Federal scientists seek change on smog rule

The Bakersfield Californian, Thursday, Feb. 1, 2007

Meeting federal smog standards is like trying to hit a moving target for San Joaquin Valley air regulators.

A regional plan to bring the valley into compliance with the national smog standard hasn't been finalized and already the federal government is talking about lowering it by 25 percent.

The U.S. Environmental Protection Agency's current rule sets the limit for smog-forming emissions at 0.08 parts per million. Federal scientists Wednesday asked for that standard to be lowered to 0.06 parts per million, because it's more health-protective.

The San Joaquin Valley faced a 2013 deadline for reaching the current smog standard. But earlier this week, officials with the San Joaquin Valley Air Pollution Control District said it would take 10 additional years to meet that goal.

A decision on lowering the standard may not come until June.

Meanwhile, the valley would still move forward with plans to meet the current standard.

"This won't undo any of the work we've done," said Scott Nester, planning director for the valley air district.

A new standard could potentially be held up for years by industry opposition and lawsuits.

The current smog standard was adopted in 1997 and the valley's plan for complying with it wasn't due to federal regulators until this year.

Drafting plans for soon-to-be outdated standards isn't a new thing for the air district. In October 2004, the district adopted a plan to meet a previous smog standard. Eight months later, the current smog standard took affect.

Ethanol plant eyes Hanford

By Seth Nidever
Hanford Sentinel, Thursday, Feb. 1, 2007

Looking to cash in on the rising demand for clean-burning fuel additives, a Bakersfield company is hoping to bring an ethanol plant to south Hanford.

Great Valley Ethanol, formed in February 2006 for the purpose of building an ethanol plant in the Central Valley, plans to apply for a conditional use permit today. The permit would be the first step to locating the facility in Kings Industrial Park, an area approximately three miles south of Highway 198 between 10th and 11th avenues.

"There's plenty of market here. When we look at the Central Valley demand, it's huge," said Edward Settle, company president and CEO.

If things work out as Settle plans, a 110-acre plant at the site will receive mostly Midwestern corn, distill it into a high alcohol content brew, suck off the ethanol and sell the wet grain byproduct to dairy farmers, Settle said.

The ethanol, up to 60 million gallons of it a year, will be sold as a gasoline additive that satisfies federal and state mandates for cleaner-burning fuel mixtures, according to Settle.

Hanford provided a suitable location because of its proximity to hundreds of dairies and the Burlington Northern Santa Fe rail line, Settle said.

"This is the largest cow market and the largest car market," said Settle.

But local dairymen have previously expressed skepticism about more ethanol production. They say it has artificially inflated corn prices. Corn is a staple in dairy cow diets because of its starch content, according to Selma dairyman Steve Nash.

"I'm not really excited about any more ethanol plants, whether they're in Hanford or not," he said.

Nash said he would be able to feed the distiller's grain byproduct to his cows, but he said it isn't a substitute for corn.

Still, Kings County economic officials tout the proposal as a boost to local economy.

"We have been very impressed with the thoroughness and efficiency of Great Valley Ethanol and believe this project of state and national importance is a perfect fit for Kings County," said John Lehn, president/CEO of Kings County Economic Development Corporation.

"Anything that can bring more jobs is good for us," said Marcie Buford, a Hanford city councilwoman.

Settle said the plant will hire approximately 40 full-time employees, most of them recruited locally.

He also said the plant could get up to 20 percent of its corn from the Central Valley.

Currently, almost all the corn grown in Kings County is chopped up for silage and fed to dairy cows.

Meanwhile, Hanford Environmental Awareness Team, a local environmental group, is suspending judgment pending more information.

"We'll just wait and see what's going to come out of the environmental impact report," said Andy Mattos, co-chairman of the group.

HEAT was formed recently in opposition to a tire crumb processing plant also slated for the Kings Industrial Park. The company, which had planned to manufacture rubber drains and sidewalks at the site, has since lost interest in locating the project there.

The project was considered to be exempt from a full environmental impact report because the city concluded it would have a negligible pollution impact.

Great Valley Ethanol will pay for a full environmental impact report on its project, according to Settle.

"We think it's the best approach for disclosure and exposure of the environmental impact," Settle said.

Hanford ethanol plant sought

Bakersfield company will apply for a permit today to build a $100 million factory.

By Jeff St. John
The Fresno Bee, Wednesday, Jan. 31, 2007

A Bakersfield-based company plans to enter the central San Joaquin Valley's burgeoning ethanol industry with a proposal to build a 60million-gallon-per-year ethanol plant in Hanford.

Great Valley Ethanol LLC intends to apply today for a permit to build on 110 acres at the Kings Industrial Park south of downtown Hanford, Edward Settle, company president and CEO, said Tuesday.

The plant will cost about $100 million to build and could be open by late 2008 if Great Valley Ethanol can start construction this summer, Settle said. It will be the first plant for the privately held company, which was formed early last year, he said.

"Our project will provide a clean-burning, home-grown biofuel for cars in the Central Valley, produce a high-quality feed for local dairy and cattle farmers and generate substantial economic benefits for the community," Settle said.

Some of those benefits will include hundreds of construction jobs, as well as about 40 permanent jobs when the plant opens, he said.

But the plant also could generate at least $1.2 million in new tax revenue for state and local governments and lead to the indirect creation of almost 700 additional jobs, according to a study commissioned by the company.

John Lehn, president and chief executive of the Kings County Economic Development Corp., praised the project as "a perfect fit for Kings County" in a prepared statement.

Like the other large-scale ethanol plants that have opened in the Valley in the past two years, the Great Valley Ethanol plant will rely primarily on corn from the Midwest to create ethanol, a gasoline additive and alternative fuel for some vehicles, and wet distillers grain for cow feed, Settle said.

But the plant's environmental impact review also indicates the plant could find local sources for as much as 20% of the roughly 20 million bushels of corn per year it will use, he added. Great Valley Ethanol is the newest entrant into the Valley ethanol production business.

