

Valley dust gets busted

San Joaquin expected to comply with Clean Air Act standards

Warren Lutz, Special to The Record

Stockton Record, Wednesday, Oct. 12, 2005

The San Joaquin Valley is expected to meet federal dust pollution limits this year for the first time ever.

Air regulators credit the drop in pollution to increasing public awareness of the causes of pollution, new limits on farm-caused pollution, and a campaign against wood-burning stoves and fireplaces.

Dust pollution, also known as particulate pollution, is usually a wintertime problem in the eight-county Valley region from San Joaquin County to Kern County. The Valley's bowl-like shape traps air pollutants. Particulate pollution includes tiny bits of dust, soot and vapor that easily become lodged in human lungs. The particles measured by state and federal officials are 10 microns or smaller -- about one-tenth the width of a human hair.

The pollution can trigger heart attacks, lung cancer and asthma attacks. It's blamed for thousands of premature Valley deaths each year. The pollution comes from a variety of sources ranging from wood smoke to cars and trucks.

Under the federal Clean Air Act, an air district must meet clean-air standards for three years to be in compliance. This is the last year of that three-year period for the Valley.

However, the region is not as close to meeting federal pollution limits when it comes to smog -- primarily a summertime problem -- and fine-particulate pollution. Fine particulates measure 2.5 microns or smaller.

"It would indicate that they're making strides," U.S. Environmental Protection Agency spokeswoman Lisa Fasano said. "If you can knock out one pollutant at a time, that's significant."

In the past several years, agricultural burning has been banned, and homeowners are forbidden to burn wood fires on bad-air days.

Businesses also have been forced to adopt various practices to cut pollution. For example, construction companies must do more than ever before to reduce flyaway dust, usually by wetting a construction site. Farmers also have been told to come up with ways to minimize dust from harvesting or trips down unpaved roads.

From 1990 to 2002, the number of days the basin exceeded the particulate pollution standard fell from 55 to eight, according to the San Joaquin Valley Air Pollution Control District. The region hasn't exceeded the standard since the end of 2002.

"The air-quality improvements across the board are measurable," air district spokeswoman Kelly Hogan Malay said. "By no means is the district saying: 'Yea, we won. Let's go home now.'"

Brent Newell, an attorney with the nonprofit Center on Race, Poverty and the Environment, said the three-year compliance would be "an incredible accomplishment" but said it is too early to celebrate.

Newell has filed several lawsuits against the district, claiming it hasn't always gone far enough to force cuts in pollution.

"Let's not get lost in the popping of champagne corks to know that there is much work ahead of us," Newell said. "We've met the easiest standards to meet."

District officials plan to move ahead on a plan to reduce particulate pollution further whether the district meets the three-year landmark or not, Malay said.

A draft of the plan was made public last week.

"There's no backsliding," she said. "Once the plan is adopted, even if you reach compliance, you can't make that plan null and void."

County gets earful about dairies

Existing dairies express concern about influx of new homes near land

By SARAH RUBY, Californian staff writer

Bakersfield Californian, Wednesday, Oct. 12, 2005

Much has been made of out-of-town dairies trying to move to Kern, but a few local dairies are struggling to cope with out-of-town builders that have already arrived.

More than 30 locals gathered Tuesday night to discuss an influx of some 214,000 cows, mainly from Chino. Most spoke against the migration, but a few locals defended Kern dairies being crowded out by subdivisions.

"(Developers are) building like crazy up to our farm," said Kerri Vander Poel of Skyview Dairy, which is trying to move from its current home south of Bakersfield to the Wasco area. "I don't want to move that far out of Bakersfield, but we're kind of forced to."

A few other dairies are in the same boat.

"I have no problem with them -- we moved there knowing they were in place," said Bakersfield resident Craig Henderson. "These new dairies, we shouldn't allow them."

Most of the 24 dairies trying to move to Kern are from Chino, where they've been crowded out by urban development. Prompted by air, water, smell and other concerns, Kern's Board of Supervisors launched an 18-month environmental review of incoming dairies, and on Tuesday, locals were invited to tell county planners what they'd like to see analyzed.

They mentioned soil, and whether Kern could end up with water problems similar to those in Chino. Flies were a concern, as were smell, dust and air emissions.

"I just don't understand how we can be adding to something that's already a huge problem," said Carla Carrigan, referring to the San Joaquin Valley's notorious air pollution.

Others worried out-of-town dairies don't have Kern's best interest at heart.

"I think they are coming here to try to make a fast buck," said resident Bob Campbell.

The county is taking input until the end of the month, when planners and consultants begin the environmental analysis. The first seven dairy proposals will likely be presented to the Board of Supervisors in April, but not before the public has had a chance to comment on the county's environmental work.

