

Kern air officials split on impact of new EPA rules

By MATT WEISER, Bakersfield Californian staff writer

Friday November 22, 2002, 10:47:00 PM

New federal regulations on industrial air pollution may not hurt San Joaquin Valley skies in the long run, though some call it a dramatic switch in federal priorities that does not bode well for public health.

The Bush administration Friday announced it will ditch the New Source Review program, under which oil refineries and power plants were required to improve pollution controls when they upgrade their facilities. Instead, the administration is adopting new rules that could exempt industry from many pollution controls and expand conditions under which pollution would not be regulated.

Mark Boese, deputy air pollution control officer with the San Joaquin Valley Air Pollution Control District, said the new rules also allow exemptions for states that can prove their standards are tougher.

In other words, the new Bush standards may change nothing in California, which has the toughest air quality rules in the nation.

"I think it's just a matter of going through the process they set up to prove that case," said Boese. "So it doesn't have a real impact on us."

But V. John White, a Sierra Club lobbyist on air quality issues, said it's not so simple. Existing California standards may prevail, but the result could mean weaker standards for new industrial facilities, and no tightening of standards for existing facilities. In other words, he said, there would be no net improvement in California air quality.

"It's an unwarranted and very disappointing interference in the state's clean air program," said White. "Hopefully the state will be able to operate on its own, but it means the federal government is no longer behind efforts to clean the air in California. It's an egregious special interest jailbreak in California."

Oil production and refining are the largest stationary sources of pollution in the San Joaquin Valley and one of the top sources of particulate emissions. Kern County is home to three oil refineries.

There are more than 40 emissions-producing power plants in Kern County, according to 2001 figures from the California Energy Commission. That doesn't include the new natural-gas-fired La Paloma power plant near McKittrick that went online earlier this year. And there are four more power plants slated to open in Kern in the next few years.

As such, those industries represent a big part of the solution to local smog problems. "This is Bush saying the big guys need to make their profit, and the little guys can suck it up," said Bakersfield resident Arthur Unger of the Sierra Club's Kern-Kaweah Chapter.

Efforts to reach local refinery-owner Shell Oil Co. and power-producer Millennium Energy for comments were unsuccessful Friday.

Board may order buses to cut engines

By MATT WEISER, Bakersfield Californian, Wednesday November 20, 2002, 10:50:05 PM

For many children, a choking lungful of diesel smoke is part of every school day; the big yellow bus and the cloud of black exhaust just another snapshot in the routine.

That picture may be changing soon under a rule proposed by the California Air Resources Board. The agency wants to prevent school bus drivers from idling their machines for long periods at school sites. The idea is to protect children from the harmful effects of engine exhaust, which include breathing problems, infections, heart trouble, even cancer.

Most local school districts support the move. In fact, many are already doing it.

"We knew it was coming, so we went ahead and put in what we felt would be similar guidelines," said Larry Farmer, transportation director of the Bakersfield City School District. "We have such bad air in Bakersfield. Anything we can do, even in small increments like this, is probably going to be beneficial for air quality here."

The air board proposal would require school bus drivers to shut off their engines as soon as they arrive at a school site, and not restart them until 30 seconds before departure. The measure would also apply to other heavy vehicles operating within 100 feet of schools, such as delivery trucks, construction equipment and public transit buses. It will be considered at the air board's meeting in Sacramento on Dec. 12 and 13.

Other local school districts that have already adopted similar measures include the Kern High School District and Rosedale Union School District. In fact, Don Fowler of the county Superintendent of Schools office suspects most Kern school districts already instruct their bus drivers to operate this way.

"I could speak for Kern County, for the most part, in saying I don't think you'll see a lot of unnecessary idling," said Fowler, administrator of the superintendent's maintenance and transportation division. "We've been in a fuel conservation mode for so long now, we just don't have people running buses any longer than necessary."

This begs the question: Why another new regulation? Air board spokeswoman Gennet Pauwee said it's for the school districts that haven't adopted anti-idling policies on their own. This may be the case in communities that don't already have obvious air-quality problems, and for many smaller districts.

One example is the Taft City School District, which has not instructed its bus drivers to limit their idling.

"For the drivers, it's just one more thing to think about when you pull up," said Don Maxwell, director of maintenance and transportation for the Taft district. "Are you more concerned with idling or kids' safety getting off the bus?"

