

Clean-air mowers sell out, more coming

Bakersfield Californian, Thursday, Nov. 11, 2010

It took just three days for the valley air district to sell out of its initial offering of 1,600 clean, electric lawn mowers intended to replace old, pollution-belching gas-powered mowers.

But the effort was so successful the air district is committing an additional \$125,000 for 500 more mowers -- and hopes to expand the program beginning early next year, said a district spokeswoman.

The Clean Green Yard Machines program, which kicked off on Monday, sold out of its \$400,000 allotment of 1,600 mowers on Wednesday. The second round of funding opens Friday at 8 a.m.

If you already have a voucher -- the first step required to replace your mower -- a mower has been set aside for you, district officials confirmed Wednesday.

"Because of the overwhelming response to this popular program, we are releasing an additional \$125,000," Seyed Sadredin, the district's executive director, said in a release. "We hope to release even more funding after the first of the year once the lawn mower manufacturer has fully caught up with this current overwhelming wave of orders."

The additional funding was authorized by the district's governing board from the 2010-11 budget for community incentive grants.

The lawn mower trade-in program replaces old, polluting gas-powered mowers with clean, electric Neuton mowers for \$25 or \$50, depending on the model. A single gas-powered mower running for an hour produces about as much pollution as 40 late-model cars, according to the district.

The Neutons retail for \$349 and \$399 on the company's website. If demand continues, the district anticipates exhausting the additional funding before the end of next week.

The lawn mower trade-in incentive is just one of several efforts funded by the district through a variety of federal, state and local sources, including DMV fees paid by valley residents.

The eight-county air district, which extends from Bakersfield to Stockton, has long included a \$7 surcharge on DMV auto registrations in the valley.

The district board voted last month to pay for a multimillion-dollar federal air pollution fine by adding an additional \$12 to the annual cost of registering a motor vehicle in the valley.

All of that money, district officials say, will be used to fund anti-pollution programs in the valley.

The \$100 million available this year for air-quality incentive programs funds projects involving wood stoves, school buses, trucks, bike paths, vanpools and many other projects designed to reduce emissions.

To participate in the mower-replacement program:

- Call 559-230-5800 and request a voucher for Clean Green Yard Machines.
- After receiving the voucher, take your old gas-powered mower to an authorized recycler near you.
- After turning in your old mower, order your new electric mower by phone. It's delivered to your door with no shipping cost.

For more details, visit Valleyair.org or call the Bakersfield office at 392-5500.

High demand for lawn mower vouchers

By The Record

Stockton Record, Friday, Nov. 12, 2010

San Joaquin County residents love their lawn mowers.

From Monday through early Wednesday afternoon, 1,590 county residents requested vouchers for a \$25 or \$50 electric lawn mower offered by regional air quality officials.

That far exceeds the 368 mowers allocated for this portion of the eight-county Valley Air Pollution Control District.

So for now, no new requests will be taken from this county.

The demand overloaded the district's 41-line phone system Tuesday and prompted officials to make available an additional 500 mowers, which will first be offered to other Valley counties.

By early next week, district officials should have an idea how many of the 1,590 San Joaquin residents will receive vouchers.

"We're doing our best at having enough funding to send vouchers to most if not all of the folks in San Joaquin," district spokeswoman Jaime Holt said.

The idea of the electric mowers is to replace gas-guzzling ones that contribute to the Valley's bad air. San Joaquin County's air is generally better than regions to the south, where interest in the lawn mower program was not as great. Still, slashing pollution here can benefit the entire Valley, Holt said.

San Joaquin residents who don't get mowers this time may a shot in January with yet another round of mower discounts. The manufacturer, Vermont-based Neuton, needs time to catch up first, Holt said.

Firm Build trio indicted on federal charges in asbestos case

By Victor A. Patton

Merced Sun-Star and Sacramento Bee, Friday, November 12, 2010

Three former Firm Build executives were indicted Wednesday on federal charges for allegedly violating hazardous waste laws and knowingly exposing high school students to asbestos -- adding to an already long list of state charges.

The defendants, Rudy Buendia III, 47, Patrick Bowman, 44, and Joseph Cuellar, 71, allegedly cut corners by using teenagers to remove asbestos from the Automotive Training Center at Castle Commerce Center. The federal grand jury has charged the trio for submitting false statements to the San Joaquin Valley Unified Air Pollution Control District, according to Lauren Horwood, spokeswoman for U.S. Attorney Benjamin Wagner, Eastern District of California.

