Watchdog critical of air district practices

Group's vice president contends penalties for pollution not stiff enough

By Matt Weiser, Californian staff writer
Bakersfield Californian, Thursday July 29, 2004

A survey of enforcement practices by four of the largest air pollution control districts in California finds that San Joaquin Valley officials levy the stiffest fines against polluters.

But the time required to resolve violations has increased substantially, according to the survey.

The review by the nonprofit Environmental Working Group found that since 1999, the median fine assessed in the valley was $2,100. In Sacramento and Los Angeles, the median fine was about $2,000, while the median Bay Area fine was $1,450.

These numbers are the median for all fines levied from 2000 through the first quarter of 2004. The median means that half of all penalties were less than a certain amount, and half were more.

Bill Walker, Environmental Working Group vice president, said even the higher median penalty levied by the valley air district is "abysmal."

"While the median fine has been coming up slightly, we certainly don't believe it has been coming up quick enough to make a real difference on these big polluters and repeat offenders," he said.

But Wayne Clark, compliance manager for the valley air district, said fines are steep enough to act as a deterrent.

"We try to make the penalties high enough so they are a true deterrent, without burdening the legal system," Clark said. "Because if we went significantly higher, then all these cases would end up being litigated. It's a balancing act."

The valley collected $4.3 million in fines from 901 violations during the survey period, more than any of the other three districts.

Walker's group also looked at the worst offenders in each air district. Kern County is home to five of the top 10 worst polluters in terms of the dollar value of penalties assessed. The worst was Equilon Enterprises, now the Shell Bakersfield oil refinery, which ranked fifth in fines statewide. It received $591,000 in penalties during the survey period.

The most-penalized polluter in the valley was Texaco, which received 121 violations in the survey period. Texaco merged with Chevron in 2001. Together, the two oil companies recorded 199 violations in the survey period and were assessed $975,000 in fines.

Walker said stiffer fines would reduce such repeat offenses.

But Clark said it is not unusual to see numerous violations by major sources of pollution, including oil refineries and oil field operators. Their operations are simply so large and dispersed, he said, that they may always have a number of violations.

The perception of a low median fine, Clark added, may reflect a large number of minor violations for illegal open burning by residents, farmers and the like, or minor violations by small businesses, such as gas stations. He said a review of violations only by major sources of pollution might show a higher median.

But Clark did acknowledge that the processing time for violations has increased in the valley, a problem noted in the study. In 2000, according to the Environmental Working Group, the valley air district spent about nine months processing each violation. By 2003, that had grown to 13 months.

Josette Merced Bello, president of the American Lung Association of Central California, said long delays in resolving violations gives the dangerous impression that the rules aren't being enforced.

"If people don't feel there's a possibility they will be enforced, they won't do any good as a deterrent," she said.

Clark said the district this year added a third employee to process violations, and also a second attorney to handle those that end up in court. So he expects the longer processing time to drop.

"I see a lot more cases moving through, and we have a backlog that is being whittled away," he said.

Previous government studies have noted similar enforcement problems in California air districts. Studies by the U.S. Environmental Protection Agency in 2001 and the California Legislative Analyst's Office in 1997 noted a lack of oversight by state officials, inadequate fines and a failure to resolve cases in a timely manner.

Air Polluter Fines Called Too Small

Environmental group's review says many penalties -- at $2,000 or less -- are too low to make industrial violators change.

By Miguel Bustillo, Times Staff Writer

L.A. Times, Thursday, July 29, 2004

Oil refineries, power plants and other large industrial operations in California typically pay fines of a few thousand dollars for exceeding air pollution standards, not enough to deter them from repeated violations, according to an environmental group's review of enforcement penalties around the state.

The analysis set to be released today by the Environmental Working Group found that half the fines levied against large polluters during the last five years by local air regulators — including the South Coast Air Quality Management District, the authority for the Los Angeles region — were $2,000 or less.

That, the Washington-based group noted, is less than the $2,500 maximum fine that an owner of a large sport utility vehicle can be assessed for failing to meet state smog standards.

The Environmental Working Group's analysis — strongly disputed by some regional pollution officials — mirrors similar studies over the last decade, including a 1997 audit by the U.S. Environmental Protection Agency.

Although the group said that fines have increased slightly since it conducted a similar review in 1999, it concluded that they are still too small to force industries to change. In the last five years, eight major industrial sites have been penalized more than 50 times. Two of those, a Shell refinery in Martinez and a Chevron refinery in Richmond, were each cited more than 120 times, according to the report.

