

Ag burning now restricted

by Corinne Reilly

Merced Sun-Star, Thursday, May 24, 2007

Local orchard farmers will no longer be allowed to burn branches, debris or other tree waste, following a decision by air quality officials meant to reduce pollution.

The San Joaquin Valley Air Pollution Control District's governing board voted last week to ban almost all open burning of orchard waste, effective June 1.

Instead, orchard farmers will have to use chipping or mulching to dispose of their waste.

"It's certainly not going to solve all our (air quality) problems, but it's a step in the right direction," said the air district's George Heinen.

Heinen said the ban won't apply until 2010 to farmers who grow citrus fruits, apples, quinces, figs or pears, as those trees are known to carry diseases that can transfer to new crops unless their waste is burned.

Heinen said farmers with orchards less than 20 acres will also be granted the extension because of the high cost that comes with switching to chipping or mulching.

"For smaller farms, the cost can be quite prohibitive compared to their profits," he said.

The air district, which regulates pollution control efforts across the San Joaquin Valley, announced last month that it needs 11 additional years to meet federal ozone standards that it's supposed to meet by 2013, as outlined by the Clean Air Act.

Air district officials estimate their newest ruling will eliminate 2,400 tons of ozone and particulate emissions per year across the San Joaquin Valley.

Orchard waste represents about 50 percent of all agricultural burning in the San Joaquin Valley, according to the air district.

The latest ruling follows two earlier bans on open burning passed by the air district. In 2004 the district voted to restrict burning of certain diseased crops. In 2005 the district banned burning for some field crops. Heinen said burning of vine crops will be restricted next.

All of the regulations are the result of a state law passed in 2003 that called for the phasing out of all agricultural burning.

"For some of us, this is going to be a hardship," said almond farmer Louie Bandoni, who is also board president of the Merced County Farm Bureau. "It's not a bad idea for some farmers, but the same things don't work for everyone."

Bandoni said complying with the new rules will mean a big expense for many Merced growers. He said the equipment to chip waste from his 300-acre Merced almond orchard will likely cost \$300,000.

Bandoni said the farm bureau opposed the state law that mandates the new regulations because it places an unfair burden on farmers.

"Typically legislators from the Valley understand what we're up against, but we have a lot of other (legislators) who don't know what it's like to be a farmer ... The regulations just keep coming. It's getting really hard to run a profitable business."

Heinen said the air district worked with Valley farmers to make the new regulations manageable, and that some environmentalists have said the rules aren't strict enough.

There are approximately 125,000 acres of orchard crops in Merced County, according to the county agricultural commissioner's office.

Sanger tire fire fouls the air

Communities warned include Fresno, Clovis, Parlier, Reedley, Del Rey.

The Fresno Bee

Thursday, May 24, 2007

A tire fire south of Sanger continued to smolder Wednesday night, prompting air authorities to again warn neighbors to avoid strenuous outdoor activity if they see or smell smoke today.

The fire broke out Tuesday night, and the San Joaquin Valley Air Pollution Control District issued a caution Wednesday to residents in southeastern Fresno County -- including Sanger, Fresno and Clovis.

The fire started in a pile of tires on private property, a spokesman for the Fresno County Fire Protection District reported Wednesday. It was allowed to burn itself out early in the day.

Capt. Mike Bowman said firefighters briefly battled the blaze at Academy and Muscat avenues to keep it from spreading. Fire units monitored it until about 5 a.m. Wednesday when the fire was considered out.

The cause was unknown.

Air district spokeswoman Jaime Holt said late Wednesday that the fire was likely to smolder into the night.

Sanger Unified School District and area schools were notified of the possible danger of smoke still coming from the site, according to air district officials.

"If you smell smoke or see smoke, it probably is a strong enough concentration to cause harm," said Shawn Ferreria, a meteorologist for the district.

Sanger Unified Superintendent Marc Johnson said outdoor activities were cancelled at Lincoln Elementary on Wednesday afternoon as a precaution.

Other communities included in the warning were Centerville, Del Rey, Reedley and Parlier.

Exposure to the particle pollution in smoke can aggravate lung disease and trigger attacks of asthma and acute bronchitis.