In addition, all three are charged with nine violations of the Clean Air Act and knowingly endangering others by releasing asbestos into the air. If convicted on the federal charges, the trio faces 15 years in prison. The asbestos investigation was launched by the Merced County District Attorney's Office in November 2009 and lasted seven months after the district attorney received a witness tip. The defendants were arraigned on state charges in Merced County Superior Court in May. All three men have pleaded not guilty and deny the charges.

The investigation grew to include the United States Environmental Protection Agency, Office of Criminal Enforcement.

District Attorney Larry Morse II said the number of federal indictments "reinforces the gravity of what took place" with Firm Build.

"We believe that because some of these ROP students came from disadvantaged backgrounds, they were not treated with the care they deserved," Morse said. "Instead of having an opportunity to learn some skills they were treated as disposable goods, because (the suspects) had a failing business and were trying to cut corners."

Kirk McAllister, Buendia's attorney, said his client maintains his innocence, and will fight the allegations to "bring the truth" to court.

"He's denied the charges all the way through," McAllister said.

When asked about how his client is handling news of the federal indictment, McAllister said Buendia "has a very even tempered attitude generally and he's bearing up very well under the stress of having been charged for two years."

Calls were placed to Douglas Clayton Foster and Ralph Temple, the attorneys for Cuellar and Bowman. They couldn't be reached for comment Thursday.

The victims, who were around 16 and 17 years old at the time, removed asbestos from the Automotive Training Center, at 2245 Jetstream Drive within the Castle Commerce Center, under the direction of Firm Build between September 2005 and March 2006.

At the time of the alleged crime, all of the accused were in key oversight positions with Firm Build on the Automotive Training Center project.

Bowman was Firm Build's board president and coordinator of the Workplace Learning Academy, created at Valley Community School to teach trade skills for at-risk students.

Buendia, at the time, was Firm Build's project manager, scouting and determining the nonprofit's projects. Cuellar was an administrative manager who had the contractor's license Firm Build used to find grant funding, procure contracts and pull permits for projects, according to investigators.

Prosecutors with the district attorney's office said five victims have stepped forward in the case -- although up to 80 students may have been affected.

The defendants also face several state charges in another case tied to Firm Build. In September 2008, they were arrested in a district attorney's financial investigation of Firm Build.

In that case, felony charges range from embezzlement and diversion of construction funds to grand theft. Those charges are still pending.

Kettleman residents headed to Wasco

By Seth Nidever, staff writer

Hanford Sentinel, Thursday, Nov. 11, 2010

Concern over a nearby toxic waste landfill, air pollution and contaminated water is motivating some Kettleman City residents to attend an environmental justice conference Saturday in Wasco.

Environmental justice advocates from the small town have joined with Bay Area environmental groups and others to protest plans for an expansion to the hazardous waste capacity of the Chemical Waste Management Inc. landfill site southwest of Kettleman City.

The coalition calls itself the Central California Environmental Justice Network. Another regional group participating is Associated of Irrigated Residents, a Wasco-based organization that frequently pushes for stricter clean-air laws.

Local activists say they believe a cluster of recent birth-defect cases in Kettleman City may be partially linked to the landfills, though no scientific evidence has yet emerged to make the connection.

"The landfill is not connected to any ill effects on human health, and we have lots of scientific studies to show that," said Jennifer Andrews, Chem Waste spokeswoman. "The state is doing more studies that we expect to be released this month. ... We're confident about the safety of our facility."

All permits for the new toxic-waste landfill have been put on hold while the California Department of Public Health investigates the birth defects.

The main concern of the group called People for Clean Air and Water in Kettleman City is the toxic waste, though other issues are also significant, said Maricela Mares-Alatorre, a member of the group.

Mares-Alatorre works for Greenaction, an environmental group based in the Bay Area with an office in Hanford.

Kettleman City residents are drinking water contaminated with benzene, a petroleum-derived compound in the ground, according to Mares-Alatorre. She speculates the bad water may contribute to the birth-defect cases.

The benzene is a leftover from past petroleum production in the area.

"We are drinking contaminated water as we speak," she said. "Something needs to be done to address the situation as quickly as possible."

