

[Commentary in Bakersfield Californian, Sunday, May 8, 2016:](#)

The feds don't like our air? Let them fix it, then

By Lois Henry

It only seems fair that if the federal government is going to set unreasonable air pollution standards it should shoulder some of the load for meeting those standards.

Especially when you consider that 85 percent of pollutants in the valley come from tailpipe emissions, over which local air authorities have zero control.

So I applaud the San Joaquin Valley Air Pollution Control District board's unanimous decision last week to pursue an implementation plan for the newest unattainable pollution standard that assigns a hefty number of tasks to the EPA.

I'm sure the EPA won't see it like that.

But hopefully the valley air district's actions will at least give the public a greater understanding of how absurd air regulation has become.

For example:

We have just now met an ozone standard set in 1979.

We are still years away from meeting the ozone standard set in 2008. Meeting the standard set last year by its 2031 deadline would require us to cease all internal combustion in the valley, according to Seyed Sadredin, director of the San Joaquin air district.

And ozone isn't even the trickiest pollutant on our plate.

There's also PM2.5, tiny bits of dust and soot.

We've got four separate ongoing standards for PM2.5 that we can't meet.

The newest standard, also set last year, is so far out of reach we could cease all industry, farming, wood burning, etc. in the valley and still wouldn't have a dream of reaching it by the 2029 deadline.

That's because of tailpipes, which cause the majority of our pollution but which the air district can't regulate.

Even so, the air district is required to write up a plan for how it will attain the unattainable PM2.5 standard by August 2017.

After going over all the numbers, Sadredin's staff decided on a gutsy new direction at the board's study session held May 4 and 5.

Why not assign some work to the EPA, which does have authority to limit tailpipe emissions?

Why not, indeed.

In fact, the air district's plan goes beyond seeking greater tailpipe reductions for new vehicles and will ask the EPA to severely limit locomotive emissions as well as establish nationwide infrastructure to support low- or no-emission vehicles, such as all electric, hydrogen or what have you.

The air district will also ask for much greater state and federal funding to massively ramp up incentive-based reduction efforts, such as truck buy-backs to encourage fleet turnover to cleaner-burning vehicles.

That's the kind of effort needed to meet these standards, Sadredin said.

NOx is the underlying issue.

NOx, nitrogen oxide, is the precursor to both ozone and PM2.5 and is in all emissions, whether from stationary or mobile sources.

The air district has been hammering away at NOx from stationary sources for about a generation now, reducing by 90 percent. So, there's not much left to pinch.

And stationary sources only make up about 15 percent of our pollution, the rest comes from cars, trucks and trains.

These new standards will require another 90 percent reduction in NOx.

There's only one place to get that reduction: cars, trucks and trains.

That's where the feds come in.

But the feds haven't taken kindly to work assignments from local air districts.

The South Coast Air Quality Management District tried in 2007 and got a severe "You're not the boss of me!" response from the EPA.

Back then, South Coast wrote a PM2.5 implementation plan that would have made the EPA responsible for reducing 10 tons of NOx emissions per day.

The EPA rejected that plan.

I asked Sadredin why he thinks the San Joaquin Valley air district will get any different response.

"It is a risky approach and the EPA, in all likelihood, may deny it," he acknowledged. "But we think the issue with South Coast's attempt was they didn't have a specific plan. They just gave an amount, 10 tons per day. Our plan will be very specific as to what we need EPA to do."

Even so, he repeated, the EPA's response probably won't be welcoming.

The risk of rejection is significant.

If the EPA rejects the plan and the air district simply can't find another feasible method to reduce those emissions, that could mean a loss of \$2.5 billion in highway funding for the eight counties that make up the air district.

The EPA could invoke penalties on the counties.

It could require a two-for-one pollution offset of any business trying to locate or expand here.

And it could mean federal takeover of the local district.

To which I say, fine by me.

Whether the feds reject the plan or accept the challenge, it will bring them face-to-face with how chaotic and impossible air regulations have become, possibly even leading to some reform

(Don't even get me started on how people aren't dying en masse from air pollution anyhow. But that's another story.)

Anyhow, don't be surprised if you hear this story again, over and over.

The air district board approved a massive public education campaign to lay out everything I just told you.

But remember, you heard it here first.

You're welcome.