

EPA Chief Pledges Drive to Clean Air

Leavitt says President Bush's 'Clear Skies' legislation will be key. He also defends his market-based plan to cut mercury pollution.

By Elizabeth Shogren, Los Angeles Times Staff Writer, December 3, 2003

WASHINGTON — In his first major speech since becoming Environmental Protection Agency administrator four weeks ago, Mike Leavitt pledged Tuesday to lead the country toward the "most productive period of air-quality improvement in American history."

Speaking to several thousand EPA employees in an ornate downtown Washington auditorium, Leavitt sought to improve the impression some Americans have of Bush's commitment to protecting the nation's air, water, lands and wildlife.

Leavitt said he would unveil his 500-day plan for cleaning the air "very soon." Hours later, after a draft of his plan to regulate mercury pollution from power plants was leaked to reporters, Leavitt provided the first glimpse of how he would pursue this agenda.

He said his market-based approach to reducing mercury would work faster than traditional regulation. But environmentalists disagreed, calling the proposal a squandered opportunity to protect public health.

Other components of Leavitt's air-improvement plan include stringent controls on diesel engines and ground-level smog standards based on local health needs. The central element, he said, would be President Bush's "Clear Skies" legislation, which environmentalists derided as too weak to curb pollution from power plants.

Leavitt's inaugural address as EPA administrator set a high bar against which his accomplishments may be measured, and it won a standing ovation from EPA career bureaucrats, many of whom are dedicated environmentalists.

"The challenge administrator Leavitt will face is how to achieve important lofty goals in an agency that has been under siege and has lost its sense of mission," said Vickie Patton, a lawyer for the group Environmental Defense.

With a homespun story about a visit to the president's ranch in Texas, Leavitt painted an image of Bush as someone with a deep "love of land."

One reason he took the job, Leavitt said, was "a commitment that I felt from the president himself to create a faster tempo of improvement" in the environment.

Leavitt arrived in Washington after 13 years as the governor of Utah, and the trappings of his speech seemed more suited to a governor's address to a state legislature than a speech to employees of a federal agency. He read from Teleprompters, his face was magnified on two large screens, and his audience was seated in a large hall with soaring columns, gold trim and chandeliers topped by eagles.

In an interview after his speech, Leavitt avoided questions about whether Bush's environmental record had acquired a negative image. Instead, he stressed his positive role in leading the EPA while it charts the course to "accelerate the velocity of improvement" in air quality.

"My grandchildren will not be familiar with the puff of black smoke coming out of a diesel truck or a bus, they won't know black smoke out of construction equipment," Leavitt said. "That's very serious progress."

Meanwhile, the environmental community was focused on a leaked draft of the administration's plan to regulate mercury emissions from power plants. The proposal would abandon the requirement that each facility use maximum pollution-control devices. Instead, a cap would be set for emissions industrywide, and power plants that emitted less than their share of the national total could trade their pollution-reduction credits for cash with plants that were slower to reduce emissions. Emissions would drop from 48 tons a year now to 34 tons a year beginning in 2010.

Mercury is a neurotoxin that is particularly dangerous to fetuses. It migrates from the air to ground water, and humans become exposed by eating seafood tainted with it. The Centers for Disease Control and Prevention recently reported that one in 12 women of childbearing age has blood mercury levels exceeding what EPA considers safe for fetuses, and 41 states have advisories on eating local fish because of high mercury levels.

Leavitt argued that the cap-and-trade system would "achieve substantially greater reductions in mercury emissions over the next 15 years" than would traditional regulations. "This is the first time mercury has been regulated from power plants," he said. "It moves us down the road toward better air."

But environmentalists and state regulators argued that more significant reductions were possible.

"Rather than take this issue head on and respond to the courts and the Clean Air Act, they are backing off and allowing public health and the environment to suffer," said S. William Becker, executive director of the State and Territorial Air Pollution Program Administrators and the Assn. of Local Air Pollution Control Officials.

Leavitt said market-based approaches, including his for mercury, were vital to achieving cleaner air.

"The cap-and-trade approach shows us again and again that people do more and they do it faster when they have an incentive to do what's in the public's interest," Leavitt said in his speech.

