

Valley biomass plants face big air-pollution fines

By Mark Grossi, staff writer

The Fresno Bee and several other newspapers, Wed., Feb. 16, 2011

Two biomass plants, intended to help the San Joaquin Valley clean up the air, have been tagged with one of the state's largest air-pollution fines in recent history.

Global Ampersand of Boston was fined more than \$800,000 for excess ozone-related emissions and other violations from biomass plants in Madera and Merced counties, federal authorities announced Tuesday.

The fine is among the largest in the San Joaquin Valley and California over the past several years, say officials at the U.S. Environmental Protection Agency. Though they didn't have specific numbers, officials said fines of nearly \$1 million are unusual in California.

Ampersand agreed to the fines for violations that began in 2008 at the Ampersand Chowchilla Biomass in Madera County and Merced Power near El Nido, the EPA said. The biomass plants burn woody waste from farms and cities to create electricity.

Ampersand agreed to reduce ozone-forming oxides of nitrogen and carbon monoxide. Company officials could not be reached for comment.

The large fine reflects the amount of pollution and duration of the violations. The violations took place during 2008, 2009 and 2010.

The San Joaquin Valley Air Pollution Control District discovered the problems.

Biomass plants are considered a cleaner option than open-field agricultural burning, which has been mostly banned in the Valley.

But modern biomass plants must meet strict standards to prevent adding to the air-quality problems, especially in the Valley.

Valley ozone pollution is among the worst in the nation.

Ozone is a corrosive, warm-weather gas that scars the lungs and triggers asthma.

"Today's enforcement actions are a victory for human health," said Jared Blumenfeld, EPA's regional administrator.

Ampersand was fined \$328,000 for its Chowchilla plant and \$492,000 for the Merced County operation.

The EPA and the district will split the penalty, which is considered a rarity. EPA and local districts don't often work together on enforcement actions.

EPA's share of the money will go to the U.S. Treasury. The Valley air district uses such penalties to fund programs helping residents buy electric lawn mowers or cleaner-burning wood stoves.

Ampersand also was required to pay an extra \$15,000 to the Valley air district for separate violations of district rules, including requirements for emissions control plans.

Ampersand bought and refurbished the two biomass plants in 2007 and 2008, federal air officials said.

The operations had been shut down during the 1990s, according to the Valley air district.

Aside from nitrogen oxides and carbon monoxide, the two plants violated limits for sulfur dioxide. The two plants also failed to perform timely testing to measure emissions, EPA said.

Chowchilla biomass plant faces \$328K fine

The Business Journal Tues., Feb. 15, 2010

A biomass power plant in Chowchilla has been slapped with a \$328,000 fine in a settlement over alleged violations of the federal Clean Air Act.

The fine against Ampersand Chowchilla Biomass, LLC was announced today by the U.S. Environmental Protection Agency, which along with the San Joaquin Valley Air Pollution Control District allege the power plant emitted nitrogen oxides, sulfur dioxide and carbon monoxide in excess of permitted limits.

Ampersand Chowchilla Biomass, LLC is also accused of failing to perform timely source testing to measure emissions and failing to install and operate emissions control systems.

A fine of \$492,000 against Merced Power, LLC for similar violations was also announced today. The biomass power plant is located about 10 miles south of Merced.

Each of the facilities are owned by San Joaquin Valley Energy Partners, were completed in 1988, refurbished in 2008 and have a production capacity of 12.5 megawatts of electricity produced by burning agricultural waste.

The fines are subject to a 30-day public comment period and final approval by the U.S. District Court for the Eastern District of California.

Biomass power plants in Merced, Madera counties fined \$830,000 for clean air violations

By Sun-Star staff

In the Merced Sun-Star and Sacramento Bee, Wednesday, February 16, 2011

Two companies, including one who operates a biomass plant in El Nido, have agreed to pay a combined civil penalty of \$835,000 to resolve alleged violations of federal Clean Air Act and rules for the San Joaquin Valley Air Pollution District, according to a United States Environmental Protection Agency press release.

Ampersand Chowchilla Biomass and Merced Power are required to pay \$328,000 and \$492,000 respectively for the alleged violations, according to the EPA. Merced Power operates the El Nido biomass plant, while Ampersand Chowchilla Biomass operates a plant in Chowchilla.

The violations included excess emissions of air pollutants such as nitrogen oxides -- a precursor to ozone --and fine particulates, according to the EPA.

"EPA is committed to doing our part to tackle the worst air quality in the nation. Today's enforcement actions are a victory for human health," said Jared Blumenfeld, EPA's Regional Administrator for the Pacific Southwest. "San Joaquin Valley communities can now breathe easier as a result of the significant pollution controls won in these settlements." The settlements require the facilities to install devices to improve monitoring and reporting of air pollutants; enhance automation of the control systems for nitrogen oxides emissions and prepare more stringent control plans to minimize emissions of air pollutants.

