

Ban on home burning in works

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By Mike Jensen

FRESNO - It's unknown how it will be enforced, but Central Valley air pollution regulators are on track with a plan to ban wood burning in fireplaces and stoves beginning next winter.

The ban would only apply on nights when Valley air pollution is particularly bad.

The proposed ban also calls for a curtailment on construction of stoves and fireplaces in new homes.

Almost 100 people descended on the San Joaquin Valley Air Pollution Control District's headquarters Tuesday night to participate in one of several public workshops scheduled before the new ban is adopted.

The Valley air district is responsible for regulating air pollution from Stockton to Bakersfield. Decisions on regulations are made by an 11-member board made up of county supervisors and city councilmen from throughout the Valley.

None of the air district directors - including Merced County's representative, Supervisor Jerry O'Banion - appeared to be present for the meeting Tuesday.

David Crow, the head of the air district, sat in the back of the room with other audience members.

That left four of the air district's technical staff sitting in the governing board members' chairs to listen to the public's concerns.

Tom Jordan, an air district senior planner, told the crowd that the air district needed to restrict wood burning to comply with federal Clean Air Act health requirements.

"We aren't asking you to (stop burning) for the whole winter, just those nights when (air pollution) is the worst," he said.

In air quality jargon, the pollution is referred to as "PM10," particulate matter that's 10 or fewer microns in diameter. Ten microns is one sixth the diameter of a human hair.

Unlike visible dust that gets caught in the upper respiratory system, the tiny PM10 particles reach the lungs and in some cases even the bloodstream.

Among health effects cited by air officials are increased asthma attacks, bronchitis aggravation and respiratory disease.

Residential fireplaces and stoves contribute about 30 percent of the Valley's winter air pollution, according to air district spokeswoman Josette Merced Bello.

Wood burning in fireplaces and stoves will be banned on about 20 days per winter once the ban's in place, she has said.

Residents whose only source of heat is from wood burning won't be affected. Residents with new cleaner burning stoves that have emissions control equipment should be affected less than five days of the winter, Merced Bello said.

Under the rule, wood-burning fireplaces and stoves would be banned in new developments with more than two homes per acre.

Also, the rule includes a requirement that wood-burning stoves be removed or rendered inoperable when a home is sold.

That had some real estate representatives concerned Tuesday night.

Ken Neufeld, outgoing president of the Fresno Association of Realtors, said the requirement was unfair and ineffective.

"We believe this is an inappropriate way to solve a problem," he said.

Christopher Caron, vice president of marketing for Duraflame, Inc., said laboratory tests have proven his company's synthetic logs emit little of the PM10 pollution.

He asked that the air district consider allowing the logs to be exempted from the ban.

"We do think it produces a cost-effective alternative for the many homeowners who do have fireplaces," he said.

Robert Gretsich, a Fresno resident and computer consultant, said he believes the Valley is being unfairly blamed by the EPA for air pollution that originates in the Bay Area.

"I think we're getting squeezed more and more every time," he said.

The air district officials responded that they are aware of air pollution traveling to the Central Valley from the Bay Area. But they also said the PM10 pollution is being emitted into the air locally.

Ron Bohigian, principal at Fresno's Viking Elementary School, told the air district that he supports the rule and he routinely sees children with asthma in his office.

"I don't think our right to burn wood transcends our right to breathe clean air," he said.

The air district will hold a workshop in Modesto at 1:30 p.m. Thursday. The district office is located at 4230 Kiernan Ave., Suite 130.

For more information visit www.valleyair.org.

Fireplace restriction a hot item for some

For others, it's a fact of life if the Valley is going to have better air.

By Mark Grossi

The Fresno Bee

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It didn't take long to heat up the discussion about a rule to periodically ban fireplace burning in the San Joaquin Valley.

"If the weather is cold, I'm going to burn," said Kern County resident Arthur Litten, who opposed the new air rule. "I've burned all my life. If you get to the point that you can't burn here, I'll go back where I came from -- Mississippi."