Some EPA officials quietly criticized the agency for failing to analyze the feasibility of more stringent policies, as it usually does.

But representatives of the utility industry cautioned that more restrictive regulations would force utilities to switch from coal to natural gas, which could increase consumers' costs.

This could have "devastating" impacts, especially for low-income Americans, said Scott Segal, director of the Electric Reliability Coordinating Council, a group of utilities.

The administration's proposal for regulating mercury would closely resemble the mercury provisions in the Clear Skies proposal.

Leavitt stressed that the administration remained determined to pass the legislation, which also would use similar market-based approaches to cut sulfur dioxide and nitrogen oxide, which cause acid rain and respiratory illness.

[Los Angeles Times Editorial, November 29, 2003:](#)

EDITORIAL

No Dirty-Air Armistice

Air districts in California could have collected fees on big construction projects for years, using the money to clean up pollution. Under pressure from developers, though, they haven't used that power, depriving themselves and the public of money that could go toward everything from cleaner transportation to more trees.

That is about to change in the San Joaquin Valley, with its rapidly worsening air pollution. A new law will at last force local authorities to take action. This measure joins a couple of other recent moves to recognize, a little late in the game, that mega-developments affect far more than the immediate neighborhood and that developers should play a role in helping resolve sprawl-related issues of traffic, water, pollution and wildlife.

Two years ago, a new state law required builders of 500 houses or more to show that an adequate water supply existed for those households. Early this year, Riverside County imposed a \$6,650-per-home fee on developers to fund regional road construction and last summer proposed raising those fees in order to preserve wilderness areas. In exchange, the county is offering developers a quicker permit process that could save them considerable money.

State Sen. Dean Florez (D-Shafter) took a similarly balanced approach with his recently passed law, which forces the San Joaquin air district to set up a system of developer fees to combat air pollution. The building industry generally has accepted the idea that some kind of fee is coming but worries about how high the costs be and understandably wants some assurances the money will be used wisely.

Florez also has been assuring them that they won't be scapegoats for all of the region's dirty air. Agriculture, which contributes a quarter of the valley's air pollution, lost its exemptions from clean-air laws in a related Florez bill. The senator wants to assess fees on existing development as well; new residents and businesses aren't the only ones who pollute. And he wants to set up a system in which developers pay substantially lower fees if they build environment-friendly projects with, for instance, bike paths or tree plantings.

Air officials and builders in California are watching with interest. If the San Joaquin Valley sets up and operates a successful, equitable system in which everyone contributes and everyone gains, other regions with dire pollution problems will want to use the model.

A judge recently ruled that Imperial Valley's choked air stems from local pollution sources, not from Mexican industry — which means the air-cleaning job needs to be done on this side of the border. Statewide smog-fighting programs have been cut back for lack of funds just as the Los Angeles area — where the air is dirtier than in the San Joaquin Valley — last July recorded its first Stage 1 smog alert in five years. The number of days in which L.A. had unhealthful levels of ozone fell for two decades but recently has been creeping up again. The fight for breathable air is far from over.

[Letter to the Editor, Fresno Bee:](#)

Lower the rates

By Samantha Calabrese
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After reading the Nov. 17 editorial in The Bee, I saw an article that caught my eye. Because Pacific Gas & Electric keeps raising its prices, more and more people are unable financially to turn their heaters on. Therefore people must burn fires to keep warm. While these fires continue to burn, the air becomes more and more polluted, which in turn makes me sick.

I have suffered my whole life from horrific allergies and sinus infections that are caused in part by poor air quality.

Occasionally, my family and I go to my grandmother's house on the coast to find some relief. While I realize I'm fortunate to have the luxury of this escape, I'm aware that so many people in the San Joaquin Valley aren't as lucky.

I went to Ashland, Ore., on vacation a year ago and didn't even have to take any medication. It felt so good to be able to breathe, to wake up in the morning and be able to function.

The article I read awakened me to the fact that people might be more inclined to stop burning wood in their fireplaces if PG&E lowered its rates to an affordable level, thereby allowing people to use heaters for heat in the winter instead of using their fireplaces.