The air board estimates the proposed rule could eliminate as many as 10 cancer cases per million people. It also estimates a statewide fuel cost savings of up to \$680,000 per year.

"We're not an industry that is advocating more regulation. I think we're regulated to death, to tell you the truth," said Fowler. However, he said, "I don't see why this regulation would bother any of us in this industry. I don't see this to be a problem at all."

Some local districts have taken other measures to reduce pollution. One-third of the 146 buses in the Kern High School District fleet are powered by clean-burning natural gas. And the Bakersfield City School District is investigating a switch to cleaner, low-sulfur diesel fuel long before the federal mandate hits in 2007.

"It doesn't hurt us to go ahead and do what we think is right," said Farmer. "Hopefully it will make a difference."

Editorial, Bakersfield Californian

Dianne Hardisty: Blame this week on a full moon

Saturday November 23, 2002, 04:00:13 PM

When I stumbled out of the back door of *The Californian's* downtown offices late one night last week, I looked up in the sky and smiled. "Ahhh. Now I understand." I watched a full moon poke through a gathering layer of fog.

Full moons bring out weird behavior in some people. Combine that with fog- season cabin fever and a still raging election battle, and you explain many of the phone calls and letters I received last week.

Three "special" examples:

* I heard from Bill again. Bill is the phony name used on letters to the editor spewed out by an animal rights organization in a futile attempt to ruin the holidays of meat-eaters. The letters arrive complete with a phony Bakersfield address and an (888) telephone number, which is answered by a service in Somewhere, USA, by a woman who pretends to be Bill's wife.

Bill wished us all a Happy Thanksgiving, but noted it will not be happy for the turkey. "This Thanksgiving celebration should provide welcome relief from the violence-ridden national debate over war on Iraq and terrorism. Unfortunately, many Americans will perpetuate the violence by

giving thanks for their life, health and happiness on the grave of a tortured dead bird on their dinner table."

Bill detailed the gruesome route the bird took to that table. It's the same for every holiday. You don't want to think about what Bill claims happens to the pig at Easter on his way to becoming your ham. Fourth of July? Don't look too closely at that hotdog or hamburger. In the spirit of Thanksgiving, I say to Bill: "Stuff it."

* Speaking of turkeys, I received another complaining letter from the Kern County District Attorney's Office. The last one I received on this topic was from the DA himself, Ed Jagels. Last week's came from his chief deputy, Dan Sparks.

Sparks and Jagels object to *The Californian* publishing letters criticizing the DA's office that are written by people they have prosecuted or who have had run-ins with the DA's staff. But if we insist on publishing these letters, we should identify the writers as convicted criminals or people who have axes to grind. (*Gee, what a concept. People who write letters to the editor might have axes to grind.*)

A few years ago, Jagels wrote *The Californian* protesting the newspaper's publication of letters written by Jerome Valenta, a convicted child molester who settled in Bakersfield, formed a parolee advocacy group and dedicated himself to annoying Jagels and others in the legal community. Like Sparks' letter this week, Jagels insisted the newspaper identify Valenta and other "criminal writers" by their offenses.

Jagels thought he had the last laugh on Valenta by sending him back to prison in 1997 for felony tape recording of court officers. However, the 5th District Court of Appeal reversed Valenta's conviction in 2000, citing prosecutorial misconduct. (*Oops*)

And now Valenta and others who do not seem to measure up to the DA's standards are back in the Opinion Section firing criticism at Jagels' office this time about the investigation of Assistant District Attorney Stephen Tauzer's murder.

"If you feel compelled to publish the rantings of criminals, fine. But at least have the journalistic integrity to note the fact of their felony convictions so that your readers may fairly assess their objectivity and credibility," wrote Sparks in a letter published Friday.

The Californian does not add "editor's notes" to the end of letters. Writers are given the last word. And if these notes were added, what would be the purpose? To discredit writers? "Mary Doe wrote this letter objecting to the pollution rule because her husband works for an oil company."

And if *The Californian* wanted to comply with Sparks' and Jagels' requests, just where would the newspaper obtain that information? Are these two top prosecutors offering to run rap sheets on all of our letter writers? Or would the discrediting information be random, added only as memories and past coverage allowed.

Convicted felons still have their First Amendment free speech rights. No one not even those in the DA's office should fear free speech or attempt to stifle it.