People lined up to comment on the proposed "no-burn" rule, which was discussed publicly Wednesday before about 60 people at the San Joaquin Valley Air Pollution Control District.

Officials will tweak the proposal after hearing from the public, and the rule will go through more public workshops next month. The rule is expected to be in place a year from now, even though many who spoke out considered it an intrusion into their lives.

But some spoke in favor of banning wood-burning on the Valley's worst air days in cold weather. Officials expect burning would be stopped from five to 20 days a year.

"I always appreciated our clean air in Fresno until just recently," said Ronald Bohigian, a Fresno native. "I accept this [proposed rule] as a fact of life."

So does the federal government, which requires the rule because the Valley missed cleanup deadlines for particle pollution. Such pollution is linked to premature death, chronic bronchitis and other lung problems.

The rule would exclude wood-burning residences with no other source of heating, dwellings above 3,000 feet in the foothills and units where no natural gas or propane service is available.

The district's proposals in the rule include a ban on wood-burning devices and fireplaces in new Valley subdivisions, unless the home is being built on a lot one acre or larger. Natural gas heating devices would be allowed in any subdivisions.

In addition, when houses are sold, owners would be required to permanently disable or remove wood-burning stoves or inserts that are not federally certified.

But Fresno real estate representatives and a private firm, Dura-flame of Stockton, said the proposal needs to be changed.

Broker Ken Neufeld took issue with the idea of forcing homeowners to remove or disable stoves and inserts that aren't federally certified. He said it was an inefficient and unfair way to weed out the dirtier-burning devices.

"Only 7.44% of the homes sold last year in the Fresno-Clovis area would have had to do that," he said. "That's a very small segment of the problem."

Chris Caron of Duraflame said his company's manufactured log should be designated exempt under the same exclusion that allows federally certified stoves and inserts to be burned on marginal days when open-hearth burning is stopped.

Caron said manufactured fire-logs put out two-thirds fewer particulates than open fireplace burning. For people who can't afford the inserts or wood stoves, he said, it was the only way to reduce pollution.

Many in the audience Wednesday thought other sources of pollution should be brought under control as well.

"What about diesel trucks?" asked Robert Gretsich of Fresno. "When it's foggy, the diesel [particulates] just hang in the air, and it makes me sick."

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Fourth power plant up for council discussion

Tanya Rose
Tracy Press

As construction of the 169-megawatt Tracy Peaker Plant continues west of town and two other mega-plant proposals wind their way through the planning process, rumblings of yet a fourth plant have activists and local officials reeling about pollution thresholds.

Tonight, the Tracy City Council will consider mounting formal opposition to the new facility, a 49-megawatt peaker plant backed by the Sacramento-based

Wellhead Power LLC. The company had proposed the project more than a year ago and obtained necessary approvals but shelved the plan last February because of the dipping economy.

Though the company has no immediate plans to breathe life back into the proposal, Wellhead officials say they're asking the San Joaquin County Planning Department to keep the application open - just in case.

But some residents say they are skeptical, and city officials want to stay on top of the game - just in case.

"It's very important for the city to stand up for its turf, to stand up for its rights," said activist Bob Sarvey, who has voiced strong opposition to all local power projects, citing pollution concerns.

He noted that the Wellhead site, at Lammers and Valpico roads, is next to the Tracy Peaker Plant site. Both would be natural gas fired facilities.

Mayor Dan Bilbrey said the city will consider sending a letter to county officials either opposing the project or asking for further study on environmental effects.

"With everything that's going on in and around this area, it's time the county takes a long, hard look at this," said Bilbrey, noting that the initial proposal came at a time when Californians believed there was an energy crisis and Gov. Gray Davis' office was pushing power projects statewide with little study.

But county planners, aware of local concerns, have said that what's happening now is more a technicality than anything else.