In people with heart disease, short-term exposure to such pollution has been linked to heart attacks.

For the daily air quality forecast, go to www.valleyair.org or call (800) 766-4463.

Sanger tire fire sends harmful smoke into the air

Hanford Sentinel/KSEE TV online Wed., May 23, 2007

Sanger and Fresno County fire crews were dispatched to a tire fire that started at a trucking business around 11:00 Tuesday night.

The fire sent up a huge black cloud of smoke, that initially was blowing away from the town. But by mid-afternoon, the winds had shifted and the smoke began billowing towards residential areas.

The fire started in an old pile of tires that were being stored in an open field. The property owner says the tires have been there for the past 50 years. The pile was started by his father at the

trucking company just south of Sanger.

The property owner says he doesn't think the fire started by itself. He believes someone may have started it deliberately.

Firefighters are letting the fire burn itself out and are trying to bury it with dirt to contain the smoke.

West Oakland teens want the lead out

New youth environmental group finds other toxic metals plaguing area

By Katy Murphy, STAFF WRITER

Tri-Valley Herald, Thursday, May 24, 2007

OAKLAND — Until the lab tests came back, 16-year-old Brittnie Collins didn't realize the black dust on her classroom windows — and, possibly, the air in her West Oakland neighborhood — was full of lead.

Collins thought about her young nieces, who developed asthma soon after they were born, and wondered if lead exposure was to blame. She began wondering how her family and friends — and she, herself — would be affected by the practically invisible particles, which have been linked to breathing problems, cancer and decreased brain function, especially in children.

"I take a chemistry class, and we learn about lead and the different compounds, but we never learn how it can harm us," said Collins, a sophomore at EXCEL High School in West Oakland. "It's shocking, because at any second, I can be affected by this."

Collins is part of a new youth environmental group, West Oakland Urban Students Uprising against Pollution, which sprung from an environmental justice course at EXCEL's law academy. With the help of Global Community Monitor, an international human rights group, and the Rose Foundation's New Voices Are Rising Project, WUSUP is investigating the presence of lead, chromium and other harmful particles in the neighborhood.

On Wednesday the group announced some troubling lab results: The concentration of lead in dust samples collected near a classroom window was 4.84 micrograms per 100 square-centimeters, much higher than the EPA benchmark of 2.7 micrograms. Nine other metals, from arsenic to zinc, showed up as well.

This semester, as Collins and her classmates collected scrap metal debris from nearby streets and began learning the language of environmental regulation, they confronted a problem that has threatened the health of local residents for decades. In doing so — although they might not know it — the students have become part of something larger.

In the past five to 10 years, community-led groups from Berkeley to Watsonville have taken advantage of new technologies to monitor their air and water quality, said Bill Walker, vice president of the Environmental Working Group, a research firm with offices in Oakland and Washington, D.C.

Walker said neighbors' complaints about the Red Star Yeast plant in West Oakland — which emitted a strong odor and an agent believed to be cancer-causing — led to tighter restrictions, causing it to shut down in 2003. More recently, in Berkeley, Pacific Steel Casting agreed to install a hood that will capture particulates from one of its plants.

"The community basically says, 'If the state won't monitor this for us and tell us what's in our water and what's in our air, we're going to take matters into our own hands,'" Walker said.

Denny Larson, executive director of the Global Community Monitor, said the settled dust analysis — which was conducted by an outside laboratory — was only the beginning of the West Oakland

lead project. Now that preliminary data confirmed the presence of lead in the area, the group will directly measure the particles of the air, a more costly and elaborate test.

Larson said he also wants to investigate whether any of the local businesses, including a recycling plant near the school, contribute to the lead problem.

It won't be an easy question to answer. West Oakland — whose residents also breathe the soot, diesel and other pollutants associated with Port of Oakland commerce — is divided by freeways on which cars used to spew leaded gasoline. Lead paint once coated many of its older homes.

Karen Shckolnick, spokeswoman for the Bay Area Air Quality Management District, cautioned that regulators do not consider swipe tests a good indicator for emissions from any particular source.