The other dairies will be analyzed in two subsequent groups.

In April, along with the first batch of dairy applications, the Board of Supervisors will establish new criteria for where dairies can locate, and how far they must be from cities. That could affect whether the 24 dairies in the queue will be allowed at the sites they've chosen. But that's a risk they are willing to take, said Lorelei Oviatt, who is leading the county's dairy planning effort.

"They all understand that the criteria may change," she said. "At this point they're all committed."

The county is holding two more dairy scoping meetings:

- 6:30 p.m. tonight at the Taft Veterans Hall, 218 Taylor Street, Taft.
- 6:30 p.m. Thursday, Oct. 13, City of Wasco City Hall, 746 8th Avenue, Wasco.

If you have comments but can't make the meetings, you have until Oct. 27 to write or call the planning department.

Send your thoughts to:

**Lorelei Oviatt, Supervising Planner
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Exxon to Upgrade Plants in Clean-Air Settlement

By John Heilprin, Associated Press Writer

In the Los Angeles Times and San Francisco Chronicle, Wednesday, Oct. 12, 2005

WASHINGTON, (AP) -- Exxon Mobil Corp. will spend an estimated \$571 million for pollution controls at seven oil refineries in a settlement with the government and three states over alleged violations of clean air laws.

The company also will pay fines totaling \$8.7 million and spend \$9.7 million to retrofit city buses, restore coastal habitat in Louisiana and sponsor other environmental projects around the refineries.

The settlement aims to reduce annual emissions of toxins that can cause respiratory problems and worsen cases of childhood asthma, the Environmental Protection Agency and Justice Department said Tuesday.

The refineries covered in two consent decrees filed in federal courts in Chicago and Lafayette, La., represent 11 percent of the nation's refining capacity. The public has 30 days to comment before the agreements can be approved by the courts.

Under the settlement, annual emissions of acid rain-causing sulfur dioxide are to be cut by 42,000 tons and those of smog-forming nitrogen oxides are to be reduced by 11,000 tons. Improvements also are required for detecting leaks, minimizing the flaring of hazardous gases, cutting pollution from sulfur recovery plants and handling benzene wastes.

Exxon Mobil, based in Dallas, agreed to the settlement without the government filing suit so it could expand fuel production in compliance with the Clean Air Act. Three states that joined in the settlement - Illinois, Louisiana and Montana - will share the civil penalties.

Prem Nair, a spokeswoman for Exxon Mobil, said the settlement "is in the best interest of the company and supports the continued trend of emission reductions" at its refineries. She said Exxon Mobil denies any claims that it violated any laws or regulations.

With the settlement, one in a string of such actions, almost 77 percent of the nation's domestic refining capacity now operates under a consent decree with government to enforce clean air laws.

"That will lead to reductions of more than 315,000 tons of pollutants annually from the 17 refining companies that have agreed to come into compliance," said Granta Nakayama, EPA's assistant administrator in charge of the Office of Enforcement and Compliance Assurance.

The affected ExxonMobil refineries are located in Baton Rouge, La.; Baytown and Beaumont, Texas; Billings, Mont.; Chalmette, La.; Joliet, Ill.; and Torrance, Calif.

The Chalmette refinery is owned by Chalmette Refining LLC, a joint venture between Exxon Mobil and Petroleos de Venezuela SA.

ExxonMobil shares rose 90 cents, or 1.5 percent, to close at \$59.40 Tuesday on the New York Stock Exchange. Its shares have traded in a 52-week range of \$48.18 to \$65.96.

Maggard to announce if he will seek supervisor's seat in 2006

By JAMES BURGER, Californian staff writer

Bakersfield Californian, Wednesday, Oct. 12, 2005

Bakersfield Vice Mayor Mike Maggard is expected to announce his run to replace retiring 3rd District County Supervisor Barbara Patrick today at a 10 a.m. press conference.

Maggard, contacted Tuesday night, refused to take the final step and confirm his candidacy. But he came close.

"It would be an honor to have an opportunity to serve in the third supervisorial district," he said. "I am humbled and grateful for the amount of encouragement and support I've received from the community."

He would, he said, announce his intentions today at a press conference at Panorama Park between Alta Vista Drive and River Boulevard.

Political watchers have few doubts about the councilman's intentions. They're sure he's running.

"Right now it's Maggard's campaign to lose," said political consultant Gene Tackett.

But the other thing the pundits don't doubt is that Maggard will have to fight to claim the seat.

Tackett said potential candidates include television news anchor Rusty Shoop and former Bakersfield City Councilman Randy Rowles -- among others.

Political consultant Mark Abernathy -- who represents former Maggard opponent Assemblyman Kevin McCarthy -- wouldn't name names. But he said he's certain other candidates will appear. "I expect there will be a number of candidates that want to run out there," he said.

