

EPA may intervene in Valley air plans

Agency agrees to take over cleanup if local officials don't offer acceptable program.

By Mark Grossi

The Fresno Bee

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The U.S. Environmental Protection Agency agreed Wednesday to take over the San Joaquin Valley's dust and soot cleanup plan next year if local air regulators cannot produce an acceptable program.

The EPA made the agreement to settle a lawsuit with air activists over a 10-year-old Valley plan that did not achieve health standards for dust, soot and chemical specks in the air. For such pollution, the Valley ranks among the worst places in the country.

Now the San Joaquin Valley Air Pollution Control District has until July 31, 2004, to complete an acceptable cleanup plan. The district has been working on such a plan for many months. The district board is expected to receive the plan today and discuss it publicly June 19.

But local air activists already have said they believe the district's new draft is flawed. That's why they are elated about Wednesday's agreement to bring in the EPA next year.

"The EPA has been ignoring the Valley for the last decade on these plans," said Deborah Reames, attorney for Earthjustice Legal Defense Fund, representing the air activists. "Now they have a court-sanctioned agreement to take action."

Earthjustice's clients are the Sierra Club, Latino Issues Forum and Medical Advocates for Healthy Air. The groups said the agreement is another step toward healthy air for the Valley's 3.3 million residents.

"This victory gives our community hope," said Sierra Club member Kevin Hall, a Fresno resident. "It's unfortunate that citizen groups were forced into the courts to sue for clean air."

EPA also was pleased with the agreement. Kerry Drake, associate director of the agency's regional air division, said everyone is focused on the job of finding the best cleanup measures, instead of arguing about the past.

"It's a win-win," he said. "This gives the Valley air district the chance to come up with a plan."

To arrive at the agreement, Earthjustice sued the EPA in October, saying the agency should have taken over the Valley's cleanup in 1993 after an inadequate plan was submitted.

The Valley air district filed two other plans with EPA after 1993, but the agency took no action. The district has adopted many pollution controls for particle pollution in the past decade, but the Valley has never achieved federal standards.

Dust, soot and chemical specks are most damaging to children, the elderly, asthmatics and people with respiratory and cardiovascular disease. Studies suggest mortality rates are higher in areas with such pollution problems.

Cleaning up the Valley's particle problem will take state-of-the-art measures, said district planning director Dave Jones. He said he is pleased the settlement announced Wednesday is pointed at the best available strategies for controlling particle pollution.

"That's the goal we were shooting at all along, so we're pleased," he said. "We think we have time to work out any kinks in our new plan with EPA."

Now the San Joaquin Valley Air Pollution Control District has until July 31, 2004, to complete an acceptable cleanup plan.

EPA may take over cleanup of Valley air

Thursday, May 15, 2003

- Associated Press

By Brian Skoloff

FRESNO - A settlement reached Wednesday requires the U.S. Environmental Protection Agency to take over efforts to regulate air pollution in the San Joaquin Valley if regional officials fail to come up with a plan by next year, an environmental group announced Wednesday.

The EPA was supposed to impose sanctions on the Valley and develop a federally enforceable plan to regulate particulate matter pollution by Dec. 17, 1993, but a decade later, the Valley still does not have a plan in place to control the pollutant, as is required by the Clean Air Act.

The settlement will be up for public review before it is made final.

Earthjustice filed the suit last year on behalf of air quality activists against the EPA for failing to do its job to reduce dust, smoke and soot that darkens skies in one of the nation's most polluted regions.

Under the Clean Air Act, air districts have strict timetables to submit plans to reduce pollution. If they fail to meet the deadline or submit unattainable plans, federal highway funds can be frozen and the EPA can put its own plan in place.

The air district has been found out of compliance by the EPA, but the agency has never taken action, Earthjustice said.

The suit, filed on behalf of the California Clean Air Campaign, the Sierra Club and Medical Advocates for Healthy Air, asked the EPA to draft a plan to reduce particle pollution because valley air district officials have never had a workable plan in the decade since one was due.

"For two decades, the San Joaquin Valley air district has come up with one plan after another, every one of them ineffectual and loophole-ridden, and EPA has never been able to approve a single one," said Deborah Reames, an Earthjustice attorney. "It may be 11 years late, but finally, EPA will be bound by a court order to produce a plan to control particulate matter in the Valley by a date certain."

Kerry Drake, associate director of the EPA's Region 9 division which covers the Valley, called the deal a "win-win" situation for all parties, but disagreed with Earthjustice's claim that the agency has been neglecting its duties.

"A lot has been happening over the least 10 years," Drake said Wednesday.

"And what this does is it gives the district time to come up with a plan and if they don't, then EPA is under obligation" to provide its own plan.

Particle pollution is made up of microscopic bits of dust, soot, and smoke kicked up on dirt roads, farm fields and spewed by fires. They cause health problems by slipping past the body's defenses and lodging in lungs. The plaintiffs blame the pollution for 72,000 asthma attacks and hundreds of deaths a year.