"These large polluters have been able to incorporate these small fines into the cost of doing business. Nothing is changing as a result of these fines," said Bill Walker, vice president of the Environmental Working Group's Oakland office.

Jeff Wilson, a spokesman for the industry trade group Western States Petroleum Assn., said oil refineries have made strides in reducing their contributions to air pollution and no longer accounted for a large share.

"The Environmental Working Group's targeting of refineries is misdirected," Wilson said. "The low-hanging fruit, factories and refineries, were long ago cleaned up. Our refineries now comprise less than 1% of all stationary source emissions in the South Coast basin."

Wilson added that while violations sometimes occur, "our refineries do everything possible to communicate with their neighbors and provide a safe workplace."

Emissions from heavy industry have declined, according to the South Coast Air Quality Management District.

Carol Coy, deputy executive officer for the AQMD, defended the agency's enforcement record Wednesday and sharply questioned how the Environmental Working Group arrived at its conclusions.

The air quality agency, which is charged with reducing air pollution in Los Angeles, Orange, Riverside and San Bernardino counties, has issued many large fines against repeat offenders in the last five years, including more than $2 million in penalties against a Mobil oil refinery in Torrance. But many of its fines stem from record-keeping violations and other relatively minor pollution rules that do not and should not carry major financial penalties, Coy said.

Last year alone, the AQMD's 90 inspectors conducted 49,700 checks of the roughly 26,000 sites the agency regulates, and issued 2,700 violation notices carrying potential fines. Moreover, the inspectors issued 6,545 "fix-it notices," compelling polluters to take care of problems or face financial penalties. By the district's own accounting, its overall enforcement actions totaled more than $7 million in penalties last year — more than the Environmental Working Group study had credited them for levying over the past five years.

"They are rightly concerned about how environmental laws are being enforced. But penalties are only one small aspect of our enforcement program," Coy said. "When you look at the whole number of facilities that need to comply with our regulations, … there is around 95% compliance. When you are talking about the type of complex rules and regulations that we have, we think that's pretty good."

The report's median figure of $2,000 excluded two multimillion-dollar fines levied by the South Coast district, one of which was a $17-million civil penalty against power producer AES Corp. stemming from violations at its Alamitos facility in Long Beach. The Environmental group said it left those fines out because it felt they were not indicative of the typical pattern and would skew the numbers.

The report also fails to mention a civil lawsuit filed by the air quality agency that is seeking $414 million in damages from BP-Arco on allegations of repeated pollution violations, said AQMD spokesman Sam Atwood.

Cars, trucks, airplanes, ships and other so-called mobile sources are the biggest contributors to air pollution in California. But factory smokestacks and other so-called stationary sources are major contributors to the state's air quality problem. Those sources account for 512 tons a day of nitrogen oxides, which are key components of smog. A total of about 3,333 tons of nitrogen oxides are released into the state's air every day from all sources, according to data from the California Air Resources Board.

Air polluter fines too small, environmental group says

Fresno Bee and S.F. Chronicle, Thursday, July 29, 2004
LOS ANGELES (AP) -- Large industries in California that violate air quality regulations are not being punished enough, a Washington-based environmental organization said.

Many oil refineries and power plants often pay $2,000 or less for exceeding pollution standards, according to a report released Thursday by the Environmental Working Group.

After studying enforcement penalties in California, the organization found that half the fines levied against large industries over the last five years were less than the $2,500 maximum that an SUV owner can pay for not meeting state smog standards.

The environmental group said fines increased slightly since it conducted a similar study in 1999, but concluded that fees are too small to force industries to change.

In the last five years, eight major industrial sites were fined more than 50 times. A Shell refinery in Martinez and a Chevron refinery in Richmond were each cited more than 120 times, according to the group's report.

But the group's analysis has been strongly disputed by some regional pollution officials.

Oil refineries have tried reducing their contributions to air pollution and no longer account for a large share of pollutants, said Western States Petroleum Association spokesman Jeff Wilson.

Emissions from heavy industry also have declined, according to the South Coast Air Quality Management District, which is charged with reducing air pollution in Los Angeles, Orange, Riverside and San Bernardino counties.

The agency issued many large fines against repeat offenders in the last five years, including more than $2 million in penalties against a Mobil oil refinery in Torrance. But many of its fines stem from violations of record-keeping rules and other relatively minor pollution standards.