Tackett said Maggard will get strong support from public employee unions. But he could face strong opposition from developers, who are unhappy with his recent support of development standards in northeast Bakersfield.

Maggard is a self-employed certified public accountant. He was elected to the council in 1998 and previously served on the Bakersfield City School District Board.

[Bakersfield Californian, Commentary, Wednesday, Oct. 12, 2005](#)

Breathing easier a burning valley issue this winter

By Barbara Patrick, Bakersfield

If you think lighting up your fireplace this fall won't make a difference in air quality, please think again. San Joaquin Valley air regulators -- and everyone else in the valley -- could be breathing easier as 2005 draws to a close. The San Joaquin Valley could meet an important federal air-quality standard for particulate matter known as PM10 if concentrations remain low through the rest of the year. For those charged with cleaning up what is ranked among the most polluted air in the nation, this is a huge victory for air quality.

The San Joaquin Valley Air Pollution Control District's "Check Before You Burn" program, which prohibits the use of wood-burning fireplaces on days when air quality is unhealthy, has been a critical factor in meeting the PM10 standard. While the rule has had vocal opponents, most residents have supported making a small personal sacrifice for better air quality.

The valley air district has made great strides since it formed in 1992. Air pollution from stationary sources, such as refineries and manufacturing plants, has been cut by nearly half, and approximately 500 rules or rule amendments have been adopted. In addition, the district has secured and distributed about \$100 million for voluntary emissions reductions.

A leader in many clean-air initiatives, the valley air district was the first major district in the state to regulate the use of residential fireplaces to reduce PM levels. Now, other major air districts have requested a copy of the regulation as they develop their rules.

The valley air district also is first in the state to regulate agricultural operations, and more than 6,000 of the valley's larger farms have implemented conservation management plans to reduce particulate matter emissions by an estimated 34 tons a day.

Meeting the federal standard for PM10 -- tiny airborne particles measuring one-seventh the diameter of a human hair and smaller -- is no easy task. Three consecutive years without exceeding 24-hour and annual concentration limits are required for attainment. In 1990, the valley air basin exceeded federal PM standards on more than 55 days. That dropped to 12 days by 2001, and no exceedances have been recorded since 2002. That is monumental progress.

In addition to fireplace and agricultural operations, PM10 sources include industrial processes, combustion of fossil fuels, construction and demolition activities and naturally occurring windblown dust. Exposure to PM10 can trigger heart attacks, increase the risk for lung cancer, aggravate bronchitis and asthma, and reduce lung function.

Too many valley residents know these health risks first hand. Meeting the federal PM10 standard is the first milestone in our journey toward cleaner air. But this success doesn't mean regulations can be relaxed or public cooperation is no longer needed. We still have much work ahead to meet the more stringent

state PM10 standard, as well as state and federal standards for PM2.5 and ozone, the primary ingredient in smog.

Valley residents deserve recognition for working together to meet this important air-quality goal. By continuing to work together, we can clean up our air.

Barbara Patrick is a member of the Kern County Board of Supervisors and also serves on the California Air Resources Board and the San Joaquin Valley Air Pollution Control District Board.

[Lodi News-Sentinel, Letter to the Editor, Wednesday, Oct. 12, 2005](#)

Vote out politicians who aren't friends of the environment

I agree with Marcia Savage's letter appearing in the Sept. 29 News-Sentinel. She wrote of the air quality and the estimated 4.2 million people living in California with serious lung diseases. She writes how President Bush and his administration have eviscerated many environmental laws.

She wrote, "Do Republicans not breathe the same air as other people, drink the same water?"

In that same paper on Page 3, I read the article headed "Pombo pushes for offshore arctic oil drilling."

Our oceans are already becoming polluted. There are containers dumped off our coasts leaking waste from nuclear reactors. There are oil spills quite often from ships. Birds and fish die. The additives they put in our gasoline pollutes our rivers, lakes and streams.

Do you people reading this feel comfortable eating fish anymore? The fish that are supposed to be so good for us? Do you like looking off into the distance and seeing the air filled with God knows what? Do you feel like taking a deep breath?

Bush and probably Pombo will be pushing for nuclear and coal plants again. Do you want nuclear waste in your back yard? Nobody does! Do you want to breathe particulate matter so small produced by coal plants that it lodges in people's lungs?

Do you wonder why so many people, either yourself or someone close to you, has or has had cancer?

You must care.

Do you have children or grandchildren? What legacy do you want to leave for future generations?

Remember money is the root of all evil and I definitely believe it.

Do vote out of office people not friendly to our environment like Mr. Pombo. The only environmentally good thing he is for is probably the windmills on the Altamont Pass that benefits his parents. Money ... evil ... does it apply?

Valerie Halloran
Lockeford