Sacramento-based Pacific Ethanol Inc. opened a 40million-gallon-per-year plant in Madera County late last year and plans to begin building a 50million-gallon-per-year plant in Stockton this year. And in Goshen in Tulare County, a 27million-gallon-per-year ethanol plant built by Phoenix Bio-Industries in 2005 was bought last year by Los Angeles-based Altra Inc., which announced plans to boost plant production to 35 million gallons per year. At least one other large-scale ethanol plant is being planned by Calgren Renewable Fuels LLC, which wants to build a 50million-gallon-per-year plant in Pixley.

And Cilion, a partnership between Menlo Park-based technology investor Vinod Khosla and Western Milling, announced last year that it plans to build eight ethanol plants by 2008. Company officials said the first three would likely be built in California, with potential sites including Keyes, south of Stockton, and Famoso, near Bakersfield.

Most of these plants, like Great Valley Ethanol's proposed plant, are expected to sell their ethanol within California. But despite the competition, Settle said Great Valley Ethanol's plant would likely find plenty of buyers for its ethanol, given recent actions by the federal and state governments to push the renewable fuel.

In his recent State of the Union address, President Bush called for the nation to cut its gasoline consumption by 20% over 10 years, mostly through a nearly fivefold increase in biofuels like ethanol over that time.

Also, in April, Gov. Schwarzenegger issued an executive order that set a goal for the state to produce a minimum of 20% of its own biofuels, including ethanol, by 2010.

Only about 5% of the 900 million gallons of ethanol that California consumed in 2005 was made in the state. The state's overall demand is expected to rise to about 1.6 billion gallons a year by the end of the decade.

S.J. represented on Valley partnership panel

By Greg Kane
Stockton Record, Thursday, Feb. 1, 2007

Gov. Arnold Schwarzenegger on Wednesday appointed three San Joaquin County residents to a committee charged with improving the Central Valley's economy and quality of life.

Developer Fritz Grupe, county Supervisor Leroy Ornellas and former Stockton Mayor Gary Podesto were all named to the California Partnership for the San Joaquin Valley, a 26-member advisory board launched in June 2005, officials said. The partnership includes state and Valley officials who research and recommend measures to improve job creation, education, health care, transportation and other local issues.

The three are Republicans. The partnership is dominated by the GOP: Fifteen of its 20 members are Republicans, which gives the party far more strength on the panel than it possesses in the Valley as a whole.

Ornellas replaces fellow county Supervisor Victor Mow on the partnership. Mow said Thursday he will step down to focus on his duties as chairman of the Board of Supervisors and the San Joaquin Local Agency Formation Commission and as co-chairman of the San Joaquin Council of Governments.

Ornellas said Wednesday that the partnership allows officials from Sacramento to Bakersfield to work together and lobby the state on social, environmental and economic issues that affect the region.

"It's important for this entire Valley that we begin to think a little more regionally on all these issues," Ornellas said. "This is an opportunity for all these interests to come together and start planning for this Valley's future."

The partnership met monthly during its first year and a half and adopted a strategic action plan in October, officials said. That plan calls for a diverse, skilled work force, better public education, social services and transportation systems, and higher clean-air standards for the Valley.

Grupe, 69, has been involved with the partnership since its inception and will serve as a deputy chairman this year. The Lodi resident is the founder of The Grupe Co. and serves on advisory boards for the University of California, Berkeley, and Merced.

Ornellas, 62, was elected as a county supervisor in 2001 and also sits on the county's Agricultural Advisory Board. Ornellas has owned a dairy farm in Tracy for 27 years.

Podesto, 65, was mayor of Stockton from 1997 to 2004 before leaving to launch an unsuccessful run for the state Senate. The Stockton resident has held positions on the San Joaquin Council of Governments, the Regional Rail Commission and the University of the Pacific Board of Regents, and also owned several local grocery stores.

S.J. dry cleaners phasing in alternatives to toxic chemical

By Jeff Hood - Lodi Bureau Chief
Stockton Record, Thursday, Feb. 1, 2007 6:00 AM

LODI - The tags read "dry clean only," but Jack Alquist threw his customers' cashmere and angora wool sweaters into the washing machine anyway, pressed a button, and watched as the door's glass window fogged over.

Twenty minutes later, Alquist had the sweaters on hangers to finish drying. At most dry cleaners, it's the toxic solvent perchloroethylene that evaporates into the air. But not at Alquist's Guild Cleaners. He's spent $200,000 on new machines since 1999 in order to use environmentally friendly alternatives to the suspected carcinogen, which the Air Resources Board last week ordered phased out in California by 2023.

"I'm not an overboard environmentalist," said Alquist, who testified before the board last week in favor of a ban, "but if the alternatives to perc are there, why not use them?"

Dry cleaners in the state won't be allowed to buy machines that use perchloroethylene beginning next year. After July 1, 2010, perc-based machines that are 15 years old may no longer be used.

Perchloroethylene's role in contaminating groundwater is well-documented in the San Joaquin and Sacramento valleys, from Merced to Chico. The underground pollution led to lengthy federal lawsuits in Lodi and Stockton's Lincoln Center shopping center, where Alquist's cleaning businesses were suspected of discharging perc that traveled out of leaky sewer pipes into the ground.

Water with more than 5 parts per billion of perc is considered hazardous to drink, but the Air Resources Board has listed the chemical as a toxic air contaminant, meaning no exposure level can be considered safe. Board spokesman Dimitri Stanich said the chemical is an skin irritant that could cause fatal heart arrhythmia if inhaled.

Use of fireplaces discouraged today

Modesto Bee, Thursday, Feb. 1, 2007

People in Stanislaus County are asked to refrain from using fireplaces and older wood stoves today because of concerns about air quality. Forecasters say the air will be unhealthy for sensitive people — children, older adults and those with chronic breathing problems. The "burning discouraged" advisory comes from the San Joaquin Valley Air Pollution Control District. The next step is a ban on burning.

On the Net: www.valleyair.org.

Massive Placer project moves forward

By Art Campos - Bee Staff Writer
Sacramento Bee, Thursday, Feb. 1, 2007

It's been 12 years in the recipe stage, and now it's about to be served for approval to the Placer County Board of Supervisors.

