

Batteries dead?

By Mike Jensen - Merced Sun-Star Tuesday, March 11, 2003

California's ambitious drive to put battery-powered engines in the cars of tomorrow appears headed for the history books after more than a decade of resistance from automakers and little improvement in the technology.

In rewriting rules aimed at ridding unhealthy smog, the California Air Resources Board last week released a report encouraging nonpolluting hydrogen fuel-cell vehicles and relying on gas-electric hybrids that get better mileage and spew less pollution.

The proposal, which faces a board vote at the end of the month, is yet another weakening of the nation's toughest requirement for alternative-fuel cars after vigorous opposition from Detroit.

"They've fought batteries pretty much tooth and nail from the beginning," said Jerry Martin, a board spokesman. "It's hard to make rules and enforce regulations when everybody industrywide has a problem with them and feels that they can spend better. They're not saying that with fuel cells."

The proposal is not expected to have much impact on the San Joaquin Valley's air, already considered some of the most unhealthy in the nation.

"We didn't put a whole lot of stock in that," said Josette Merced Bello, a spokeswoman with the San Joaquin Valley Air Pollution Control District, speaking about the state mandate.

The Valley's air is currently classified as being in "severe" noncompliance with health standards set by the federal Clean Air Act.

The Valley air district is charged with clearing the air from Bakersfield to Stockton.

District officials routinely complain that nearly 60 percent of the Valley's smog comes from "mobile sources," including trucks and passenger vehicles, which fall outside their regulatory jurisdiction.

However, the air district had not expected the zero-emission vehicle mandate to make a significant improvement to the Valley's air.

"We didn't expect that a lot of people in the Central Valley would be buying them," Merced Bello said of zero-emission vehicles. "Even though there would be a state mandate to sell them, you can't force people to buy them."

Merced County Supervisor Jerry O'Banion recently stepped down from his position as a board director for the valley air district after seven years.

O'Banion said he hopes that the state Air Resources Board won't bend on the matter and will stick to original demands for zero-emission vehicles.

He said that auto manufacturers have known they would have to meet the state deadlines for the zero-emission vehicles.

"They should be able to meet them," he said.

There was no immediate comment from auto manufacturers.

Environmentalists said the revised report, which sets a new timetable for introducing clean cars and reduces the quota of pollution-free vehicles, was a disappointment.

Some 25 million motor vehicles choke California highways in a temperate climate that produces the nation's worst ground-level ozone, or smog, leading to elevated asthma rates and other respiratory problems.

A law passed in 1990 made history by requiring that 10 percent of all new cars sold in the state this year produce no tailpipe emissions. But that standard has been gradually eroded by judges and the state air board, which is poised to reshape the so-called zero-emission vehicles, or ZEV, requirements a fourth time.

Auto manufacturers won a preliminary injunction in Fresno federal court last summer preventing the law from taking effect and requiring the board to review its regulations.

While the state has appealed that ruling to the 9th U.S. Circuit Court of Appeals, it rewrote its ZEV rule.

The ARB staff report reflects the reality that battery-powered cars — the only nonpolluting vehicles on the market — failed to fulfill their promise. Of the few thousand electric cars on California roads, most are expensive and travel fewer than 100 miles between lengthy charges.

Environmentalists said they hope to at least hold the board to mandating that a certain number of pollution-free vehicles are required by 2009.

"I think this is a midcourse correction," said V. John White, a lobbyist for the Sierra Club. "We're trying to make sure it doesn't turn into a full-scale retreat."

The result is a proposed rule that contains elements of a report last year by the RAND Corp., a nonprofit public policy research organization, that concluded the state would clean its skies sooner by pushing for a cleaner fleet of cars than by demanding a small number of nonpolluting vehicles.

Lloyd Dixon, who wrote the report, said the state air board's strict emissions regulations have driven improvements in gasoline-powered cars and limited the need for electric cars.

"In my view it's a different thing when CARB is asking for entirely different technology," Dixon said. "Developing a technology that meets zero emissions forced them to make investments where the outcome was far from certain. It was not a successful gamble, not a successful bet — the battery-powered technology."

Under the rules proposed last Wednesday, carmakers must produce 250 fuel cell vehicles by 2008.

They must have 22,000 hybrid vehicles on the road by 2005 and gradually increase the number to 117,500 by 2009.

Martin said those numbers may be modified later as the technology develops. But that's nothing new, just another bump in the road to pollution-free vehicles that the ARB has been navigating since 1990.