* And finally, a call Wednesday from an angry woman who said she works for the San Joaquin Valley Air Pollution Control District. How dare we publish Robert McNinch's letter objecting to a proposed ban on the use of wood-burning fireplaces.

McNinch **STRONGLY** objected to the rule in his letter. The woman contended the letter writer was threatening to kill her if she tried to enforce it. As she hung up, she said she might call the police.

The Californian declines to publish threatening letters. But maybe I goofed when I processed McNinch's letter. I re-read the letter and called McNinch, a retired U.S. Marine Corps gunnery sergeant. "What did you mean when you wrote, 'Anyone trespassing on my property to try and enforce this stupid law had better come armed and prepared to die for his stupidity.'"

The quiet-spoken McNinch, who said he never hurt anyone during his 20 years in the Marine Corps, explained he is willing to fight for his right to burn a log in his own fireplace in his own home. No, he wasn't going to shoot anyone. He doesn't even own a gun.

He acknowledged he used strong words to convey his strong disgust for the proposed rule. But he meant no more harm than when actor and NRA President Charlton Heston raised a rifle over his head at a televised convention and vowed it would only be removed "from my cold dead hands!"

Ballots, bells, ballpark additions and more ...

By JUDY SLY, MODESTO BEE LOCAL COLUMNIST, November 19, 2002

I can't imagine anything in Modesto that has had more security in recent weeks than the uncounted ballots from the Nov. 5 election.

The Stanislaus County Clerk-Recorder's office is in a former Bank of America, and the ballots -- initially 35,000 and down to about 3,000 by Monday -- have been stored each night in the locked vault.

Furthermore, the building at 11th and I streets has extra cameras and other security measures that were installed after the attack on former Clerk-Recorder Karen Mathews. Finally, at the request of the Republicans, a sheriff's deputy has been stationed across I Street all through the night and on weekends, when the office staff is gone. The Sheriff's Department says the special assignment is costing \$500 to \$1,000 a day, depending on the number of shifts and whether officers are on regular time or overtime. County officials are talking to party leaders about who's going to pay for this.

During the day, the elections office has had its normal staff, plus a cadre of Republican and Democratic observers, most from Sacramento and most pleasant.

All this fuss grows primarily out of the results of the 12th Senate District race, which Republican Jeff Denham currently leads by 1,735 votes over Rusty Areias.

By law, the county office has 28 days to finish the count and the canvass, which is a double check of 1 percent of the ballots to verify accuracy.

LOOKING AHEAD: Meanwhile, 11 1/2 months before the next election, the rumor mill grinds as to who might challenge Modesto Mayor Carmen Sabatino.

City Councilman Bill Conrad is considering the idea. Then there's a new rumor about a challenge from new City Councilman Will O'Bryant. It was sparked by his recent fund-raiser. Will says the purpose was to pay off the \$4,000 loan he made to himself to run for council. "It's way too early to speculate" as to whether he will run for mayor, he says.

But, hey, speculating is part of this game

NOT SO NEIGHBORLY: The Harvest of Hope helps hundreds of people out of its modest little house behind the Central Baptist Church in southwest Modesto. But its operations have been disrupted by 16 break-ins in the past six months. The thieves got away with computer equipment, six weed clippers, three lawn mowers and other items.

Earlier this month, through the joint effort of Modesto police and sheriff's deputies, a pair of thieves were nabbed coming out of the place and it appears they were responsible for most, if not all, of the burglaries. It turned out the man and woman lived nearby and had visited Harvest of Hope as clients, receiving free bread and pastries. Barbara Schmal, who assists her husband, Bob, the agency's executive director, said she cried when she saw the woman. "I would have given you things if you had just asked," Barbara told the woman laying handcuffed on the ground. Is this what they call biting the hand that feeds you?

BETTER BITES: How can they spice up Modesto A's games? Fans responding to a poll on the team's Web site say garlic fries would be the best item that the A's could add to the menu. No guarantees, but media rep Michael Gorrasi says, "If the fans want them, we'll do our best to bring them here."

ANOTHER ODOR: It wasn't garlic that we smelled Saturday at the Stanislaus Hmong New Year festivities around John Thurman Field. Some visitors were covering their faces because the smell from Modesto Tallow was so bad. The San Joaquin Valley Air Pollution Control District said it had no complaints, but after checking Monday found that a piece of equipment was out of service for a brief time. The agency was still investigating.

