing solar energy technologies. California State University, Fresno, many private businesses and the city of Fresno are already leaders in the exploitation of solar power. Why not take that to the next obvious level?

Not only can we generate much, if not all, of the power we need from clean sunshine, the development of new and improved solar technologies could bring an expansion of jobs and manufacturing here, much as the aerospace industry once powered Southern California and high-tech firms enriched Silicon Valley.

New programs being created at Fresno State and the University of California are a good start in that direction. Fresno State already has strong industrial technology programs to serve as a foundation. UC Berkeley, with its own excellent engineering school, will partner with the Valley's UC Merced to start up a solar energy program this summer.

Fresno City College and other State Center Community College District campuses are old hands at training students for jobs as skilled technicians. Building on those efforts to increase solar technology training should be a natural progression.

Eventually it could be possible to attract one or more of the growing number of manufacturers of solar equipment to the Valley. Solar is a winner all around.

[Note: The following clip in Spanish discusses lights off for Earth. More than 3 thousand cities in 84 countries will turn off their lights on Saturday for Earth Hour as a symbol in the fight against global warming. For more information on this or other Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

**Un apagón por el planeta
Casi 3 mil ciudades apagarán sus luces**

EFE

La Opinión, Friday, March 27, 2009

GINEBRA (EFE).- La Hora del Planeta dejará a oscuras, este sábado y durante una hora, a 2,848 ciudades de 84 países en señal de lucha contra el cambio climático, una iniciativa convocada por el Foro Mundial de la Naturaleza (WWF).

El sábado de 20.30 a 21.30 horas (hora de cada ciudad participante) ciudadanos, empresas, gobiernos y organizaciones alrededor del mundo apagarán sus luces para demostrar a los dirigentes políticos su preocupación por el cambio climático.

Las pirámides de Giza (Egipto), el Coliseo de Atenas, la Torre Eiffel de París, el Coliseo en Roma o el puente Golden Gate en San Francisco son algunos de los lugares emblemáticos que apagarán sus luces por el futuro del medio ambiente.

Además, participarán ciudades de 47 países emergentes como Brasil, Argentina, Turquía, México, China o India.

"Este es un acto simbólico con el que no se reducirá de manera significativa el consumo de energía, aunque es una forma de darle voz a la población", dijo la gerente de WWF para la Hora del Planeta, Joanna Wiseman,

"Todo el planeta funcionará el sábado como una sola comunidad para transmitir a los líderes que toman las decisiones sobre medio ambiente que nos preocupamos por el cambio climático", agregó.

La responsable del WWF aclaró que "no hay que apagar todas las luces. Se trata de prescindir de todo aquello que gasta energía de forma innecesaria, sin comprometer la seguridad de los ciudadanos".

La campaña mundial comenzará en Nueva Zelanda -debido a la diferencia horaria- donde todos los generadores de diesel de las islas Chatham, un pequeño archipiélago en la costa este, serán apagados a la hora convenida.

El apagón mundial se irá trasladando hacia el oeste, desde las principales ciudades de Asia-Pacífico, hasta Europa y en España se quedarán sin luz lugares tan emblemáticos como la fuente de la Cibeles en Madrid, el museo Guggenheim en Bilbao o la Alhambra en Granada .

En el continente americano participarán las principales ciudades de norte a sur, y así, en Colombia, se oscurecerán iconos de Bogotá, Medellín y Cartagena.

En Bolivia participarán en la campaña ciudades como Santa Cruz, La Paz y Cochabamba, mientras en Chile, el Palacio de La Moneda, la plaza de la Ciudadanía, la Torre Entel, la Catedral de Santiago y los municipios de Santiago y Valdivia son algunos de los iconos que verán apagadas sus luces de fachada.

Toda Centroamérica se unirá asimismo a la Hora del Planeta, y en Perú, las autoridades han llamado a que todos los peruanos apaguen las luces durante la Hora del Planeta.

La iniciativa pretende llamar la atención de los dirigentes que participarán en la reunión de Copenhague en diciembre, donde se firmará un nuevo tratado global sobre el cambio climático que sustituirá al de Kyoto.

Incluso el secretario general de la ONU, Ban Ki-Moon, hizo un llamamiento a la población de todo el planeta para que participe en esta iniciativa y recalcó que "la Hora del Planeta es una forma para los ciudadanos de enviar un mensaje, pedir acciones concretas ante el cambio climático".

"Necesitamos un acuerdo ambicioso, un acuerdo justo y efectivo. un acuerdo fundamentado en la ciencia", añadió.

La Hora del Planeta comenzó en 2007 en Australia, y contó con la participación de más de 2 millones de personas.

Un año después, el evento se convirtió en el movimiento más grande del mundo frente al cambio climático, al contar con la colaboración de más de 100 millones de personas en más de 350 ciudades. Ban declaró que esta edición promete ser "una de las demostraciones públicas más grandes que se han intentado", mientras que el WWF manifestó su deseo de lograr implicar a más de mil millones de personas.

[Note: The following clip in Spanish discusses the State of California will help truckers meet pollution rules. ARB will fund \\$350 million to finance the change out of older trucks and commercial machineries that pollute.](#)

Tienden el estado una mano temporal a desamparados en California

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Thursday, March 26, 2009

La Oficina de Recursos del Aire de California informó que aportará 350 millones de dólares para financiar cambios de camiones o de maquinarias a las unidades comerciales que son más contaminantes. El Programa de Financiamiento para el Control de la Contaminación de California ayudará inicialmente a propietarios de camiones de carga de modelos de 1993 o anteriores. El plan permite que los camioneros propietarios mantengan su trabajo pero que sustituyan maquinarias con préstamos de escasos o nulos interés financiero, o incluso con subsidio, según cada caso. Para el año 2014 todos los camiones, considerados una de las principales fuentes de contaminación, deberán tener motores y filtros adecuados en California.

[Note: The following clip in Spanish discusses a draft proposal by EPA to cut air pollution from large ships near U.S. coasts.](#)

Podría EPA igualar reglas para la contaminación partiendo del modelo de California

Manuel Ocaño, Noticiero Latino

Radio Bilingüe, Tuesday, March 31, 2009

La Agencia federal de Protección Ambiental (EPA) anunció que planea aprobar restricciones similares a las que California impone a barcos contaminantes. EPA dijo que en coordinación con Canadá exigirá que todo barco contaminante cambie al llegar a 200 millas náuticas de las costas su consumo de diesel por otras alternativas que reduzcan emisiones de sulfuro, dióxido de carbono y óxido de nitrógeno, que son algunos de los peores contaminantes del aire. California informó por su parte que una ley estatal de la que EPA tomó el ejemplo, y que entra en vigor en el 2012, quedará sin efecto en 2015 para permitir que la ley de EPA sea uniforme a lo largo de las costas del país. Los barcos y miles de camiones de carga en los puertos se traducen en la mayor fuente de contaminación en California.