Chandler Martin, senior county planner, said an approval is usually good for 18 months, and that Wellhead simply hit the end of the line in terms of getting building permits. So the company is asking for a 12-month extension, and - despite reports to the contrary - Martin said the request was not late.

The county planning commission will consider the extension at its Jan. 9 meeting, and, if granted, the approval will move forward.

The California Energy Commission usually handles such issues as the arbiter of plant licensing throughout the state. But that's only for plants producing 50 megawatts or more. At 49 megawatts, this plant falls under county jurisdiction, said commission spokesman Rob Schlichting.

Sarvey said the planning commission meeting will be important for the public.

"That January meeting is the one that really counts, in terms of public participation," he said. "That's the one where it would do more good for people to come out."

Recent public-participation workshops and hearings have not been as well-attended as hearings on Tracy's first power project - the under-construction peaker plant at Lammers and Schulte roads. That project, proposed by GWF Energy LLC and slated to run only during times of high energy demand, was controversial when it was proposed last year.

The other power plants have caused less excitement, though both will produce more than 1,000 megawatts apiece and would be two of the largest in the state if approved. Those facilities - Calpine's East Altamont Energy Center and Florida Power & Light's Tesla Power Project - are planned a few miles west of Tracy, in Alameda County.

For Tracy residents, the fear is that although the facilities are not in the city's sphere of influence or even in the same county, emissions would blow into San Joaquin County. That, combined with pollution from the Tracy Peaker Plant and - if built - the Wellhead plant, would cause irreversible damage, Sarvey said.

Bilbrey said the county did not order an environmental impact report on the Wellhead plant. He said that is probably because when the project was proposed, the other larger plants weren't yet on the map, and mounting pollution wasn't as much of a concern.

"We need to look at what the cumulative impact will be by adding another generator," he said.

Schlichting said environmental impact reports for the other projects are being prepared with cumulative effects in mind. Both the East Altamont Energy Center and the Tesla project could be operational as early as 2005, he said.

Sayed Sadredin, director of permit services for the San Joaquin Valley Air Pollution Control District, said the proliferation of power plants in the Tracy area may seem absurd but does make practical sense.

He added that his district is working with the energy commission on potential pollution-shrinking measures, which include two \$1 million agreements with two companies to fund environmental programs.

"It seems like a lot of activity," he said, "but if you look, there are a lot more in the southern part of the valley. There are five or six in the Kern County area, and all of them are much larger."

Schlichting said plants are generally built where there are already-existing transmission lines and natural gas lines, and in most cases, where there is an abundant supply of water. Most plants are water-cooled.

"It has to be fairly close to population because you don't want to transmit power over long distances," he said, explaining that a large percentage of electricity leaches out of power lines over long spans.

Add to that the fact that the Bay Area is limited by transportation and must get its power elsewhere.

"This corridor from Tracy through the power station to Alameda County is the only area capable of importing to that area," said Sadredin.

"But we sympathize and, of course, share the concerns of residents," he added. "People have to understand the authority we have is limited - as long as these companies meet the regulations, they will be allowed to go through. We cannot stop them. We simply have to make sure we create a beneficial situation for everyone."

Bilbrey said county planners have been cooperative in terms of getting Wellhead information to the city.

"I was disappointed in how the planning process occurred with the GWF project," he said. "This one seems to have a little more light being shined on it, and we appreciate that."

"It gives us an opportunity for a nice dialogue with the county."

The Tracy City Council will meet at 7 p.m. today at the Tracy Community Center, 300 E. 10th St.

Don't light your fireplace today

The Bakersfield Californian

Tuesday December 03, 2002, 10:55:13 PM

Don't light your fireplace today

Air quality officials are again saying "please don't" to residents who may want to throw a few logs on the fireplace.

The San Joaquin Valley Air Pollution Control District on Tuesday issued another "Please Don't Light Tonight" alert through 4 p.m. today. The voluntary alerts are issued when weather conditions may trap pollution near the ground.