NOT IN THE STARS: Principal Tom Brunskill says there's no truth to the rumor circulating among some students that Downey High School is going to be renamed for its most famous graduate, filmmaker George Lucas. The current name stays. For those who never knew, or forgot, Thomas Downey was Modesto High School's first principal, serving from 1890 to 1915.

NOW HEAR THIS: As of Monday, the bells are ringing again at Modesto's First United Methodist Church. Listen for them on the hour. It's an appealing sound that reaches much of downtown.

Clean Air Act? The Voice of Humor

By Argus Hamilton, My Voice, Published Monday, November 25, 2002

. Christine Todd Whitman was so hurt she stood at her office window and **stripped the protections from the Clean Air Act**. HOLLYWOOD--God bless America, and how's everybody?

* People magazine named Donald Rumsfeld the sexiest Cabinet member in the Bush administration

* The EPA allowed power plants and oil refineries to expand without installing pollution controls Friday. The West Coast was outraged. The air is so bad in Los Angeles that people deliberately crash their cars so they can suck on the air bags.

Letters to the Editor, Visalia Times Delta, November 25, 2002:

Air quality: Big Brother tactics

We now have a law that makes it a crime not to wear a seat belt in your own car. We now have a law that makes it a crime not to wear a helmet while riding your own bike or motorcycle. Now the Environmental Protection Agency is entering our homes and is going to make having a fire in your own fireplace a crime.

This in itself is bad enough, but the real scary part is the EPA wants you to call the hotline and report your neighbors. Isn't this what Hitler had people doing?

Wake up and say enough before it's too late. Watch out for Big Brother. He is watching you.

DENNIS BRYAN

Visalia

Letters to the Editor, Fresno Bee:

Who needs fireplace inserts when ceramic logs work fine?

By Harald Frieser, Fresno

(Published Saturday, November 23, 2002, 4:57 AM)

The Bee stated that about 30% of the wintertime soot and ash around Valley cities comes from residents burning wood in their homes, and we have one of the nation's highest rates of childhood asthma in our Valley. These facts alone make me support a ban on wood burning within city limits, period.

I don't think there are any homes left in Fresno that are not connected to gas and electricity, but yes, of course, wood burning should be allowed during power or gas outages.

After neighbors have their wood fires, we scrub soot from our garden furniture and we fish soot out of our pool.

We have ceramic logs in our fireplace and we have lit up the gas no more than two or three times in more than five years. But please, don't tell us or anyone else we must install fireplace inserts, regardless of whether I buy a new home or not. That is, not unless I plan to burn wood.

These inserts are costly, inelegant and devoid of nostalgic or romantic value, even if they do increase the efficiency of the fireplace and quite possibly decrease the environmental damages thereof. Professionals must agree with my sense of aesthetics, since I have seen quite a number of ceramic log fires in hotel and cruise ship lobbies, but I have yet to see one ceramic log fire in a fireplace insert in such places.

Making me install a fireplace insert will not help the environment. It will only help politicians claim they voted "for environmental causes," and it will make money for the insert industry.

Smoke screen

By Linda Wales
Fresno

(Published Saturday, November 23, 2002, 4:57 AM)

If you want to know who has the most to lose and the most to gain in this world, look at the high-profile, time-slotted commercials on TV, full-page ads in newspapers and magazines, ridiculous National Rifle Association rhetoric and the special-interest, racial-spouting moguls. Oh, I forgot politicians, too, but that's a group all by itself. It seems whoever complains the loudest, whoever spends the most and whoever clouds the real issues the best and plays the victim, wins out.

Bill McEwen's Nov. 17 column on the Clean Air Now group, exposed the "can-can" dance this group is doing to ensure nothing ever changes. Be wary of those who have caused the problem taking on a "halo." It's no argument that our severe air quality in the Valley is due to these groups. You can change the hands of a clock, but that doesn't change what time it really is.

In addition to teaching our children to read and write, the best education we can give them right now is to see through the lies and manipulating tactics of others. It's a sad state of affairs when knowing who to really believe is just as important as being able to read about it. The old saying, "The squeaky door gets the oil," takes on a new meaning these days. I think we need to "can" them.