Placer Vineyards, the proposed 14,132- home community on 5,230 acres west of Roseville, would add about 38,000 residents to the county.

Its population would be larger than the combined number of residents in the Placer cities of Auburn, Loomis and Colfax.

"We have never had a development this big," former Supervisor Bill Santucci said. "It covers eight square miles."

Santucci sits on the county Planning Commission and joined in the panel's 6-0 vote last week to recommend the project's approval.

If approved in the coming months by the Board of Supervisors, the upscale, mixed-use community would include residential neighborhoods, retail centers, a community center, parks and an aquatic facility. About 700 acres of open space is proposed.

The infrastructure, including roads, water and sewer lines and police and fire stations, would be built by the 20 owners of Placer Vineyards at a cost of more than $235 million, said Tim Taron, an attorney representing the owners.

The owners also have set aside parcels for nine schools and 11 potential churches, he said. But the project, in which single-family homes would be priced above $400,000, has its critics.

Traffic and air pollution problems have been raised, and the new development would result in the loss of vernal pools, the Sierra Club Mother Lode Chapter has argued.

Terry Davis, Sierra Club coordinator, said the mitigation proposed by project owners is minimal and that it places the county and the developers on a "collision course" with federal agencies that issue permits concerning wetlands and endangered species.

Another critic, George Brown of the West Placer Municipal Advisory Council, said his panel wants more buffers within the project and a second high school.

Santucci said plans for the Placer Vineyards began in 1994 -- the year he was initially elected to the Board of Supervisors.

"This has been a super-long and tedious process," he said about the 12 years of planning. "One of the reasons for the length of time is because it is such a large area and has so many property owners involved.

"Just trying to get everyone to agree on what would take place was difficult."

The Vineyards project is bounded by Baseline Road, the Sacramento and Sutter county lines and by Dry Creek and Walerga Road.

Older women facing threat

Pollution particles add to heart risks
BY KERRY CAVANAUGH, Staff Writer
LA Daily News, Thursday, Feb. 1, 2007

Tiny particles in polluted air -- much of it caused by tailpipe emissions -- significantly increase the risk of heart disease for older women, according to a newly released federally funded study.

The findings raise new questions about whether Environmental Protection Agency pollution limits are tough enough.

And for Los Angeles -- a region dominated by cars and freeways -- it adds to the growing evidence that living near major roadways can be bad for your health.

"We know that particulate matter, especially diesel, is something that can create irreversible damage. With children, once those tiny particles are in their lungs that's when the damage occurs," said Annette Kondo with the Coalition for Clean Air.

"This study adds another plank in those theories that it's dangerous to be near particulate matter. Unfortunately, people in California are unaware of the risk and live very close to freeways."

The study comes just weeks after Southern California researchers released a report that found that children who live near freeways may have stunted lungs because of the air pollution.

Long a toxic source

Researchers and air quality regulators have long known that freeways are among the most toxic sources of pollution in the Southland -- and that particulate matter pollution can damage the lungs, brain and heart.

But Southern California officials have little power to clean up cars and have been unable to persuade legislators, local planners and developers to restrict building around freeways.

The South Coast Air Quality Management District sent out voluntary guidelines encouraging cities and counties to keep houses, hospitals and schools at least 500 feet from freeways.

While Los Angeles has adopted an air quality component into its general plan -- which guides land use in the city -- the city has little ability to restrict development near freeways or limit how developers want to use private property next to major roadways.

Tiny bits, big risk

But in releasing a study last week on the effects of air pollution from freeways, University of Southern California Keck School of Medicine Professor W. James Gauderman said community leaders, schools and developers should consider the health impact when developing new schools and homes.

"This is important because in areas where the population continues to grow, more and more children are living or attending school near busy roadways," Gauderman said in a statement.

"This may be harmful in the long run."

The most recent federal study focuses on how fine particulate matter -- microscopic bits 1/30 the width of a human hair -- can increase the risk of heart disease in older women.

In a study of 65,893 post-menopausal women, University of Washington-based researchers found that women exposed to higher levels of fine particles were at greater risk of heart attacks, coronary disease, strokes and clogged arteries.

Researchers have known that particulates can contribute to heart and lung disease -- with women perhaps more susceptible, perhaps because of their smaller blood vessels and other biological differences.

This study expands on the previous research and helps build the case for stronger pollution controls on cars, factories and power plants that generate fine particulate matter pollution, according to an editorial accompanying the study in the New England Journal of Medicine.

Risk heightened

The EPA tightened its daily limit for fine particulates in September but left the average annual limit untouched, allowing a concentration of 15 millionths of a gram for every cubic meter of air.

In the University of Washington study, two-thirds of the subjects fell under the national standard with the average exposure at 13 units.

But the study found that every increase of 10 units lifted the risk of fatal cardiovascular disease by about 75 percent.

Unlike earlier studies, it looked not just at deaths, but also at heart attacks, coronary disease, strokes and clogged arteries.

These problems were 24 percent more likely with every 10-unit rise in particles. And almost 3 percent of the women suffered some kind of cardiovascular problem.

The Associated Press contributed to this story.

Study: Polluted Air Raises Heart Risks

By The Associated Press
In the N.Y. Times and Bakersfield Californian, Thursday, Feb. 1, 2007

BOSTON (AP) -- The fine grit in polluted air boosts the risk of heart disease in older women much more powerfully than scientists realized, a big federally funded study has found, raising questions of whether U.S. environmental standards are strict enough.

The Environmental Protection Agency tightened its daily limit for these tiny specks, known as fine particulates, in September. But it left the average annual limit untouched, allowing a concentration of 15 millionths of a gram for every cubic meter of air.

[The *Bakersfield Californian* inserted the following paragraph: In recent years, Bakersfield has consistently ranked among the four worst areas in the state when it domes to fine particulate matter, according to air-quality data.]

In this study of 65,893 women, the average exposure was 13 units, with two-thirds of the subjects falling under the national standard. But every increase of 10 units, starting at 0, lifted the risk of fatal cardiovascular disease by about 75 percent. That is several times higher than in a study by the American Cancer Society.