"It tells you what you collected, but it doesn't tell you how it got there, where it came from or what the concentration is over time," she said.

The high lead concentrations that WUSUP found, she noted, may have come from a big pulse that quickly settled, leaving students breathing clean air for the majority of the time.

"It doesn't mean that amount of lead is continuously being emitted in the environment," Shckolnick said. "It means there's a lot of stuff on the windowsill. But it doesn't mean that's what's on you or in your home."

Larson acknowledged that the preliminary findings were crude. Still, he said, "The bigger point to the city of Oakland and to the people here is regardless of where it's coming from, these kids are being exposed to at least 10 hard metals every day their window's open.

"These industrial areas tend to be like the wild, wild West."

It won't be easy being green

Berkeley sets tough course for its residents to follow to help reduce emissions of greenhouse gases in city

By Carolyn Jones, staff writer

S.F. Chronicle, Thursday, May 24, 2007

In Berkeley's green future, there will be no incandescent lightbulbs, Wedgewood stoves or gas-powered water heaters. The only sounds will be the whirl of bicycles and the purr of hybrid cars -- and possibly curses from residents being forced to upgrade all their kitchen appliances.

Six months after Berkeley voters overwhelmingly passed Measure G, a mandate to reduce the city's greenhouse gas emissions by 80 percent by 2050, the city is laying out a long-term road map for residents, business and industry. It includes everything from solar panels at the Pacific Steel foundry to composted table scraps.

While San Francisco, Oakland and other local governments in the Bay Area have approved policies aimed at reducing greenhouse gas emissions, Berkeley is the first to begin spelling out how people would be expected to reduce their carbon footprints.

Some measures will be popular and easy, like a car-share vehicle on every block and free bus passes. But others will be bitter pills, such as strict and costly requirements that homes have new high-efficiency appliances, solar-powered water heaters, insulation in the walls and other energy savers.

"It will challenge people, and it will be difficult," said Cisco DeVries, chief of staff to Mayor Tom Bates and one of those coordinating the city's greenhouse gas reduction efforts. "But if Berkeley's niche isn't leadership on this issue, then what is it? This is what we should be doing."

It won't be quick, and it won't be easy, especially in a city where even the most mundane zoning minutia can become mired in months of debate. Few of the proposals have been approved yet, and some might not be ready for decades.

Berkeley started with an estimate of all the emissions attributable to residents and businesses in the city. These include sources within the city limits, such as cars and trucks and natural gas consumption, and Berkeley's estimated share of those outside the city, such as electricity generation and solid waste sites.

The city generated, directly or indirectly, 696,498 tons of greenhouse gases in 2000, the benchmark the city will use to measure its 80 percent reduction. That figure has already dropped almost 9 percent, but that's due largely to greener energy practices by Pacific Gas and Electric Co.

To reach an 80 percent reduction, sacrifices would have to be made in all quarters of the city.

Under the emissions crash diet, builders will use only recycled and green materials. Residents will be told exactly how many carbon units they're generating based on the cars they own, the distances they drive, the waste they generate and the energy they consume. Landlords will be required to provide free bus passes to tenants.

To help out, the city plans to create an assessment district to help residents buy solar panels for their homes -- an idea Berkeley officials think other cities will copy. The costs would be tacked on to property tax bills over the course of 30 years so homeowners won't be stung by the steep up-front price, which can reach thousands of dollars.

Berkeley's green blueprint calls on people to take small steps on a daily basis as well. Incentives and legislation will make common many activities only a few practice now -- walking to work, using cloth shopping bags, buying locally grown produce, shutting off appliances and reducing their use of nonrecyclable packaging.

Bates thinks it all will be an easy sell.

"I think people are looking for ways to lighten their footprint," he said. "People are willing to make these lifestyle changes, and the cumulative effort will add up. It's not rocket science. We can do this."

While virtually everyone in Berkeley agrees that reducing greenhouse gases is a worthy goal, not everyone agrees on the process. Former Mayor Shirley Dean questioned whether the city's enthusiasm has eclipsed its common sense.

"There's a funny quote about a man who jumped on his horse and rode off madly in all directions. That reminds me of the Berkeley city government," Dean said. "I think they need to prioritize and come up with some more immediate, practical measures."