Cars, trucks, airplanes, ships and automobiles are the biggest sources of air pollution in California. But factory smokestacks and other stationary sources remain major contributors to the state's smog and air quality problem

Stockton Port sued over expansion plan

By The Associated Press

The Modesto Bee, Wednesday, July 28, 2004

STOCKTON -- Environmental groups sued the Port of Stockton, arguing its proposed expansion would bring the delta more ship traffic, noise and water and air pollution.

The lawsuit was filed Friday in San Joaquin County Superior Court by Stockton-based DeltaKeeper, the Natural Resources Defense Council and several neighborhood associations. It alleges that port commissioners didn't consider the environmental impact of increased traffic.

The expansion plan estimates that the number of ships coming to the port could go from 20 per year to about 150.

"The bottom line, I feel it's not appropriate to bring in heavy commercial shipping so close to established residences," said Ann Chargin, who lives in Riviera Cliffs, near the proposed expansion.

Documents show the port plans to spend $190 million on the 1,400-acre island, which was once a naval supply base and communications center. The project could create as many as 40,000 jobs at the port and around Stockton, according to port documents.

The port director said residents' concerns were considered. The commissioners have taken measures to reduce reliance on noisy generators and are working with ship and boat companies to limit the amount of diesel exhaust.

"We're still interested in being able to do a development there and still want to be sensitive to the communities living near this project," Port Director Richard Aschieris said.

Port Commissioner Steve Herum said the environmental reviews done before the project was approved on June 23 were among the most complete he had ever seen. He also said residents were more concerned about the value of their homes than about damage to the environment.

The litigants disagree. Clean-water advocates said they're worried about the impact of the sevenfold increase of commercial ship traffic on the health of the delta's plant and animal life.

"Our environment, public health and quality of life cannot be sacrificed just because the port wishes to expand. The law requires adverse impacts to be acknowledged and mitigated," said Bill Jennings of DeltaKeeper.

This is the second lawsuit NRDC brought against a port. The first one, against the port of Los Angeles, resulted in a recent $60 million settlement that required the port to take several measures to lessen the impact of ship traffic on the environment, said Julie Masters, NRDC's leading attorney on the case.

Now a ship docking at the port can get its power from shore, instead of running diesel engines for days, and some shipyard equipment will run on alternative fuel, instead of dirtier diesel, Masters said.

"These are the measures we'd like to see in Stockton," she said, adding that the organization will be following what other ports around the country do as they plan for expansion.

There is no date set for a hearing on the case.

Oil refineries spurting profits

By H. Josef Herbert, Associated Press

The Modesto Bee, Wednesday, July 28, 2004

WASHINGTON -- It's a good time to be in the oil refinery business. Demand for gasoline is high and profits are pouring in at a record clip.

With that combination, you'd think oil companies would be falling over each other to build new refineries. Not so. There hasn't been a new refinery built in the United States in 28 years, and more than 200 smaller facilities have closed.

Refining never has been viewed as a cash cow by the petroleum industry, which complains about meager profit margins, hefty environmental costs and too much government regulation.

But with gasoline prices hovering at $2 a gallon for much of this year, the country's largest oil companies and independent refiners are expected to report soaring profits from refinery operations in second quarter earnings this week.

An early hint of the industry's healthy bottom line came last week from Sunoco Inc., which reported a $217 million profit from refining-related business, quadruple the total from a year ago. It produced a record 43 million barrels of gasoline during the quarter.

The refineries set production records during the first half of the year, including 8.6 million barrels of gasoline a day, but still couldn't keep up with demand, the American Petroleum Institute reported Tuesday.

Still, no major oil or refining company appears eager to add a new refinery. Instead, more could close. A refinery in Bakersfield is expected to shut its gates this fall. Two Texas refineries have been on the market for three years with no takers. And an offer by Saudi Arabia to help build several U.S. refineries brought not even a hint of interest on Wall Street. A new refinery project in Arizona has yet to break ground after five years of trying.

"Today, investors are in no mood for refinery building even if funding were available," Arjun Murti, managing director of Goldman, Sachs Co., told a recent congressional hearing on the dearth of U.S. refining capacity. Any executive who might pursue a new $3 billion refinery risks his company's stocks taking a hit, said Murti.

In 1981 the country had 324 operating refineries; today there are 149. They have been running at an average of 96 percent capa-city but are unable to keep up with demand. Only gasoline imports have prevented shortages and gas lines.