"There was a lot of evidence previously suggesting that the long-term standard should be lower, and this is adding one more study to that evidence," said Douglas Dockery, a pollution specialist at the Harvard School of Public Health.

He wrote an accompanying editorial for the study, which was published in Thursday's New England Journal of Medicine. The University of Washington-based researchers worked from data collected for the Women's Health Initiative, a well-respected research project that previously showed the heart dangers of hormone supplements.

It has long been known that particulates can contribute to lung and heart disease, with women perhaps more susceptible than men to heart problems, perhaps because of their smaller blood vessels and other biological differences.

But the degree of risk for older women was less clear. This study started with women who had gone through menopause and were 50 to 79 years old.

Unlike earlier studies, it looked not just at deaths, but also at heart attacks, coronary disease, strokes and clogged arteries. These problems were 24 percent more likely with every 10-unit rise in particles.

Almost 3 percent of the women suffered some kind of cardiovascular problem.

The risk varied along with the varying levels of these particles in different neighborhoods within the same city.

In their calculations, the researchers tried to adjust for lower income and other health problems that have been blamed for the higher rates of disease in past studies.

"I think the major contribution is answering the critics of the prior studies," said the paper's senior researcher, Dr. Joel Kaufman of the University of Washington. "The effect seems large and important and should be taken seriously."

States and other groups demanding a lower annual standard sued the EPA last year, accusing it of disregarding the advice of its own scientists. Some agency scientists are also pushing for tighter rules on ozone, the chemical that creates smog and contributes to asthma and lung disease.

The EPA is scheduled to take another look at its standard for particulate matter and complete it by 2011.

"It's too soon to say how much weight any single study will have, but this study will be considered as part of this continuous process," said EPA spokesman John Millett.

Dr. Len Horovitz of Lenox Hill Hospital in New York, who was familiar with the findings, said they could create "a bit of a firestorm" for the future review.

The tiny bits of grit are believed to reach deep into the lungs to spur inflammation that promotes heart attack and stroke. They are so small than it would take about 30 to equal the thickness of a human hair.

These particles -- made of dust, soot and various chemicals -- come from burning fuel in cars, factories, and power plants. While individual particles are too small to see, they can be observed collectively as urban haze.

Berkeley foundry settles foul air lawsuit

By Kristin Bender, Herald Staff Writer
Contra Costa Times and Tri-Valley Herald, Thursday, Feb. 1, 2007

Berkeley - Pacific Steel Casting, the steel foundry sued three times in the past year for emitting a foul smell and allegedly causing health problems, will reduce its hazardous air pollutants by at least two tons annually under a settlement agreement with an Oakland health and justice nonprofit.

Last year, Communities for a Better Environment (CBE) filed a federal Clean Air Act lawsuit against the foundry because it claimed the foundry, which makes steel castings for trucks, buses, water valves and agricultural equipment, had for years been causing a nuisance in the community.

The two sides reached a settlement agreement this week that requires Pacific Steel to reduce emissions, create a scrap metal inspection program and establish a joint consultation committee to recommend and oversee ongoing pollution reduction efforts.

Pacific Steel still faces two other lawsuits.

CBE senior attorney Adrienne Bloch called the settlement agreement a "great first step."

"This agreement will result in real, on-the-ground emissions reductions, will keep community members at the center of defining community needs, forge a meaningful relationship between environmental justice and labor, and create the opening for a long-term process to tackle a complex set of issues with business," she said.

The settlement agreement is favorable for Pacific Steel because the lawsuit sought to fine the plant between $27,500 and $32,500 per day for every violation of the Clean Air Act between December 2002 and March 2004.

"There is a new spirit of cooperation that the company wholeheartedly welcomes," Pacific Steel spokeswoman Elisabeth Jewel said.

Specifically, Pacific Steel will:

- Establish a scrap metal inspection program to insure that metals used in making product molds don't contain mercury, fluids or lead that could increase emissions. This will be accomplished through the notification of scrap suppliers and regular inspections.
- Form a joint consultation committee of Pacific Steel leaders, representatives from the company's 600-member union and CBE to meet quarterly to look at ways to continue to reduce emissions. This will be accomplished through updating older emission control equipment and examining air flow issues.
- Deposit $350,000 into a fund that will be used to make equipment upgrades based on what the joint consultation committee advises. The company will decide if additional funds will be spent. The consent decree expires when the funds are depleted or after three years, whichever comes first.

The 73-year-old company, one of three remaining big steel foundries in the nation, faces two other lawsuits in connection with air pollution that residents and community members say has long caused them headaches, nausea and chest tightness.

Neighborhood Solutions, which works with residents to solve neighborhood issues, last year filed a lawsuit against Pacific Steel on behalf of 25 plaintiffs, each seeking up to $7,500 under the suit. A hearing date is pending.

The Bay Area Air Quality Management District sued the foundry in August because the company, under an earlier settlement agreement, had failed to release a health assessment report and install a carbon absorption abatement system to reduce odor emissions.

That $2 million pollution control system is up and running, but the lawsuit is still pending.

The city of Berkeley and the Bay Area Air Quality Management District will meet 7 to 9 p.m. Wednesday in the West Berkeley Senior Center, 1900 6th St., to update the community on recent developments with Pacific Steel.

International panel agrees global warming 'very likely' caused by humans

The Associated Press
In the Bakersfield Californian, Thursday, Feb. 1 2007

PARIS — Officials from 113 countries agreed Thursday that a much-awaited international report will say that global warming was "very likely" caused by human activity, delegates to a climate change conference said.

Dozens of scientists and bureaucrats are editing the new report by the Intergovernmental Panel on Climate Change in closed-door meetings in Paris. Their report, which must be unanimously approved, is to be released Friday and is considered an authoritative document that could influence government and industrial policy worldwide.

Three participants said the group approved the term "very likely" in Thursday's sessions. That means they agree that there is a 90 percent chance that global warming is caused by humans.

Cal AG seeks to settle emissions suit Thursday against automakers

By DON THOMPSON, The Associated Press
In the Bakersfield Californian, Thursday, Feb. 1 2007

California Attorney General Jerry Brown is asking the six largest U.S. and Japanese automakers to settle a lawsuit in which the state seeks millions of dollars in damages caused by vehicle emissions of greenhouse gases.