Estimates Too High on Farm Pollution Advocates Claim But Voluntary Cleanup is Underway

Valley Voice Newspaper

Week of March 10, 2003

San Joaquin Valley - On almost every front and in every emission category, farmers are being vilified for polluting our valley air. Pressed by environmental lawsuits, the EPA has agreed it will no longer allow farms in the state to be exempt from clean air laws.

Target one for EPA is older stationary diesel engines that are the workhorse at valley farms pumping water or producing electricity. A new engine is far cleaner than pre 1987 engines putting out only 20% of the particulates that an old engine spews and about half the nitrogen oxide emissions - a precursor to smog.

But industry representative Manuel Cunha Jr. of Fresno based Nisei Farmers League says the plan to require a permit to operate diesel engines isn't necessary and reminds us that valley farmers have already replaced over 2300 pre-1996 engines in the past three years. A voluntary program through the state offers a 71% cost subsidy to replace the older engines.

"We believe with funding already in place we can replace the rest of them by the end of 2004," says Cunha who has been directly involved in the program and negotiations with both the state and USDA to implement the program. "The new Farm Bill has some \$12 million in EQIP funds available to continue the replacement program, he says.

The EPA is on the hot seat over how to regulate diesel pumps in the state - whether to classify them as Title V - stationary sources with emission thresholds and per ton fines - or as EPA has suggested in the past few days - classify the farm pumps in with tractors and concentrate on cleaning up those pumps while sparing farmers the paperwork as well as the fees that go with them.

EPA has said that if diesel pumps are included in the final Title V rule, farmers will have to apply for permits by May 14. By August 1, 2003 other major stationary sources like dairies would have to file.

What ever course it takes farmers will replace their entire inventory of diesel pumps within the next 21 months, says Cunha, and continue to implement other emission cutting programs already in place.

Those USDA programs include:

- Orchard chipping under 5 year contract rules that has resulted in some 18,501 acres chipped instead of burned in the open field.
- 1755 miles of roads treated with oil to cut 1456 tons of particulate matter. A five year contract reduces each year the amount of federal subsidy a farmer gets to wet his roads.
- Encouragement on the issue of conservation tillage that means the ground is not broken up releasing particulates - money approved by Congress but available later this year for farmers.

Widely Exaggerated

Cunha says estimates of ag's contribution to the valley's air problem has been widely exaggerated and is wanting to complete a few more studies to finalize just what the inventory and farmer's contribution of emissions is.

Tops on that list is a \$31 million PM-10 study that is expected to greatly reduce the scientific estimate of the PM-10 tonnage from farm practices Cunha says the current estimate from 1972 that suggested much more land in the valley was tilled than actually is and also had categorized the valley as a "wind blown region" greatly exaggerating how much dust is caused. "Much of westside foothills is not disked or plowed nor is the eastside foothills that is range land and is not tilled or harvested. The former estimate of "ag land prep" to PM-10 emissions was about 34,000 tons/year but with the new estimates from PM-10 study it is now about 14,000 tons/year. Still farmers will have to plow less under a proposed new rule outlining conservation management practices.

Dairy emissions earlier estimated as contributing 179 lbs. per year per cow of PM-10 has now been scientifically measured at closer to 6 to 7 lbs. per year as a result of a recent study done by UC Davis and Texas A&M.

With 3 million cows in an estimate that is 30 times too large can make a huge difference in assessing just what it takes to clean our air. Supporters say the dairy industry will respond to

clean up plans once the science is in because this is a top valley health concern - as it should be. Dairies will have to clean up emissions with either technology or farm practices, likely with government incentives.

As we wrote in a recent edition of the Valley Voice that included new estimates of ammonia emissions as well. ARB funded research on dairy contribution of reactive organic gas emissions is also underway in California and it is expected that this number too has been exaggerated based on a 1930s study. Yet the Fresno Bee and L.A. Times print headlines like "Cows Rival Cars As Smog Producers."

Late this year enough scientific studies will be able to accurately gauge ag's contribution. In the new estimate only harvest PM-10 conditions appear to be higher than earlier estimates as done by UC Davis with almonds being a major dust maker at nearly 41 lbs. PM-10 per acre. Other factors are lower like vehicle miles traveled on unpaved roads - estimates how big a dust problem there is. The Air Resource Board has been using a 4.4 vehicle mile traveled per acre per year factor but most crops are under .5 to 1.2 according to a new crop specific study.

The upshot is that when ag is blamed as being 54% of the ag particulate problem by the current ARB estimate - that number was based on old research that is likely not valid. "All we want is for good science to dictate the plan," says Cunha.

Farm leaders point out that the valley is out of attainment for particulates in the winter time - when little farm activity is taking place and therefor to blame ag for the dust doesn't make sense.