But many of the closed refineries were, small, inefficient and "living on tax credits" when the country had too much refining capacity, said Guy Caruso, head of the Energy Information Administration.

In fact, the large, efficient refineries not only survived, but have become bigger. Over the last six years, refiners added 1.2 million barrels of production capacity, equivalent to building one additional medium-size refinery each year, according to the EIA, which keeps energy statistics for the government. At the same time, demand grew by 1.4 million barrels a day.

And efficiency improvements -- called "de-bottlenecking" within the industry -- can only go so far, industry experts said.

Demand for refined products, especially gasoline, is expected to grow at an annual rate of 1.6 percent for the rest of this decade, requiring an additional 260,000 barrels a day of gasoline and other fuels each year, according to Goldman Sachs.

With those kinds of demand forecasts, why is there no interest in building more U.S. refineries? There is the cost that is estimated at $2 billion to $3 billion in capital investment, with no certainty that today's glowing profits will stay around, say economists. And, despite billions spent on pollution controls, refineries do not make pleasant neighbors.

"Nobody seems to want to build a refinery in their back yard," David O'Reilly, chairman of ChevronTexaco, told a U.S. Chamber of Commerce luncheon the other day, deploring what he said was a regulatory and permitting morass and almost certain citizen opposition to any new refinery project.

Given likely community opposition, an anticipation of a lengthy permitting fight and uneven expectations on a future investor's rate of return, "most companies are unlikely to undertake the significant investment needed to even begin the process" said Red Cavaney, president of the American Petroleum Institute. The organization represents the large oil companies in Washington.

A new refinery can't be sold to Wall Street as a very profitable investment, industry executives maintain.

"The 10-year average return on investment in the (refining) industry is about 5.5 percent, about what investors could receive by investing in government bonds with little or no risk," said Bob Slaughter, president of the National Petrochemical and Refiners Association.

But some independent refiners, such as Valero Energy Corp., have been able to reap considerably higher rates of return -- buying old refineries at bargain prices, as little as 20 cents on the dollar.

Valero, the country's largest independent refiner, based in San Antonio, has grown rapidly since 1997 by acquiring undervalued refineries, making environmental improvements and expanding capacity.

Such was the case with its purchase of the Orion refinery in Louisiana. "We paid far less (for it) than the replacement cost," said Gene Edwards, a Valero senior vice president. "If we had paid full replacement cost for it, it would not be doing well at all."

Would Valero ever build a new refinery? "I don't see anyone building a refinery in the U.S. -- maybe overseas," said Edwards.

Blanket of wet cow poop smothers stinky lagoon fire

S.F. Chronicle, Wednesday, July 28, 2004
FERNDALE, Wash. (AP) -- Talk about fighting fire with fire. Crews fighting a smoky, stinky blaze in the dried crust of a 3-acre manure lagoon on a dairy farm finished smothering the flames Wednesday with more of the same -- a blanket of wet cow poop.

Desperate times called for desperate measures, said Assistant Fire Chief Larry Hoffman with Whatcom County Fire District No. 7.

Hoffman received an earful of complaints about the smoke and odor as the fire burned for four days on the farm outside Ferndale, about 100 miles north of Seattle.

"We're not the most popular department in town," he said. "It's offensive, the smell is. It stinks."

How bad?

"In your worst nightmare, if you can imagine burning manure combined with a brush fire -- this sort of woody undertone."

The fire "changes the smell of the manure, intensifies it."

After working with water and foam, crews on Tuesday began spraying the wet manure, which squelched flames on the leading edge of the fire.

On Wednesday, a giant pump applied another layer of wet manure -- and that seemed to do the trick.

"It's out!" Hoffman said Wednesday evening, at least "about 98-99 percent out. There's some small pockets burning in the crust, but nothing that's going to affect anything."

Hoffman declared himself "extremely, extremely pleased," adding, "Hopefully residents of the area will be pleased, too."

As many as 18 firefighters at a time worked on the blaze. A fire break had been dug around the pond, so the flames couldn't leap elsewhere on the 1,200-acre, 700-head dairy farm, Hoffman said.

He declined to identify the owners but said they had been "extremely cooperative."

The cause of the fire was not known. It started Sunday in brush growing on the dry 3- to 14-foot crust of manure, wood chips and barn shavings on the surface of the 24-foot-deep lagoon.