Brown scheduled a news conference Thursday in San Francisco to release details. On Wednesday, he sent a letter to attorneys representing the automakers, asking to meet personally with the chief executives of General Motors, Ford, Chrysler, Toyota, Honda and Nissan.

"As I review the litigation and learn more about the disputes, I am struck by the need for California and the automakers to work together to address the profound environmental challenges posed by global warming," Brown said in letters to each of the automakers' attorneys.

Brown, a former governor who won the attorney general's race in November, wants to meet with the executives "to discuss resolution of our pending litigation and (move) forward cooperatively."

Former attorney general Bill Lockyer, now California's treasurer, sued the companies in September in U.S. District Court in Oakland. Lockyer said he wanted to hold the auto industry accountable for what scientists say is their contribution to climate change.

California is the world's 12th largest producer of greenhouse gases, and more of those emissions come from vehicles than any other source.

Lockyer's lawsuit marked the first time a state has sought monetary damages for the effects caused by Earth-warming gases emitted by cars and trucks.

The lawsuit claims California will spend millions of dollars combating the changes that global warming is expected to bring to the state. Warmer winters are expected to melt the Sierra snowpack earlier each year, lead to flooding in the Central Valley and threatening the state's water supply for cities and farms.

Lawmakers already are debating how to ensure that California has enough water in the future, especially with the state's population expected to hit 55 million by 2050.

In December, automakers filed a motion seeking to dismiss the California lawsuit.

Automakers also are challenging a 2002 California law that requires reductions in emissions from cars and light trucks. The auto industry says only the federal government can make such a demand.

Lockyer's filing of the automaker lawsuit shortly before the November election prompted speculation that his action was politically motivated. In his letter to the automakers, Brown avoided criticizing his predecessor but suggested he is not eager to go to trial.

"With the current public, state and congressional focus on global warming and possible solutions, this is the right time for the state and the automakers to find cooperative approaches and resolve litigation in a constructive manner," Brown wrote.

Agreement reached between Foster Farms, Merced racetrack builders

The Associated Press
In the Bakersfield Californian, Thursday, Feb. 1 2007

A chicken ranch and raceway developer have reached an agreement to keep a legal dispute over a 1,200-acre auto racing complex planned for Merced County out of the court room.

Foster Farms, one of the country's largest poultry processors and a major employer in Merced County, had threatened to sue to stop developer John Condren from building the Riverside Motorsports Park, over expected impacts the project would have on its neighboring chicken ranch. Both sides had been at odds over the raceway for more than a year.

In a six-page agreement signed Monday, the Riverside Motorsports Park agreed to install taller sound barriers, security fencing and a new access road to the ranch.

The agreement also states that Foster Farms won't sue to challenge the project's approval and environmental reviews and won't assist other parties suing to stop the racetrack.

Calls to John Condren and RMP spokeswoman Jeanne Harper Condren were not immediately returned.

The Merced County Board of Supervisors approved the project last month. The $250 million complex, located just outside Atwater, will include eight racetracks, shops and a lake, and is expected to bring hundreds of jobs and $180 million in annual business to the area.

Merced County's lead attorney, James Fincher, said the county has approved the agreement.

Pacific Steel to reduce toxic emissions

Company makes its first settlement with environment group

By Carolyn Jones, staff writer
S.F. Chronicle, Thursday, Feb. 1, 2007

Pacific Steel, which for years has made West Berkeley smell like a burning pot handle, announced Wednesday it had reached an agreement with an environmental group to cut toxic emissions.

The country's third-largest steel foundry, whose smokestacks emit several tons of carbon monoxide, manganese, phenol and other pollutants annually, reached the out-of-court settlement after being sued for allegedly violating the Clean Air Act.

"We're extremely pleased," said Adrienne Bloch, senior staff attorney for Communities for a Better Environment in Oakland, which brought the suit. "It won't solve everything, but it's a good start."

A federal judge in August denied the group's request for a preliminary injunction, but ordered mediation for the two sides to work out a settlement.

The agreement stipulates that the company only use scrap metal that's free of lead, mercury, plastic and substances that emit toxins when melted. The company must order scrap suppliers to only provide pure metal, and it must inspect the scrap purchases for contaminants and keep written records of what's used.

In addition, the company agreed to put $350,000 into a fund to pay for equipment and programs to cut toxic emissions, which must be reduced by 2 tons within three years. Leftover funds will go to a community foundation.

A committee whose members represent the company, Communities for a Better Environment and the steelworkers union will meet quarterly to decide how to spend the money.

The agreement also allows Communities for a Better Environment to visit the factory several times a year for inspections.

"Pacific Steel welcomes this new spirit of cooperation," said company spokeswoman Elisabeth Jewel. "They really do want to be a good neighbor and move forward in a positive way."

Neighborhood reaction to the settlement, however, appeared to be critical.

Andrew Galpern, a volunteer with West Berkeley Alliance for Clean Air and Safe Jobs, a neighborhood group, said the agreement should have included air testing around the neighborhood, a survey of health problems suffered by neighbors and factory employees, and a requirement that Pacific Steel release all its test results to the public.

"Remember, this factory is less than a mile from schools, parks, restaurants, day care centers and churches," Galpern said. "A little less poison in the air? It's not much of an improvement."

After years of haggling with environmental groups, the city of Berkeley and the Bay Area Air Quality Management District, Pacific Steel agreed to the settlement to avoid a lengthy legal battle, Jewel said.

"Protracted litigation is not in the best interest of any of the parties," she said.

The family-owned company, which has been in West Berkeley for 73 years, has never before struck an agreement with an environmental group, Jewel said.

The agreement must be approved by the U.S. Environmental Protection Agency, the Attorney General and a federal judge. If it's OKd, it will go into effect in 45 days.

The settlement does not apply to a lawsuit filed last fall by the Bay Area Air Quality Management District. A hearing has not yet been scheduled for that suit.