Dean supports many of the ideas Bates has put forth, such as solar water heaters, but wonders how many of the ideas would be funded, especially when Berkeley residents already pay some of the highest taxes in the state. She also notes that the city's method of tabulating emissions seems "fuzzy."

The city is omitting Interstate 80, UC Berkeley and Lawrence Berkeley National Laboratory from its calculations because those are controlled by state agencies that have their own, and in some cases tougher, greenhouse gas reduction plans, DeVries said.

The city also is counting emissions reductions that occur far outside city limits, such as reductions from PG&E plants and garbage dumps.

But the accounting details are irrelevant, said Dan Kammen, a professor at UC Berkeley's Energy and Resource Group.

"Berkeley is one of the first cities to do this, and I think they're entitled to some creative bookkeeping," he said.

He also doesn't think the city will suffer economically from these measures. Developers still will build in Berkeley, housing prices will remain among the highest in the Bay Area, and business will continue to operate. It is Berkeley, after all.

"There's still a huge cachet to be in Berkeley. I think we'll see that these plans will actually improve Berkeley's economy," he said. "And let's face it, a lot of cities will be doing the same thing in the future. If we don't, we're cooked."

LET THE SUNSHINE IN

To meet the voter mandate of reducing greenhouse gases by 80 percent by 2050, Berkeley officials propose:

Bus passes for apartment dwellers and eventually for everyone. Landlords would be allowed a small rent increase (equal to \$7 per month in today's costs) to pay for tenants' passes; funding of passes for all residents has not been identified.

Increased incentives to install solar panels, especially for water heaters.

Mandatory green building requirements, such as using recycled materials, even for small residential projects.

Strict energy efficiency requirements for all new buildings, resold homes and renovations requiring permits. Older appliances would have to be replaced, insulation upgraded and added to walls, windows upgraded and garages equipped with outlets for electric cars.

Berkeley's greenhouse gas emissions

In 2005, residents, businesses and industry in Berkeley emitted 634,798 tons of greenhouse gases, an almost 9 percent drop from 2000. Where the gases came from:

-- By sector

Transportation: 47%

Commercial/industrial: 27%

Residential: 26%

-- By energy type

Natural gas: 36%

Vehicle gasoline: 29%

Electricity: 18%

Vehicle diesel: 17%

Source: City of Berkeley

State acts to limit use of coal power

To fight global warming, municipal utilities including the DWP will no longer be able to buy electricity from plants that burn the fossil fuel.

By Margot Roosevelt, Times Staff Writer
L.A. Times, Thursday, May 24, 2007

The California Energy Commission on Wednesday imposed new rules that effectively forbid the Los Angeles Department of Water and Power and all other municipal utilities in the state from signing new contracts with coal-fired power plants.

The move, together with identical regulations imposed on private utilities in January, is a significant step toward reducing the contribution of California, the world's sixth largest economy, to global warming.

"This will reduce greenhouse emissions throughout the Western states," said Claudia Chandler, a spokeswoman for the California Energy Commission. "People have long been critical of California for exporting its pollution.... Now we are holding ourselves accountable."

California, with the strictest pollution laws in the nation, has largely phased out coal-fired generators within its borders. But the state still buys about 20% of its electricity from coal-fueled power plants in other states.

The DWP buys 47% of its power from two massive coal-fired plants in Utah and Arizona that are major sources of carbon dioxide and other greenhouse gases. Those contracts expire in 2017 and 2027. Now, under state law, they cannot be renewed unless those plants find a way to pump their emissions underground, but the technology to do so is unproven.

Nor can Pasadena, Burbank, Glendale and other cities that own their utilities forge any new contracts with coal-fired generators, or with gas-fired plants that lack modern pollution controls.

"We saw this legislation coming and we support it," said David Nahai, president of the DWP board. The board, with a mandate from Mayor Antonio Villaraigosa, has hiked the agency's renewable energy supply from wind farms and other sources from 3% to 8% since October 2005, Nahai said. "This utility is turning itself around."