San Bernardino and the San Joaquin Valley are the worst two places in the nation for particle pollution, according to the American Lung Association.

"It's unfortunate that citizen groups were forced into the courts to sue for clean air, but more than 1,300 Valley residents are dying every year from particulate pollution," said Sierra Club member Kevin Hall. "A court mandate will help provide the backbone local and federal agencies seem to lack."

Plaintiffs agreed to settle the claim in exchange for a commitment from the EPA to enact an aggressive federal plan to control particulate matter pollution in the Valley, Earthjustice said.

The settlement requires the EPA to take control of regulating particle pollution in the Valley on July 31, 2004 if regional officials have not come up with a federally approvable plan.

David Jones, the air district's planning director, said the district will have a federally approvable plan by the 2004 deadline and already has a draft prepared.

"There may be some minor problems with it that we need to iron out with EPA over the next year but this gives us time to iron those out," Jones said.

Settlement proposed to clean up Valley air

The Record

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The San Joaquin Valley should soon have cleaner air, in part because of a proposed legal settlement announced Wednesday between environmentalists and the U.S. Environmental Protection Agency.

The settlement requires the EPA to write a plan by June 2004 for reducing Valley pollution unless local regulators beat the agency to it. Officials at the Valley Air Pollution Control District have recently proposed their own plan for curbing dust pollution, but environmentalists say the plan is full of loopholes.

Without major changes, the EPA would be required to reject the plan and write its own, the activists say.

In other areas of the country, federal pollution plans have proposed measures such as no-drive days on which at least some cars are banned from driving.

"Our view is that the Valley's latest plan is a piece of trash," said Deborah Reames, an attorney with Earthjustice. "We don't think it is approvable, and we may have to go back to court to prove that."

Pollution plans are typically passed by local regulators. Once that happens, the EPA is required to sign off on the program. However, the EPA has never approved a Valley dust-pollution plan.

Under current timetables, the local air district has until February to get its now-proposed plan approved by the EPA. The proposed legal settlement would make a court order the EPA to write its own plan if it chooses not to approve the Valley proposal.

The proposed settlement resolves six months of litigation over a lawsuit filed by a coalition of environmental groups, including the Sierra Club, Medical Alliance for Healthy Air and Latino Issues Forum. The lawsuit claimed the EPA never wrote a federal pollution plan back in 1993 after the Valley missed several attempts to come up with its own rules to control pollution.

The Valley has never met federal health-based air-pollution limits and has never been able to convince the EPA to approve locally written air plans.

Clean-air vehicles showcased

Fresno gets look at autos powered by hydrogen fuel cells.

By Marc Benjamin

The Fresno Bee

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Fresno, meet ZEV.

ZEV stands for Zero-Emission Vehicle, the latest generation in a line of improvements by the automotive industry to reduce hazardous emissions from ZEV's gas-guzzling ancestors.

ZEV is hailed as the future in automotive technology. Zero-Emission Vehicles have been advanced through the California Fuel Cell Partnership, a coalition of American, Japanese, German and Korean automakers. The aim is to develop low-cost vehicles using hydrogen fuel-cell technology.

The hydrogen fuel cell generates electricity powering the motor by combining hydrogen with oxygen from air. The hydrogen fuel is stored in secure tanks inside the car.

ZEVs by Ford, Hyundai, Daimler-Chrysler, Honda, Nissan and Toyota were on display Wednesday in Roeding Park, and free rides offered. Vehicles are between 12 years and 25 years from the mass market, said Bob Riding, Pacific Gas & Electric's Fresno-based Clean Air Transportation Manager.

Before becoming more commonplace, the prices have to drop. Right now, each car is priced at about \$1 million.

Much of that cost is for the fuel cell, said Dr. Alan C. Lloyd, chairman of the California Air Resources Board.

The vehicles also need greater driving range between fuelings. Many get 150 to 200 miles without stops. When they come to market, the hope is for the cars to get up to 400 miles per fill-up.

About two dozen are in operation, Lloyd said.

Another challenge is the construction of hydrogen fuel cell fill-up stations.

"The proof is in getting them in other people's hands instead of your engineers' and getting it out in the real world," said Michael Coates, a spokesman for American Honda.

The proof also is in the ride -- the get-up-and-go, the feel behind the wheel.

"It was quick and agile," said Jim Schmidt, following a test ride in the Mercedes Elegance. "It seemed comfortable and practical. It's not a luxury car, but they are showing us how it runs, not the luxury car aspects."

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What's in it for you?

Air quality crisis demands action -- not just manna from the feds.

Fresno Bee Editorial (Published Thursday, May 15, 2003, 5:16 AM)

The Fresno City Council seems committed to reducing air pollution by changing the way the city does business in several areas. The action is important for many reasons, not the least of which is the symbolism of the largest city in the Valley showing leadership on this crucial issue.

But during discussions Tuesday, the council invoked the tired old excuse it often uses for not moving ahead on issues: Solutions are costly so the federal government will have to provide the money. With or without federal funds, the health of Valley residents is being harmed. It's time for action.