In October, Pacific Steel installed a carbon filter on the smokestack at plant No. 3, which environmental groups said was the primary source of pollution. All three plants are now equipped with carbon filters, which reduce toxic emissions and the stench neighbors have complained about for years.

The city is hosting a community meeting on Pacific Steel at 7 p.m. Wednesday at the West Berkeley Senior Center, 1901 Sixth St., Berkeley.

Outdoor Home Heater Makers Agree to Pollution Cutbacks

By Anahad O'Connor
N.Y. Times, Thursday, February 1, 2007

Ten of the top manufacturers of a popular wood-burning device that reduces home heating costs but releases high levels of pollutants have agreed to start making cleaner and more efficient machines, the Environmental Protection Agency announced this week.

The devices, invented to heat farmhouses, have become a fast-growing alternative among suburban homeowners. But the owners' neighbors often complain that the outdoor wood-fired boilers produce unbearable levels of smoke, and a growing body of research about the boilers' pollution has prompted campaigns around the country to limit their use.

Under the agreement, the 10 manufacturers, which produce about 80 percent of the boilers on the market, will begin selling models this spring that are 70 percent cleaner and will carry orange tags saying they create less pollution.

The manufacturers will also continue to offer the old-style models as well, said Leslie Wheeler, a spokeswoman for the Hearth, Patio and Barbecue Association, an industry group in Virginia that

represents 8 of the 10 manufacturers. She said it was unclear whether the newer, more efficient models would cost more.

John Millett, a spokesman for the environmental agency, said on Monday that the 10 manufacturers agreed to produce the new machines without regulatory pressure. The agency had considered establishing emissions standards, he said, but many of the states receiving high levels of complaints about the machines were unwilling to wait the year or more that the federal regulatory process might take.

The agency also announced that it had developed guidelines that states and local governments could use to regulate the old boilers.

“This is an important first step in getting a handle on a relatively new machine that’s having an impact on air quality,” Mr. Millett said.

In the last two years, outdoor wood boilers have doubled in number, to about 150,000 nationwide. They look like tool sheds topped by 12-foot smoke stacks, and work by burning wood to heat water that is pumped through underground pipes to a home’s plumbing and heating systems. Generally, they cost about $5,000.

Owners of the machines say they handle almost all their home heating needs. They burn large amounts of wood and smolder constantly, though, and studies show that they also produce about a dozen times more smoke than traditional indoor stoves. One report by the New York attorney general’s office found in 2005 that they produced as much particle pollution in an hour as 45 cars or 2 heavy-duty diesel trucks.

As a result, a rash of lawsuits have been filed against those using the boilers, and many communities, mostly in the Northeast and Midwest, have passed ordinances regulating them.

Ms. Wheeler, the spokeswoman for the Hearth, Patio and Barbecue Association, said her organization would continue to work with the agency to make cleaner machines. She said the new agreement was only one phase of that process.

“It’s a great step forward toward improving the product,” she said.

FAQ: Guide to alternative fuels

Michael Kanellos, for News.com
In the N.Y. Times, Thursday, Feb. 1, 2007

What will you fill up your car with in five to ten years? It's hard to say. Several different alternatives to petroleum and diesel, or ways to economize on the stuff, have come forward in the past few years, and each has its own pluses and minuses.

Experts warn that it won't be easy to get off of petroleum or reduce how much the world uses. The amount of energy per liter derived from petroleum is far better than most of the alternatives, a worldwide infrastructure based on it already exists, and people tend to be lazy.

If oil drops below $55 a barrel, most of these alternatives stop becoming attractive, says Dan Arvizu, director of the National Renewable Energy Laboratory. And the Organization of the Petroleum Exporting Countries is watching what is going on in alternative fuels and can gauge oil prices accordingly.

"We do have a problem with how serious we are about our energy challenges," he said.

Global warming and improving technology, however, are making the alternatives more realistic all the time. Here's a guide to the main alternatives.

1. Ethanol

What: Ethanol is an alcohol produced out of corn, sugar cane or other food crops. During the production process, the plant material goes through several stages of heating and reduction. Ethanol is typically mixed with gasoline. Some cars can run on a mix of 85 percent ethanol and 15 percent gas, but ethanol is most commonly used as an additive in smaller percentages. Forty-seven percent of U.S. drivers today use some form of ethanol, but they usually only put small amounts in their cars: many states now use it for a substitute for MTBE, a common fuel additive with potential health risks to humans and other animals.

Pros: Ethanol pollutes less than regular gas. And we already know how to make it in large volumes. Brazil uses ethanol made from sugar cane extensively. Investors are pouring billions of dollars into ethanol refineries in the U.S. There are 109 ethanol plants in the U.S. and 40 new projects coming on line, according to Michael Eckhart, president of American Council on Renewable Energy.

Cons: Where to begin? First, food crops aren't an ideal fuel source. An acre of corn produces 480 gallons of ethanol, according to Paul McCroskey, chief financial officer at Ceres, which makes enzymes for the fuel industry. That's a lot of land.

Ethanol only puts out two-thirds the energy of gas, so car mileage is lower on ethanol. Ethanol production also generates tons of carbon dioxide, which, if it's not captured turns into greenhouse gases. Producing ethanol also requires lots of energy. It's popular, say some, because farmers love it, and they vote.

To top it off, the price of corn is climbing, while gas prices are declining. In January 2006, ethanol sold for $3 a barrel, while a bushel of corn cost $2. Now, ethanol sells for $2 per barrel and corn goes for $4.20 a bushel, according to ACORE. "We have seen the most profitable space in the fuel business disappear in a year," said Eckhart. OPEC, he added, will lower oil prices to put pressure on the ethanol industry.

2. Cellulosic ethanol

What: Cellulosic ethanol is also an alcohol, but it's made out of wood chips, corn stalks and agricultural waste products. Some scientists also believe cellulosic ethanol can be produced out of plants like switchgrass that require little fertilizer and water and could grow in the windswept plains of South Dakota.