County officials have long been planning a water treatment plant to use relatively clean aqueduct water for Kettleman City. But officials say they are waiting on funds from the state Department of Public Health and USDA Rural Development to complete the \$12.3 million project.

Those attending the conference will bring up water issues and discuss air pollution. They are expected to make two demands: That the U.S. Environmental Protection Agency reject Chem Waste's toxic landfill expansion plans and that Environmental Protection Agency hold the state of California accountable for its "environmental justice and civil rights violations," according to a press release.

There will also be a ceremony honoring mothers in Kettleman City who have had children with birth defects, Mares-Alatorre said.

"It's just a really good opportunity to network with other groups in the environmental justice movement, groups that are facing the same kind of environmental challenges that we are," she said.

EPA issues guidelines for cutting greenhouse gases

By Jason Dearen - Associated Press

Sacramento Bee, Modesto Bee and Merced Sun-Star, Friday, November 12, 2010

SAN FRANCISCO -- Increasing energy efficiency is the focus of the first-ever federal guidelines for reducing greenhouse gas emissions from industrial sources issued Wednesday by the U.S. Environmental Protection Agency.

Among the suggestions: replacing dirty fuels used to power oil refineries with cleaner sources and requiring more efficient electricity and energy use with existing power plants to reduce emissions - while not requiring expensive technology upgrades.

EPA's new guidance is meant to help states understand how to implement new greenhouse gas reduction requirements while mitigating costs for industry in a bad economy. Most states will use EPA's new guidelines when processing new air pollution permits for power plants, cement factories and other big pollution sources under the federal Clean Air Act.

The new guidelines go into effect Jan. 2.

They require more stringent emissions standards when air quality regulators issue the permits to industry, which has complained the new rules will stop new construction and chill economic growth by creating uncertainty among businesses over how the new regulations would affect their new permits.

"Make no mistake about it, this does not represent an opportunity for any construction moratorium. EPA and the states are fully prepared to take this on," said Gina McCarthy, EPA's assistant administrator for air and radiation.

"There will be no stoppage as a result of this ... process."

McCarthy stressed that the new guidelines are not regulations but merely information meant to help states figure out cost-effective ways to reduce the pollutants that cause climate change when issuing new air pollution permits.

"We do not have any overall projection of what kind of greenhouse gas emissions will be avoided as a result of this," she said. "And greenhouse gas permitting is not a process for the overall reducing of greenhouse gas emissions."

The new rules were spurred by a 2007 Supreme Court ruling that greenhouse gases can be regulated under the Clean Air Act, and a 2009 finding by EPA that these pollutants are a danger to human health. Clean Air Act permits already are required on large industrial facilities for other air pollutants that are hazards to human health.

State air quality regulators said EPA's new guidance would help permitting move forward quickly.

"The doors of state and local regulatory agencies will be open for greenhouse gas permitting business," said William Becker, executive director of the National Association of Clean Air Agencies, in a statement. "These agencies have put forth an incredible effort to fulfill their permitting obligations on time."

Republican lawmakers were not mollified by McCarthy's assurance that these new guidelines would not slow the permit process.

Sen. James Inhofe, R-Okla., said the guidelines do nothing to ease uncertainty over the new regulations.

"Employers were looking for a clear path forward that would inspire confidence that permits would be granted, and in a timely manner," Inhofe said in a statement. "They won't find it here."

He serves on the Senate Committee on Environment and Public Works.

Clean air advocates were not as happy as state regulators with EPA's guidance, saying it relies solely on energy efficiency improvements instead of requiring installation of new technologies that capture the pollutants.

Ann Weeks, senior counsel for Clean Air Task Force, applauded the EPA's guidelines as an "incremental step forward." But she cautioned that the agency needs to more strongly support carbon capture and sequestration technologies - which EPA's McCarthy called too expensive to require now.

"Absent early deployment of these technologies, we will not be able to avoid the worst consequences of climate change," Weeks said in a statement.

And while most states have signed on with EPA's greenhouse gas reduction goals, Texas, which is the leading greenhouse gas producer in the nation, has refused to meet the new federal guidelines.

"We are reviewing this new EPA guidance. However, the Texas Commission on Environmental Quality will not be modifying its permit processes to include greenhouse gas emissions," said Terry Clawson, the agency's spokesman.