The council is considering a \$17.8 million, three-year plan that could lead to free bus rides on smoggy days, four-day workweeks and employees working from home. The council gave city staff 90 days to come up with specific projects, costs and potential sources of money to pay for them.

One component of the plan is getting more people to ride city buses, but Bruce Rudd, the transit's general manager, countered that Fresno area residents are reluctant to give up the convenience of their cars. That may be true, but our love affair with our cars isn't the only reason city bus service isn't effective. Bus services need to be improved. Buses must run more frequently and routes must be much more convenient.

The bus system seems to be run as an obligation instead of a reasonable transportation alternative. We must do better.

But the city has been making progress in some areas that would improve the Valley's air, including spending \$10.3 million in federal, state and local grants on projects aimed at reducing smog-forming emissions. That includes improving the bus fleet with cleaner diesel engines and buying natural-gas buses and garbage trucks.

The city also is looking at whether to give drivers of zero-emission or very-low-emission vehicles free parking at city meters, lots and garages. The council has asked City Manager Dan Hobbs to come up with land-use ideas and possible changes to policies and ordinances that could help clean the air.

The city is on the right track, but the efforts can't be limited to what it can get out of the federal government. And it can't be acting alone. Other cities and counties in the region must have aggressive clean-air plans. Everyone has a role to play in making our air easier to breathe.

New technology rolls into town

Thursday, May 15, 2003
By Cheri Carlson - Merced Sun-Star

Driving a car of the future isn't that much different from driving a car of today.

The steering is the same, the pedals are the same, and besides three tiny words - Hydrogen Fuel Only - emblazoned on the driver's console, the car's interior carries no tell-tale signs of new technology.

However, as the car starts up, the lack of sound emanating from the engine and the water drip-dropping from the exhaust pipe lead one to think: This is not your typical car.

And, it's not.

Fuel Cell Vehicles run on hydrogen - a sustainable resource - not gasoline. And, instead of pollutants and greenhouse gases spewing out of the vehicle's tailpipe, the only exhaust is water.

About a half-dozen fuel cell prototypes left Sacramento Wednesday morning on a three-day trip to Los Angeles. The California Fuel Cell Partnership's 2003 "Rally Thru The Valley" is intended to demonstrate the roadworthiness of fuel cell technology.

Wednesday afternoon, the about \$1 million prototypes - made by DaimlerChrysler, Ford, Nissan, Honda, Hyundai, General Motors, Toyota and Volkswagen - paraded through the streets of Merced.

Organized with the University of California, Merced, the Merced stop brought dozens of engineers, partnership, city and county officials and car enthusiasts to Lake Yosemite Park to take a look at the vehicles of the future.

One of the prototypes in Merced Wednesday - the Ford Focus FCV - is the result of about a decade of research, according to Phillip D. Chizek, manager of Ford's Marketing and Sales of Sustainable Mobility Technologies.

He said that Ford expects to sell a similar model to the masses by 2010.

The Bush administration has said it wants to see hydrogen fuel cell cars on the road by 2015.

But, according to Alan Lloyd, chairman of both the California Air Resources Board and the California Fuel Cell Partnership, 2015 is not soon enough. He said partnership members, like Ford, are pushing to have cars on the market by the end of the decade.

And, that's not soon enough for 17-year-old Kris McCullough who said his reason for wanting a fuel cell car is simple - he doesn't want to pay for gas.

He went out to see the cars Wednesday with the rest of his Buhach Colony High School science class.

His classmate, Stacey Avila, 17, agreed that gasoline should be nixed, saying that she spends about \$40 a week on gas.

Although the infrastructure for the hydrogen fuel cell cars still remains a challenge for the partnership, and the cost of the fuel is as yet unknown, energy companies are working to provide a fuel that is comparable in price to conventional fuels.

Jim Sanders, Merced city councilman, said at Wednesday's event the sooner fuel cell cars make it to Merced, the better.

Jesse Brown, executive director of the Merced County Association of Governments, echoed that sentiment, saying the fuel cell vehicles will not only be beneficial for residents' personal vehicles, but for the county's transit system as well.

Care about the air

Modesto Bee Letters to the Editor

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During the American Lung Association's Clean Air Month in May, I encourage you to think about ways you can help reduce air pollution. This year's theme is "Clean Air is Everyone's Business: Cleaner Options Are Here Now."

The most important way you can help improve air quality is to drive less, because most of our air pollution comes from motor vehicle exhaust. Carpool, ride your bike and walk more often, take the bus or train whenever possible and consider making your next car purchase a cleaner-fueled vehicle.

Cities, counties and businesses across California are doing their part by switching their fleets to cleaner-fueled vehicles. Using cleaner fuels not only will help fight air pollution, it also will help reduce our dependence on oil. So think about ways you can make clean air your business. For more information about clean air and cleaner-fueled vehicles, visit www.californialung.org.

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