Pros: The feedstock dilemma essentially disappears. The vegetable matter used in cellulosic ethanol has almost no value, which will mean margins won't get compressed by commodity price shifts, and critics can't argue that food crops in a hungry world are going to cars. Mascoma, Dyadic International and other companies are also devising ways to convert the high-cellulose waste matter into alcohol with microbes and enzymes, thereby cutting production costs and total greenhouse gas emissions.

The goal is to get cellulosic ethanol to the point where the "real" cost per gallon will run you $1.62, according to Arvizu. (The real cost is how much ethanol it will take to go as far as a gallon of gas will take you. Typically, 1.67 gallons of ethanol equal 1 gallon of gas.) By contrast, the "real" cost of standard ethanol is close to $3.50 or more now, he added.

Cons: It pretty much only exists in labs right now, but larger-scale production is coming. Mascoma plans to open a trial plant that can produce 500,000 gallons a year by the end of this year.

"It (commercial cellulosic ethanol production) used to be five or six years out, but we could get it done in three years. The key is being able to build a plant that can do one to two million gallons," said William Baum, executive vice president of Diversa, which finds microbes in exotic locales and puts them to work.

Like regular ethanol too, cellulosic faces a retail problem: the stations emblazoned with Shell or ChevronTexaco signs won't be clamoring to carry it. That's partly why only 1 percent of U.S. stations--mostly independents or pumps at grocery stores--serve ethanol.

3. Poo-troleum and fish-tank fill-up

What: It turns out you don't have to compress dinosaurs and plants for millions of years in the earth's crust to get petroleum. You can make it. BioPetrol in Israel says it has adapted the Fischer-Tropsch process for turning coal into petroleum to turn human sewage into petroleum.

Meanwhile, in the States, LiveFuels is working with Sandia National Labs to refine a technique for converting algae into petroleum. The dinosaurs actually had little to do with our modern-day tar pits, said CEO Lissa Morgenthaler-Jones. The big oil fields, such as the ones in the North Sea, were actually created by algae, she claimed.

Pros: No one really wants the feedstock. LiveFuels says it can potentially get 10,000 gallons of useable hydrocarbons for an acre-size pond a year. The hydrocarbons would be boiled down into useable diesel or petroleum. The ponds would be fed by farm waste water.

"This stuff loves agricultural run-off," Morgenthaler-Jones said.

Cons: It's experimental with a capital E, so no one knows what the costs will be or whether it can work on a broad scale yet. Plus, there is the greenhouse gas question. These fuels are carbon neutral in the sense that no carbon will be dug up from beneath the earth and ejected into the atmosphere. These fuels rely on carbon that's already on the surface in the form of waste or algae and it will decompose. Still, it's petroleum, so CO2 still comes out of the tailpipe.

4. Biodiesel

What: It's diesel fuel made out of soy, palm or other vegetable oils. The drippings from a deep fat fryer can run a diesel car, as long as you filter it and heat up the oil to make the oil more viscous. Biodiesel refiners essentially do the filtering for consumers. There are 85 biodiesel plants in the U.S. and 65 in construction, according to ACORE.

Pros: It's got far fewer economic and environmental hurdles than ethanol, says Martin Tobias, a former Microsoft exec who now runs Imperium Renewables, a biodiesel maker. Diesel cars are very popular in Europe, and several manufacturers make high-mileage diesel cars. Some truck and bus makers already produce diesel hybrid trucks. Biodiesel could be sold to those people right now. And since industrial diesel users buy their fuel directly, they don't have to worry about corporate service stations snubbing biodiesel altogether.

Finally, biodiesel puts out far less carbon gases. Sulfur can be a problem with soy-based biodiesel, but Tobias says it can be contained.

Cons: Farming sometimes isn't the most eco-friendly activity, and some worry that a surge in demand for palm oil will lead to slash-and-burn agriculture and pollution in the tropics. Advocates, though, say that farmers are tackling this problem. One group in Colombia is growing biodiesel feedstock on old coca plantations. The rising popularity of biodiesel is expected to impact the cost of food oil.

Even after the new facilities get built, biodiesel is a drop in the bucket of the world's fuel needs. There are only 150 million gallons of the stuff produced a year in the U.S. and, although that number will climb to 250 gallons this year, the U.S. consumes about 62 billion gallons of diesel a year.

5. Hybrid cars

What: Toyota scored big with the Prius, which runs on an electric motor and a gas motor: in the city, it mostly runs on electric, but switches to gas on the freeway. General Motors wants to cut the use of gas further with its Volt. In the Volt, which could be ready in two or three years, the gas motor doesn't run the car. Instead, it exists to recharge the battery. In the end that leads to less fuel consumption. Ford, meanwhile, is touting the Edge, an SUV in which a hydrogen fuel cell recharges the battery. The battery in the Edge also gets charged by plugging into a wall.

Similarly, several small companies have touted plug-in hybrids. These are similar to the Prius, but the battery for running the electric motor can be recharged through a plug.

Pros: The less the gas motor gets used, the greater the gas mileage and the lower levels of greenhouse gas emissions. Ford has also minimized the tasks for the hydrogen fuel cell so you won't have to worry about refilling it too much, especially if you charge the battery.

Cons: None that are too big. The public clearly likes hybrids. Still, Toyota has been the big success story here. It is unclear how well GM and Ford will do. Also, questions remain on whether the public really will buy hybrid SUVs and sedans. SUV customers tend to look at features beyond fuel efficiency, but the data isn't conclusive yet.

6. Electric cars

What: Better batteries are allowing car manufacturers to run cars wholly on electricity. Tesla Motors, Think Global and Wrightspeed are marketing all-electric sports cars and economy cars. Zap says it will do a mid-size sedan. Some companies are selling electric scooters and rickshaws into India.

Pros: The more a vehicle runs on electricity, generally the less pollution it creates. An all-electric car produces no tailpipe emissions. Emissions are created indirectly because the power plants that charge the batteries in these cars often run on coal. But in most cases, you see a big reduction in greenhouse emissions. Battery makers like Altair Nanotechnologies and Valence Technology hope to score big.

The mileage is fairly astounding; it only costs a few cents per mile to run an electric car. Tesla and Wrightspeed have also shown that electrics can hang with Ferraris and Porsches.