"We're investigating the possibility it was an errant cigarette butt or it could be spontaneous combustion from composting," Hoffman said, describing the lagoon as "basically a big compost pile."

Most complaints to the Mount Vernon-based Northwest Air Pollution Authority, which monitors pollution concerns in Skagit and Whatcom counties, were about the smoke, staff engineer Annie Naismith said.

The authority had received 18 complaints, mostly from Ferndale.

Though some people complained about respiratory problems, most of the complaints were about the smoke during weather that was "too hot to keep doors and windows closed," Naismith said.

All jokes aside, it was hazardous work for fire crews.

"Our hoses only go so far. We can't go out on it," Hoffman said earlier. Below the crust of varying depths, "It's like quicksand. If they went down we'd never find them.

"I've been doing this for 20 years and never dealt with anything like this," he said.

Survey says: Protect California's environment

By Daniel Weintraub, of the Sacramento Bee

Modesto Bee commentary, Thursday, July 29, 2004

California's economy must be on the mend. People are starting to worry about the environment again.

When times are tough, fewer people care about pollution. Things like jobs and housing come first.

But a new poll released last week shows that while those problems still matter more, Californians of all political persuasions are expressing increasing concern about the air they breathe, the water they drink and the condition of the land around them.

And the survey of more than 2,500 residents by the Public Policy Institute of California suggests that large majorities are willing to sacrifice a bit of cash and, possibly, economic growth in return for measures aimed at cleaning the environment.

Oddly enough, air pollution remains the top environmental concern in this state, despite the fact that actions taken over the past several decades have steadily cleaned the air, making the fight against smog one of the big success stories in government regulation of pollution.

From 1983 through 2002, the statewide peak levels of ozone, a major component of smog, dropped 57 percent, and the maximum recorded 8-hour carbon monoxide levels dropped 45 percent, even as the population grew by 39 percent and the number of vehicle miles traveled nearly doubled, according to the state Air Resources Board.

But the public isn't satisfied. Since 2000, the percentage of Californians who say air pollution is a big problem has increased from 28 percent to 35 percent. Just 27 percent say they think the state has made a "great deal" of progress on the problem in the past 20 years, while 48 percent say they perceive "only some" progress and 19 percent say "hardly any" at all.

Air pollution is the top environmental concern in all five regions in the poll, especially in the Central Valley and the Los Angeles area. Statewide, about 20 percent say they think air pollution is a "very serious" health hazard where they live, while 39 percent describe it as "somewhat serious."

But while Californians are nearly united in describing the problem, there is less agreement on what to do about it. Democrats and Republicans are increasingly divided over whether the government is doing enough. In 2000, 55 percent of Democrats and 40 percent of Republicans said the state wasn't doing enough to fight pollution. Now, the same share of Democrats still hold that view, but only 24 percent of Republicans say the state should be doing more.

Still, the poll found a strong commitment to environmental protection, and majorities in favor of a wide variety of measures under consideration in Sacramento.

With the state budget facing chronic deficits, the survey asked whether environmental programs should be protected, or sacrificed for other priorities. More than half of those polled - 54 percent - said environmental programs should be a priority even if it meant cutting other programs, while 29 percent said other programs should be preserved first.

Similarly, 55 percent said protecting the environment should be a priority even at the expense of economic growth, while 29 percent said the economy should be the top concern of policy-makers

On specific solutions to air pollution, the poll found strong support for tougher regulation of automobile and truck emissions, greater research and development of hydrogen powered vehicles, subsidies to reduce diesel exhaust, and requirements for energy efficiency and the installation of solar power in new home construction.

Nearly three-fourths of Californians, for example, believe that automakers should be required to significantly improve fuel efficiency, even it means paying more for a car. Nearly two-thirds support increasing the vehicle license fee by $6 to subsidize cleaner-burning trucks, buses and industrial equipment. And in a refection of widespread concern about global warming, more than four in five say they support a state law requiring automakers to reduce the emission of greenhouse gasses by 2009.

The poll, unfortunately, did not examine the depth of residents' personal commitment to a cleaner environment.

It would be interesting to know, for example, whether people would really place environmental protection above specific programs that might go on the chopping block, such as the public schools, higher education or health care. Or, when people say they that they would be willing to sacrifice some economic growth in exchange for a cleaner environment, whether they also mean that they wouldn't mind losing their own job or having to accept a lower salary. And while many Californians say they would be willing to pay more for a fuel-efficient car, would they pay $1,000 more, or $5,000?