As a part of this action, the companies have installed controls that reduce emissions of nitrogen oxides by up to 180 tons per year and carbon monoxide by up to 365 tons per year. The EPA and district will continue to monitor both facilities for an additional two years to ensure completion of all requirements, according to the press release.

Ampersand Chowchilla Biomass are also required to pay an extra \$15,000 to the district for a district-only violation, according to the press release.

After refurbishing the plants in 2007-2008, Ampersand Chowchilla Biomass and Merced Power initiated operations in 2008. A joint investigation by the EPA and District found that Ampersand Chowchilla Biomass and Merced Power violated the air permits issued to them by the District by

emitting air pollutants including nitrogen oxides, sulfur dioxide, and carbon monoxide in excess of the permit limits.

In addition, they failed to perform timely source testing to measure emissions of various air pollutants. They also didn't properly install and operate emissions control systems for nitrogen oxides or certify the continuous emissions monitoring systems.

The plants also violated various district rules including requirements for emissions control plans, according to the EPA.

Biomass power plants use green waste from farms and other operations that would otherwise be subject to open burning, and construction debris that might have gone to a landfill, to generate power.

Galt joins other cities in purchasing solar power

By Maggie Creamer

Lodi News Sentinel, Wednesday, February 2011

Galt is joining a growing number of cities that are relying on solar power to run municipal water and wastewater treatment plants.

A private company will lease land from the city and construct and maintain solar panels for 20 years.

In return, the city will buy a certain amount of power every year for a price that will be lower than current and anticipated rates from the Sacramento Municipal Utility District.

The Galt City Council unanimously approved the agreement Tuesday night with Randy Shelton absent.

The city estimates it will save at least \$1.2 million during the 20-year agreement with SunPower Corporation, said Sandra Kiriou, principal planner.

The panels will tower over a pond that used to hold water and is northeast of the new additions to the treatment plant. The panels will continually track the sun's movement east to west.

Last week, the city finished \$16.6 million in state-mandated upgrades to the treatment plant, including two new steps in the cleaning process for the water. The new equipment, which includes 574 ultraviolet bulbs, will use about a half-a-million more kilowatts a year in electricity.

The solar project will take care of all of the city's current demand for power at the wastewater plant.

"Our first goal was to stabilize and minimize energy costs," Kiriou said.

Under current SMUD rates, the city would spend about 10 cents per kilowatt-hour, while the solar system will provide energy at about 8 cents per kilowatt.

The project will take four months to complete, and also helps the city meet goals to [reduce greenhouse gases](#) and promote and encourage the use of renewable energy, Kiriou said.

The system will offset the [carbon emissions](#) for at least 174 homes per year, or 3,323 over 20 years, according to Kevin Ross, a SunPower account manager.

It is unclear how many panels will be installed. The agreement provides for the city to purchase 2 million kilowatts per year, but the city could increase that to 2.5 million in the next 90 days.

Staff built in the option to create a larger system so it could evaluate how much electricity the plant's new upgrades will use.

Once the plant is constructed, SunPower will be in charge of any maintenance and cleaning the panels at least once a year.

"Mother Nature does a good job cleaning the panels, but we do come clean them in the summertime because dust builds up, especially if there is construction near the basin," Ross said.

Other cities have also entered into power purchase agreements to develop solar projects to run utility plants. SunPower designed a similar solar project in Thousand Oaks that went online on May 2008 with 2,783 panels.

Lodi also has considered using solar power at its White Slough wastewater plant. In August 2009, the city asked businesses for proposals to install and operate a solar plant, and sell the power to the city. But Lodi did not receive any feasible projects and the idea has stalled, city spokesman Jeff Hood said.

One of the advantages of entering a power purchase agreement is that private contractors can utilize federal tax credits, low-interest loans and SMUD rebates for installing solar that are not open to municipalities, Kiriu said. The company also receives the benefit of having a guaranteed buyer of the electricity it creates.

Because the company receives rebates and tax incentives, it can pass on the savings when it sells power to the city, Kiriu said.

If the company were to back out of the proposal, SunPower would be required to pay the difference between the locked in solar rates and whatever the city is paying SMUD at that time, Kiriu said.

City Attorney Steve Rudolph pointed out that the only way the contractor will earn money for its investors is if the plant keeps operating.

"One of the great comforts we have in this transaction ... is they are highly motivated to keep this power plant up and running in peak condition," Rudolph said.

At the end of 20 years, the city will either be able to purchase the panels, extend the contract five years or ask SunPower to remove the panels. The agreement also allows the city the option of purchasing the plant after 10 or 15 years.

Resident Al Baldwin wanted to make sure that the council had more information on the project than what was presented at the meeting, but said he is a proponent of solar.

"The city could really need something like this as long as it is feasible," he said.