Cons: The range. Most of these cars can only go 100 to 200 miles before they need a recharge, although Zap says its car will go 350 miles. Forget conspiracy theories: earlier electric cars died out because they didn't get very far and had ornate charging procedures, say execs at Toyota, and even electric car advocates. Batteries also cost a lot of money. Building an all-electric car like a Honda Accord today would probably cost you $20,000 or more in batteries, says Ian Wright, founder of Wrightspeed. Progress is occurring and sales are growing, but it wi ll take time to improve the battery technology.

7. Gas to Fuel

What: Shell and ExxonMobil are ramping up production of a fuel in Qatar called Gas-to-Liquids that's derived from natural gas. It significantly reduces the sulfur, carbon monoxide and other pollutants that belch from car tailpipes. And although more costly than regular gas, it should help crimp the air pollution in places like Los Angeles, or in New Delhi, where diesel buses are banned. GTL is made through a variation of the Fischer-Tropsch process invented nearly a century ago for turning coal into gas. (Irwin Rommel, the German field marshal in World War II, drove across North Africa on coal turned to liquid).

Pros: Instead of starting with coal, the GTL process begins with synthetic gas created in an industrial plant. The synthetic gas derives from natural gas--which is far cleaner than coal--and other materials. You can actually drink it. Food producers use a kosher-approved GTL derivative used to line juice boxes. It goes straight into diesel buses and cars. It's on sale in select stations in Europe and Asia.

Cons: It's expensive. A gallon of GTL takes an inordinate amount of natural gas. The oil companies are mostly only making GTL out of oil fields that are too expensive or difficult to connect to pipelines. While GTL is already being sold in select stations in Europe, it will mostly pop up in polluted megacities.

8. Compressed Natural Gas

What: A barbeque on wheels. CNG cars and buses run on methane, which pollutes less than regular gas. They've been around for years and can be seen at the airport all the time. Researchers at the University of Bath, however, are working on sportier models.

Pros: They've been around for years. Hence, there aren't technological problems to work out. The world's supply of natural gas is also fairly good. CNG taxis and buses are popular in places like Dubai because the oil fields are close by, according to Richard Steele, CEO of AFV Solutions, which makes CNG and hybrid-diesel buses.

China is eyeing more CNG cars, according to Barbara Finamore, director of the National Resources Defense Council's China Clean Energy Program. They want to clean up for the Beijing Olympics and "biofuels are not a good bet here" because crops can compete with food, she said.

Cons: Natural gas isn't renewable and, even though it's cleaner than regular gas, it's still a fossil fuel.

9. Hydrogen

What: For years, hydrogen was widely considered to be the fuel of the future. In hydrogen fuel cell cars, hydrogen and oxygen are mixed in a fuel cell. The resulting chemical reaction produces electrons, which power a battery in the car, and water vapor. There is no pollution created in the reaction. Toyota and Ford have talked about bringing out hydrogen cars in 2015 or 2020.

Pros: It will be nearly impossible to run out of hydrogen in the universe. The prototype cars have also continued to improve. Some hydrogen prototypes can run at over 100 miles per gallon. Engineers are also figuring out ways to store the compressed gas so hydrogen cars can still have a trunk.

Cons: Although the car doesn't belch pollution, making hydrogen typically produces large amounts of carbon dioxide at the factory. To make hydrogen, most producers combine methane with water and heat up the mix to 815 degrees Celsius, which produces 9.3 kilograms of carbon dioxide for every kilogram of hydrogen. Hydrogen is also expensive to make, store and transport. You can't send it down regular pipelines. Then there is that problem of building hydrogen filling stations.

Competitors aren't scared.

"Hydrogen is hopeless," said Martin Eberhard, CEO of Tesla.

Tracy Press Editorial, Wednesday, Jan. 31, 2007:

Editorial: For the sake of our future kids

A 13-year study by University of Southern California researchers isn't good news for homeowners who live behind freeway soundwalls.

USC researchers have found that children living within 500 yards of a freeway have significant impairments in the development of their lungs that can lead to respiratory problems for the rest of their lives. And if they live in the San Joaquin Valley and Los Angeles basin, it's double trouble.

The study of more than 3,600 children in 12 central and Southern California communities found that the greatest damage is to the small airways of the lungs and is linked to the fine particles coming out tailpipes.

This same study previously found that smog stunts lung growth and that living close to freeways can increase the risk of having asthma.

With this new information, why would developers continue to build and people still buy homes so close to freeways Because there is an estimated shortage of 130,000 homes in California that increases by some 40,000 homes annually.

Lead author of the unhealthy air study, W. James Gauderman, an epidemiologist at the Keck School of Medicine at USC, urges government to consider his findings when planning new neighborhoods and communities. For the sake of the generations of children to come, that much at least must be done.

Fresno Bee editorial, Thursday, Feb. 1, 2007:

Knock, knock

Who's there? State legislators with misplaced priorities.

You know you're in trouble when your state legislation has become a national joke: "How Many Legislators Does it Take to Change a Light Bulb?"

We're not kidding. That's the actual title of a bill being drafted by Assemblyman Lloyd Levine, D-Van Nuys. He wants to pass a law that requires consumers to replace all of their traditional incandescent light bulbs with the energy-efficientfluorescent bulbs.

So instead of educating Californians about the merits of buying energy-efficient bulbs, let's throw them in the slammer if they don't. No wonder the rest of the nation thinks we're wackos.

Another piece of legislation that's a punchline nationally comes from Assembly Member Sally Lieber, D-Mountain View. Her bill would outlaw spanking children under 3. Talk about nanny government. Jay Leno already has had fun with that notion.

It only takes about 10 seconds of thought to know this bill is a complete waste of time. Child abuse already is illegal. Can you imagine fining a parent for smacking a child on the bottom for running into the street?

What takes all of this nonsense out of the joke category and into the outrage category is that there are so many urgent issues facing California: thousands without access to health care; an embarrassing literacy rate; a plague of homelessness in our cities; a juvenile justice system in shambles; a transportation system that's on the verge of gridlock; and terrible air quality.

California's legislators need to get their priorities straight. And we're not kidding.