The state's action will help Villaraigosa carry out his recent pledge to increase the amount of renewable power to 35% of the city's energy portfolio by 2020, Nahai said. He said the city expects only a moderate increase in electricity rates as a result — about 1.4% over the next five years for an average-sized business. "It is affordable, and the cost will be spread over a long period of time."

Environmental groups hailed the new restrictions on power purchasing, which grew out of a law sponsored by state Sen. President Pro Tem Don Perata (D-Oakland) last year. That law is a first step in carrying out the goals of the Global Warming Solutions Act, or AB 32, which requires the state to reduce greenhouse gases to 1990 levels by 2020. It will have the immediate effect of preventing utilities from locking in long-term contracts for dirty power, said Audrey Chang, staff scientist for the Natural Resources Defense Council.

The maximum emissions allowed under the rules issued for municipal utilities by the California Energy Commission, and for private utilities by the Public Utilities Commission, are 1,100 pounds of carbon dioxide per megawatt hour of electricity.

California's new rules may not prevent the construction of dozens of new Western coal-fired plants that are in the planning stages. But those plants would have to lower their emissions in

order to sell power to California.

The energy industry is pinning its hopes on developing a technology that would pipe carbon dioxide and other gases into underground repositories. But the feasibility of this technology and its environmental effects have not been fully determined.

If other states adopt California's approach, it will make renewable energy more competitive with cheap coal. On May 3, Washington Gov. Christine Gregoire signed a law modeled on Perata's legislation. "California is telling Wall Street and Main Street that it is time to switch sides and invest in clean energy exclusively," said Bernadette del Chiaro, director of clean energy issues for Environment California.

But the DWP, she says, has a long way to go. "Los Angeles is one of the sunniest cities in the world, but it remains in the dark ages, with the bulk of its electricity coming from coal. Its solar program remains underfunded, understaffed and poorly designed. But the potential is there — the sunshine, the wind, tidal and geothermal power nearby. LADWP could become the nation's premier green utility."

Calif takes another step in fight against global warming

Associated Press in Hanford Sentinel Thurs., May 24, 2007

LOS ANGELES (AP) -- California, with the strictest pollution laws in the nation, has taken another step in reducing its contribution to global warming.

The California Energy Commission on Wednesday imposed new rules that forbid municipal utilities, including the Los Angeles Department of Water and Power, from signing new contracts with coal-fired power plants unless those plants find a way to pump their emissions underground.

"This will reduce greenhouse emissions throughout the Western states," said Claudia Chandler, a spokeswoman for the energy commission. "People have long been critical of California exporting its pollution. ... Now we are holding ourselves accountable."

California has largely phased out coal-fired generators within its borders. But the state still buys about 20 percent of its electricity from plants in other states.

Many of those contracts will expire over the next two decades.

David Nahai, president of the Los Angeles Department of Water and Power board, said the agency supported the legislation. Under a mandate from Mayor Antonio Villaraigosa, the board has increased the agency's renewable energy supply from wind farms and other sources from 3 percent to 8 percent since October 2005, he said.

"The utility is turning itself around," Nahai said.

The new rules may not prevent the construction of dozens of new Western coal-fired plants that are in the planning stages, but those plants would have to lower their emissions to sell power to California.

Environmental groups cheered the new restrictions.

"California is telling Wall Street and Main Street that it is time to switch sides and invest in clean energy exclusively," said Bernadette del Chiaro, director of clean energy issues for Environment California.

Judge throws out Clean Air lawsuit

The Associated Press

Contra Costa Times, Thursday, May 24, 2007

WACO, Texas- A federal judge has thrown out a federal Clean Air Act lawsuit against Oak Grove, a lignite-burning power plant TXU has proposed for Robertson County.

U.S. District Judge Walter S. Smith Jr. said his court had no jurisdiction because the state has not yet issued the plant's air permit.

Until early this year, eight coal-fired electricity projects were planned in Central Texas. Although TXU scaled back its plans, it continues with a request for the Oak Grove project, which would burn lignite, a relatively dirty coal.

In a contested case hearing, a state administrative judge recommended that the Texas Commission on Environmental Quality reject the permit application. A commission board is expected to hear the case next month.