Livestock emissions are expected to be part of the equation. Unpaved roads are a problem as well but that includes unpaved roads - not just on farms - but on mountain and foothill roads. But all the science isn't in yet on this. The Air Resource Board's funded studies on all emission categories should be ready later this year. These new estimates will be used to develop a state action plan.

Not to say all the lawsuits and press attention on smog hasn't moved us closer to solving a real problem - people here are sick of the bad air. People are getting sick and industry - new jobs - are scared away because of this problem. But lets count the number of new cars registered in Fresno along with the new cows registered in Tulare County.

Ferment

Still there is ferment in Sacramento to do more. Bakersfield State Senator Dean Florez has proposed legislation to phase out open field burning and ban it by June 2005 and help air districts to help find alternatives to field burning. Tops on that list would be to mandate biomass plants burn local ag waste in the plan amounting to at least 30% of the wood waste they take in. A second Florez bill considered to be helpful by farmers is another Florez bill that revokes so-called utility "stand by" charges that farmers must pay to study connecting to the grid.

Not so popular in farm circles is Florez's proposed air pollution permits for diesel powered pumps and confined animal feeding operations by January 2005 and a ban on dairies to take effect within 3 miles of a school or urban area. Florez also calls for a new program to help farmers make the transition to cleaner technology with low interest loans.

The situation is reminiscent of the pesticide debate of the 1970s through 1990. Under pressure farmers adapted to research that showed some pesticides were dangerous and that impacts could be reduced with a new approach that limits the worst pesticides and adopted Integrated Pest Management strategies. Farmers did that and today there has been a dramatic decrease in pesticide spraying and farmers are not out of business. How did we get there? Not just with pressure but with research that worked with the farm community to develop a sustainable program.

Air Pollution Violations

Bakersfield Californian

Saturday March 08, 2003, 09:45:08 PM

Resource Renewal Technology in Bakersfield was cited Oct. 9 in Maricopa for an illegal open burn which was observed. Visible emissions were in excess of permissible limits for opacity.

Quad Knope in Visalia was cited Oct. 10 for failure to control dust from access road to construction site.

Dinuba Energy Inc. in Reedley was cited Oct. 9 for not operating a biomass fueled cogeneration facility according to permit to operate.

Peter Welz Generators Supervisor in Pomona was cited Oct. 14 for installing an I.C. engine without an authority to construct at Verizon California in Taft.

Unocal California Pipeline Co. in Bakersfield was cited Oct. 14 in Belridge for failing to submit a written follow-up report within 10 days of equipment breakdown.

Brian Faria in Tipton was cited Oct. 17 for burning vegetation in a sump on a no-burn day at Faria Farms in Tulare County.

Chevron Texaco in Bakersfield was cited Oct. 17 for operating a steam generator with excess emissions of SOx.

Dinuba Energy Inc. in Reedly was cited Oct. 17 for having opacity greater than 20 percent for eight minutes in a one-hour period.

Air Products & Chemicals Inc. in Allentown was cited Oct. 17 in McKittrick for failure to operate according to permit conditions.

AES Delano Inc. in Delano was cited Oct. 21 for a EPI fluidized bed biomass-fired boiler CEM having false high opacity values for a total of 35 minutes in a one-hour period.

Air Liquide in Bakersfield was cited Oct. 21 for applying coatings that exceed the VOC limit.

Sunrise Power Company in Bakersfield was cited Oct. 21 in Fellows for the annual compliance source test revealing unit #2 to be operating in non-compliance with the permitted emission limits for VOC's.

Samuel Neira in Bakersfield was cited Oct. 21 for having open containers storing unused paints in the body shop.

Ernie Lancaster of Bakersfield was cited Oct. 21 for a demolition contractor failing to provide notification prior to demolishing a building at the Mobile Gas Station at Stockdale Highway and Allen Road.

Chevron USA Inc. in Bakersfield was cited Oct. 22 for failing to operate vapor recovery system as required by permit in Fellows.

Mitch Brown Construction in Porterville was cited Oct. 23 for odors creating a public nuisance at the asphalt batch plant.

Trends Auto Body in Bakersfield was cited Oct. 23 for failing to keep records of amount of primer and primer sealer that was applied to motor vehicles and mobile equipment. Permittee exceeded multi-stage topcoat VOC limit of 4.5 lbs./gal.

Bill Custerisan of Bakersfield was cited Oct. 23 for burning tumbleweeds, plastics, wood and metals on a no-burn day.

Ron Froehlich of Bakersfield was cited Oct. 23 for burning prohibited waste, burning without a permit and failure to notify district of intent to burn.