The voluntary advisories are expected to become mandatory next year, along with limits on installation of fireplaces in new and existing homes.

The air district will hold a public workshop on the proposed new rule at 2 p.m. today at 2700 M St., Suite 275 in Bakersfield.

For more information, call 1-800-SMOG-INFO or visit www.valleyair.org.

Groups want stay on allowing Mexican trucks in United States

By COLLEEN VALLES, Associated Press Writer

Bakersfield Californian

Tuesday December 03, 2002, 12:20:09 AM

SAN FRANCISCO(AP) - A coalition of environmental, labor and trucking industry groups has asked a judge for an emergency stay of President Bush's decision to open U.S. highways to trucks from Mexico.

The groups filed the request Monday, saying the federal government did not adequately review the impact the trucks would have on air quality north of the border. The 9th U.S. Circuit Court of Appeals gave the government a Wednesday deadline to respond.

Last week, Bush opened U.S. highways to Mexican trucks beyond the 20-mile commercial border zones where Mexican rigs currently transfer their cargo to U.S. trucks that carry the loads to points within the United States. The coalition, which sued the government in April to stop the trucks from operating in the United States, wants to maintain the status quo until the legal dispute is resolved. A 1982 moratorium banned Mexican trucks from the United States.

A ruling on the groups' request is expected in the next couple of days. If it's not granted, trucks could be traveling on U.S. highways as soon as this month.

Dave Longo, a spokesman for the Department of Transportation, said the suit was under review and the agency wouldn't comment on it.

So far, the Department of Transportation has received about 135 applications from carriers and bus companies based in Mexico seeking to haul their cargo farther into the United States.

Bush's decision complies with a provision of the North American Free Trade Agreement, and the government found letting the trucks in would have "no significant impact" on the environment. Transportation Secretary Norman Mineta said last week when Bush took the action that Mexican trucks would be held to the same standards as U.S. operators.

But the groups say the decision disregards federal clean air requirements and will let high-pollution vehicles into the country.

Al Meyerhoff, an attorney for the groups, said more than half the trucks in the Mexican fleet date to before 1994, when there were fewer regulations on their emissions. The Environmental Protection Agency has adopted even stricter

requirements to be phased in over the next couple of years for new trucks, and Meyerhoff said his clients believe that the Mexican trucks are not being held to those standards.

"This case is of particular importance in California and the Southwest because we have communities like San Diego and Los Angeles and the Bay Area and Houston and Phoenix that already have serious air pollution problems," and don't meet Clean Air Act standards, Meyerhoff said.

An estimated 63,000 Mexican trucks crossed the border last year, making about 4.3 million crossings, mostly through Texas.

The groups filing the petition Monday include Public Citizen, the Environmental Law Foundation, the International Brotherhood of Teamsters, the California Federation of Labor AFL-CIO and the California Trucking Association.

Smog technicians plead guilty to charges

The Bakersfield Californian

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Two Bakersfield smog check technicians entered a plea agreement after they were accused of entering false test results.

The Bureau of Automotive Repair accused David Marvin Brunson Jr. and David Marion Lintz of "clean-piping" 11 vehicles at Brunson Bros. Automotive at 3901 Wible Road.

Clean-piping occurs when a technician passes off a clean-running vehicle's emissions for a dirty car, according to the Kern County District Attorney's Office.

Both men pleaded guilty to misdemeanor charges of accessing a computer or computer network to execute a scheme to defraud.

They were ordered to perform 100 hours of community service and were put on probation for three years, Brunson said.

The business also lost its smog check station license, and Brunson said he and Lintz had to surrender their certifications.

Brunson said one of his larger clients threatened to cut off business if he didn't pass the cars, but he said that didn't excuse the crime.

"I let the worry of losing money get the better of me," he said. "Any advice to any smog technician -- just say no."

Brunson said his repair shop will remain open.