A local citizens group called Robertson County Our Land Our Lives joined forces with the Dallas-based Clean COALition to sue TXU over the plant last year. The plaintiffs argued that once the permit was granted, reversing it with a federal lawsuit would be difficult.

But the judge on Monday wrote that a federal judge cannot rule on a project that has not been through the states permit process. He also wrote that the defendants failed to prove that they have standing in the case.

Paul Rolke, head of Robertson County Our Land Our Lives, said the dismissal is a disappointment but not likely to end the struggle.

TXU spokesman Tom Kleckner said the company can now proceed with a plant needed to meet Texas power needs.

Charged up over sales of e-cars

Glendale dealer opens to buyers

BY EUGENE TONG, Staff Writer

LA Daily News, Wednesday, May 23, 2007

GLENDALE - They roll down the street in stealthy silence and run on juice from your wall socket, and for Rob Thomas, they're the antidote to the ills of high gas prices and petroleum dependency.

"I want to go completely off carbon," Thomas said as he inspected an electric car at EnVironmental Motors, one of the only showrooms in the San Fernando Valley dedicated to the sale of electric cars. "I'm the guy who's installing solar panels on my roof, and I want to plug it into that."

While most people might be tempted to install fluorescent light bulbs or check their tire pressure after watching former Vice President Al Gore's global warming documentary, Taryn Sokolow, director of the e-car venture, said the film motivated her to revive the greener side of the family business.

Her father owns Colonial Honda next door and first dealt in electrics six years ago. But that side business had been quiet until recently.

"Before I saw that movie, I didn't know how bad it really was," said Sokolow, 25. "I didn't know how deep (global warming) really went. ... I'm in a unique position to do something."

The dealership, which held its grand opening this week, stocks vehicles with fanciful nameplates such as Santa Rosa-based ZAP (Zero Air Pollution) and ZENN (Zero Emission No Noise), from Toronto-based Feel Good Cars.

Some resemble your common compact hatchback, but with the rattle of a gasoline engine muffled to a soft buzz from the electric motor. Others, like ZAP's Xebra line of three-wheel sedans and pickups, are guaranteed to turn heads as much as record high gas prices do.

The national average for a gallon of unleaded regular exceeded \$3 this week, while hitting \$3.45 locally, according to AAA.

"The record just keep going up and up with gas prices," said ZAP CEO Steve Schneider. "I think that consumers globally need to have choice."

Still, they might be a tough sell in sprawling Southern California - the Xebra's top speed is 40 mph, with a range of up to 25 miles between charges. At \$10,000, it's best used to supplement a gas-powered vehicle for local errands.

It's those limitations that will keep electrics at novelty status, said Jim Hossack, senior consultant with Tustin-based automotive analyst AutoPacific.

"In terms of high-volume application ... all pure electric cars (are) probably nonviable," he said. "At the same time, L.A. is a big place and there are lots of opportunities for a lot of unusual uses. Can you sell 100 a year? Maybe. Can you sell 1,000? Then you're pushing me."

Hence, Los Angeles is a key market for Schneider.

"Automobiles in America represent more than just transportation," he said. "It represents individualism. And there's no other place than Los Angeles where individualism speaks out in an automobile."

"If gas is \$10 a gallon, you will still see Hummers driving here in L.A. There will always be demand in one spectrum. We're just in the other end."

Meanwhile, newer electric models with more power and range are on the drawing board, and are at least 1 1/2 years away from market. That's why electrics at EnVironmental Motors share the Glendale lot with a few Smart cars, those ultra-compact, freeway-safe gasoline vehicles that scream Euro-chic and get about 40 mpg.

"We want to get users familiar with electric technology," Sokolow said. "When they start coming out, we hope that our name is already out there and already associated with electric vehicles, so it will be an easy segue to freeway-speed electrics."

[Fresno Bee and Sacramento Bee Editorial, Thursday, May 24, 2007:](#)

Deadly diesel

State must not cave in and weaken rules on construction equipment.