Chevron USA Inc. in Bakersfield was cited Oct. 24 for failing to operate the vapor recovery system as required by permit at Chevron Texaco in Fellows.

[Community Voices Bakersfield Californian](#)

Dean Florez blasts buffer rebuff

Monday March 10, 2003, 07:50:04 PM

Today, Kern County supervisors will consider and most likely oppose my legislation, SB 706, to create buffer zones between new dairies and our schools and homes.

Ironically, they are doing this without calling their own senator's office asking for clarification.

Neither the county's Sacramento-based lobbyist, nor county staff contacted my office. If they had, I would have told them:

The state has primary responsibility for the health and welfare of its citizens. Although counties are delegated powers and responsibilities in this area, they act as agents for the state. Thus, when local authorities fail to protect the most basic needs of the citizens, such as health, the state must step in.

Just as water quality standards are established for drinking water by the federal and state governments, air quality standards are established and cannot be ignored just because they are inconvenient to a local jurisdiction.

Accordingly, a minimum three-mile buffer between dairies and schools and homes appears necessary to protect citizens' health. Every 1,000 cows emit six pounds of PM10 per day.

Researchers report an increase in PM 10 causes new cases of asthma, especially in the vulnerable lungs of children and seniors. A buffer will provide some protection.

The underlying rationale for opposing SB 706 seems to hinge upon allowing "local control." Yet, the board ignored the "local" requests of the cities of Wasco and Shafter in locating dairies. It also disregarded the "local" pleas of parents and elected school boards representatives. Local control seems to be in the eyes of the beholder.

Supervisor Ray Watson is correct when he says three miles may not be sufficient in all cases. I support allowing counties to establish wider buffers and impose other requirements.

Issues of size, urban growth and wind patterns, as well as soil and water conditions should be considered by counties in comprehensive studies undertaken to determine the safest places in for locating dairies and other large air pollution sources.

These studies also should be used to establish the maximum number of dairies and cows permitted countywide. Supervisors apparently do not believe these concerns are important enough to undertake such a study, preferring to make decisions on a case-by-case basis.

A case-by-case approach does not adequately protect citizens, whose health can be compromised and economic well being undermined by irreversible losses to property values.

A minimum distance mandated by the state is necessary. At this point, it would seem preferable to requiring counties to undertake comprehensive, expensive, time-consuming studies.

Supervisor Watson's objection to a three-mile buffer around schools is unfathomable. Scientific evidence is clear. Lung damage from air pollution, especially from particulate matter, is most severe in children. We owe them a minimum level of protection. To suggest otherwise leaves me speechless.

I hope supervisors will take today's opportunity to reaffirm their concern for the health of Kern County residents and their understanding of the public trust they are sworn to discharge.

State Sen. Dean Florez, D-Shafter, represents the 16th Senate District, which includes Kern County. Community Voices is an expanded commentary. The Californian reserves the right to reprint contributed commentaries in all formats, including on its Web page.

'Higher-ups' idiotic

Letters to the Editor, Bakersfield Californian

March 11, 2003

There has got to be more idiots per capita in our "high-ups" in the greater Bakersfield area than any place. Recently, the news media told us that a new study found that there was a higher incidence of hospital visits when there were cruddy air days. The ordinary resident of this area has known that for 20 years as he has not only experienced the misery, but has seen the misery on his visit to the emergency room.

Now the "higher-ups" are bad mouthing state Sen. Dean Florez because he wants to initiate a three mile buffer zone between schools and/or cities and dairies. Take a picnic lunch to Chino and they will insist on a 10-mile buffer zone.

Sen. Florez has at least the courage to challenge the farmers on their exempt status regarding air pollution. Hopefully he will run for U.S. congress when his stint with the state is over and knock Bill Thomas out of his easy chair. Thomas has been too cozy with the agribusiness and the oil companies and, as far as I have witnessed, not concerned with health of Kern citizens regarding our cruddy air.

Let's hope there is a new dawning for the reduction of cruddy air and when it happens we will be able to see the sun.

KENNETH M. CANNON, Bakersfield

What do you think of the recent increase in gas prices?

Local: Poll

Bakersfield Californian

Monday March 10, 2003, 05:15:07 PM

I don't know why they're so high. I don't believe it's a "resource" issue. This is just fat cats at the big oil companies lining their pockets. (74.53%)

It's simple economics: resources get scarce (or we think they might) and prices rise. We need to get over the belief that cheap gas is a right. (18.40%)

It's great. Maybe more people will buy gas-efficient cars and, hey, even help our awful air quality. (7.07%)