I suspect the idea of environmental protection, like raising some taxes, polls better in the general than the specific. Still, this survey should be a wake-up call for politicians. It is another demonstration that Californians consider the natural environment to be one of the state's greatest qualities, and they are willing to set aside much of their skepticism about government when it comes to aggressive steps to fight pollution.

And while Californians express significant support for blunt-force government regulation, enthusiasm for measures that seek to protect the environment while preserving or even promoting economic growth would probably be off the charts.

Stanislaus would benefit from enterprise zone

Modesto Bee editorial, Wednesday, July 28, 2004

When executives assess whether to move their business to a community, they want to know what kind of place it is and what kind of deal they might get.

The Modesto area has some things to brag about -- the low price of electricity, for example, and housing that is less expensive than the Bay Area's. It also has well-known shortcomings, such as a less-educated workforce and a troubling amount of air pollution.

Stanislaus officials want to add to the assets list by establishing an enterprise zone, which would provide state tax credits and other advantages to businesses that expand or locate within economically distressed neighborhoods.

This incentive program is not new. In fact, if Stanislaus can win the designation, it simply would be catching up with other valley counties that have had such zones since the late 1980s or early 1990s. Thirty-nine enterprise zones exist around California. Under direction from Gov. Schwarzenegger, the state is establishing three more, effective next year, to help boost the economy.

It won't be known how many communities are competing for the three slots until Friday's deadline for preliminary applications. Bill Bassitt, chief executive officer of Stanislaus Economic Development and Workforce Alliance, anticipates half a dozen or more. Finalists will be chosen in four to six weeks and the three new zones by late fall.

We strongly support the Stanislaus application as one more tool for economic development. Stanislaus County has lost businesses to San Joaquin County and other jurisdictions that have enterprise zones. Most likely, other employers haven't pursued a Stanislaus location because there are no tax credits available, says Bassitt.

Enterprise zones are not cure-alls, but are valuable tools in the highly competitive game of economic development. According to a 2001 report by the California Research Bureau, "enterprise zones have done wonders in some cities, and not much in others."

They are appealing to local governments because the tax credits do not reduce local revenue. The money comes from the state budget, to the tune of $70 million per year, according to the 2001 report. Some states have talked about abandoning enterprise zones, on the argument that benefits don't outweigh the costs. If that universal decision is made, that's one thing. But today, Stanislaus is at an unfair disadvantage because it cannot offer the tax incentives.

There's another reason to be enthused about the enterprise zone application. It represents a cooperative effort of the public and private sectors and among government agencies -- the kind of collaboration that has too often been missing. The alliance has led the push, with support from the Stanislaus County Board of Supervisors and the city councils of Modesto, Turlock and Ceres. The enterprise zone includes areas in all four jurisdictions.

The alliance also has launched a four-year Strengthening Stanislaus campaign and is seeking dollars from local businesses. Until now, the bulk of economic development money has come through government grants.

The alliance wants to raise $2.4 million in private money to supplement $5 million in government funds. As of Monday, $800,000 in contributions had been raised from 22 companies. It's a good start.

Stanislaus County has struggled for years with a lackluster economy, which is the common thread through many of our problems, from poor roads to higher incidence of disease.

The cooperation put into the enterprise zone application and into the Strengthening Stanislaus campaign are examples of the kind of teamwork that is key to improving our economy and, as a result, our people.

Bypass more than a local convenience

Letter to the Modesto Bee, Wednesday, July 28, 2004

As a former Oakdale resident, I take umbrage at your editorial cartoonist's implication (July 22) that the proposed Highway 120 Bypass is merely for the convenience of Oakdale citizens.

Hundreds of thousands of people traveling to and from the Sierra and Yosemite are more than inconvenienced by the failure to complete this bypass.

Downtown Oakdale is plagued daily, not just on weekends, by horrendous noise, traffic and air pollution. Economic losses in transportation efficiency and wasted gasoline are undoubtedly significant. I was 9 years old when the bypass was proposed. At 56, I wait still.

As your cartoonist suggests, reducing the number of deaths on Modesto's Highway 132 is, indeed, paramount. But what logic says it is acceptable for small-town residents to have their once quaint downtown turned into a noisy, noxious, stinking, paralyzed, unhealthy hazmat zone?

Would Modestans put up with a similar situation in their city? I think not.

JAMES COSTELLO

Ceres