To protect kids and the public from potentially deadly diesel soot, California has retrofitted or replaced more than 4,000 school buses in recent years. This effort has cost the state and school districts tens of millions of dollars. Voters last year approved \$200 million in bonds to help further this clean-up crusade.

Now the state is turning its attention to the largest sources of diesel pollution -- trucks and "off-road" equipment, such as backhoes and loaders. On Friday, the California Air Resources Board will begin deliberations on rules to control diesel pollution from this equipment. Board members need to resist pressure from the construction industry to weaken these proposed rules.

Diesel soot is an especially toxic type of particulate pollution. When inhaled, these particles lodge deep in the lungs. Scientists have linked this pollution to asthma, heart attacks and premature deaths.

Construction equipment accounts for 20% of the diesel particulates emitted in California, largely because contractors generally use old and durable machines built with few or no pollution controls.

Under the air board's proposed regulations, these industries would have several options in reducing particulate pollution 85% in 13 years.

In the near term, they could purchase cleaner used equipment. They could install filters or replace the engines in their current machines. Alternately, they could save up and purchase the cleanest possible models -- known as Tier IV equipment -- that will be available in a few years.

No doubt, this transition will be expensive. More than 180,000 pieces of equipment will be affected, from forklifts to huge earth-moving machines. It will cost the industry about \$3 billion over 13 years, according to CARB's estimates. Yet the payoff will be worth it. The air board says the new standards could save about 4,000 lives by 2030 and more than \$18 billion in health costs.

The construction industry, which is about to get a multibillion-dollar infusion of funds from the infrastructure bonds, has known for seven years these regulations were coming. Instead of preparing and gearing up, the industry is now spending its money on a publicity campaign headed by two of Sacramento's better-connected consulting firms. These spin doctors are trying to dupe lawmakers and the media into believing that the CARB regulations will slow down upgrades of highways, schools and levees that voters approved last year.

These scare tactics should not sway lawmakers or the air board. Reviews by CARB staff have found that, contrary to industry claims, there is readily available used equipment to meet the proposed deadlines, and manufacturers ready to produce new engines.

The regulation also includes "safety valves" that allow the industry to forgo purchases if cleaner equipment isn't available. If anything, these safety valves are too generous.

Indeed, air districts in Southern California and the San Joaquin Valley want the California air board to be more aggressive and to seek more reductions of nitrogen oxides from construction equipment. Without those cuts, the air districts fear they may miss federal deadlines for reducing ozone smog. Missing the deadlines could also result in a suspension of federal transportation dollars. (Hear that, construction firms?)

Possibly because of industry pressure, the air board isn't deciding on the off-road diesel regulations this week but will wait until its July meeting to vote. Gov. Arnold Schwarzenegger, who campaigned for governor on an ambitious promise to reduce the state's air pollution by 50%, needs to tell his air board appointees to avoid further delays, and vote for clean air.

[Contra Costa Times Editorial, Thursday, May 24, 2007:](#)

Delay diesel standards

THE CALIFORNIA AIR Resources Board has proposed strict regulations on off-road diesel engines as part of the state's efforts to reduce greenhouse gases and air pollution. The regulations will be costly for construction companies that use heavy equipment.

Despite the costs, the construction industry agrees that the expense is worthwhile and has expressed a willingness to work with the board in achieving higher air quality standards.

There is no significant disagreement about the board's ultimate goals. However, many construction firms, particularly small ones that make up the majority of the industry, need more time to fully comply with the board.

That is why the construction industry seeks another five years to reach full compliance. The board's proposed deadline of 2020 is too soon.

The problem is that heavy equipment powered by diesel engines lasts as long as 30 years. Replacing diesel-powered equipment before its useful life is over is highly expensive, and there is no resale market for equipment that does not meet the board's standards.

Construction firms already are retiring equipment, retrofitting it, installing new diesel engines and buying new equipment to meet the board's regulations. But they need more time to spread out the costs.

Even more problematic is the board's requirement for switching to so-called Tier 4 equipment by 2020. Tier 4 equipment has yet to come on the market. When it does, companies that now switch to Tier 3 equipment would have to replace it well short of its service life.

The solution should be obvious: Give construction firms the five years they seek to meet the standards.

With another five years, construction equipment still would be replaced in a timely manner, and the board's goals would be fully met. Also, the costs would be spread out so that small firms could remain in business.

If the current deadlines are not altered, many small construction firms, which operate on slim profit margins of 3 percent to 5 percent, will be forced to close.

There is no compelling reason for the board to insist on the 2020 deadline, especially when all its standards can be met without undue harm to small businesses by 2025.

[Tri-Valley Herald, Letter to the Editor, Thursday, May 24, 2007](#)

Unfair to drivers

A LITTLE-WATCHED BILL is making its way through the Legislature in Sacramento that will, in effect, increase the cost to the motorists to register their car if it passes. This bill, AB 616 will require the owners of vehicles over 15-years-old and newer than 1975 model year to obtain an annual smog test instead of the biannual test previously required.

Given the cost of these tests, this will add approximately \$50 to \$100 or more to the registration process every other year to car owners already reeling under record gasoline prices. For those frugal folks who choose to use their cars sparingly, maintain and preserve them for a life of longer than 15 years, this represents yet another expense to incur. It affects the less-affluent among us the most.

Given the tremendous revolt on vehicle registration fees of only a few years ago it is surprising that this bill has not received more attention by the media and motorists. Since an ever-increasing percentage of vehicles in this 1976 to 15-year-old category have onboard diagnostic provisions that warn of an emissions malfunction, the need to submit to the hassle and expense is unnecessary and a mere sop to the smog-check industry at the expense of the motorist. The governor was initially swept into office on the displeasure of high vehicle registration costs, and this bill will, in effect, increase the cost of registering cars once again.

Contact your local legislator to express your opinion.

John E. Quilter, Brisbane

[Commentary in the San Diego Union-Tribune, May 17, 2007](#)

If you can't meet air pollution standard, weaken it

By Michael E. Johnson

San Diego can breathe a little easier thanks to recent actions by the Hearing Board of the San Diego Air Pollution Control District. The board recently took San Diego Gas & Electric to the woodshed over pollution excesses at the Palomar Energy Center in Escondido.

During a heated session April 26, the board threatened mitigation fees if the plant doesn't clean up its act. It also demanded to know the specific amount of pollution created by the utility giant beyond the permitted levels.

This was a tremendous victory for the public, since this is the second year in a row SDG&E has sought a variance to release more of the pollutant nitrogen oxide (NOx) during the turbine start-up process than originally approved. NOx is a nasty pollutant, according to the Environmental Protection Agency. It is harmful to children, the elderly, people with asthma and those who exercise outdoors.

Because of the board's regulatory oversight, SDG&E will be required to provide quarterly updates on its progress in meeting pollution regulations. The variance is good until next year.

To the company's credit, SDG&E promised to be a good corporate citizen and try to comply with provisions of Rule 69.3.1. Even opponents to its Petition 4073 agree that Palomar Energy is one of the cleanest-burning, most technologically advanced power plants in America.

But at the same hearing, SDG&E revealed its true motives regarding the variance: to buy enough time to rewrite the rules that it is violating. In a shocking bombshell at the hearing, staff from the Air Pollution Control District released a draft proposed rule change that was written only six days earlier. The less-stringent rule would make it easier for the utility to comply, possibly compromising the health of the public.

In a perplexing move, the hearing board decided to adopt certain technical portions of the draft proposed rule change, which has not even been through a public comment period, nor approved by the formal Air Pollution Control Board. Now, it looks like a bigger battle is looming in 2007 over the legalization of SDG&E's pollution violations.

Local residents concerned about the variance started Palomar Watchdog to educate the public about health issues related to the power plant. This grass-roots, citizen-sponsored campaign does not oppose the Palomar Energy Center. Rather, it supports the environmental regulations that govern the plant and protect the public, according to its new Web site at www.palomarwatchdog.com. Those who care about the Palomar Energy Center cannot rest now. It's time for concerned citizens to take another breath and fight on for clean air.

Johnson is a resident of San Marcos. He is the former vice chair of the Commute Management Advisory Committee for the California Department of Transportation. He is also a volunteer for the Palomar Watchdog campaign.