

Frazier Park residents to seek no-burn exemption

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Wednesday, Dec. 17, 2008

Frazier Park residents will present a petition Thursday asking air quality regulators not to enforce residential wood-burning restrictions in their community.

Chuck Woerner, who helped organize the petition drive, says 500 signatures have been collected so far.

Woerner and others say the San Joaquin Valley Air Pollution Control District has provided no scientific data to show wood smoke impacts the valley's air quality.

Frazier Park is part of the air district but was previously exempted from the no-burn rule because of its elevation. The no-burn rule prohibits wood burning in fireplaces and wood stoves in the valley when air quality is poor.

"We're hoping they will reinstate the (exemption) at least through this season until there's more information available," Woerner said.

The air district's governing board is scheduled to discuss the no-burn rule at its monthly meeting Thursday.

The board last month expanded the no-burn rule to cover Frazier Park when it also lowered the threshold for calling a no-burn day.

That move has resulted in more no-burn days than in previous years, prompting complaints even from valley residents who had grown accustomed to the burn restrictions.

The public can watch and participate in the meeting at the air district's Bakersfield office, 2700 M St., Suite 275, in Bakersfield. The meeting begins at 9 a.m.

Falling temperatures lead to freeze warning

By Niesha Lofing
Modesto Bee, Wednesday, December 17, 2008

Weather officials say the region will grow even colder, issuing a freeze warning and predicting more snow as winter settles in.

The National Weather Service this afternoon issued the freeze warning, which is in effect from 10 p.m. tonight until 10 a.m. Wednesday for the southern Sacramento Valley, the Carquinez Strait, Delta and northern San Joaquin Valley.

A freeze warning means below-freezing temperatures are highly likely and the frigid conditions could kill crops and other sensitive plants, the Weather Service states on its Web site.

A series of cold low-pressure systems are spreading chilly, unstable air and showers throughout the region, the Weather Service states.

Scattered showers and snow flurries are possible this afternoon, said George Cline, a Weather Service forecaster.

Earlier this morning, snow flurries fell in Arbuckle and El Dorado Hills.

Significant snowfall is predicted today at elevations of 2,000 feet and higher.

After the skies clear later today, temperatures will drop and there is a "strong potential for a hard freeze late tonight through Wednesday morning," the freeze warning states.

Temperatures could drop below 28 degrees for three to five hours, especially in rural areas.

A bit of warming news: Sacramento County residents can light a toasty, crackling fire in their hearths to combat the cold.

The Sacramento Metropolitan Air Quality Management District has declared today a "burn cleanly" day, meaning county residents -- and those in cities within Sacramento County -- are allowed to use their fireplaces tonight, according to a district e-mail alert.

Residents also are allowed to burn manufactured fire logs at this level.

Earlier today, Blue Canyon, off Interstate 80, had received about 22 inches of snow by early this morning.

The snow has been a boon for ski resorts in the Sierra Nevada.

Squaw Valley is reporting 3 feet and Alpine Meadows is reporting more than 2 feet of new snow in the last 24 hours. Northstar-at-Tahoe reports 16 inches of new snow in the last 24 hours, according to the ski resorts' Web sites.

The mountains at Heavenly, Kirkwood and Sierra-at-Tahoe each received about a foot of new snow in the last 24 hours. Sierra-at-Tahoe is not yet open to skiers, however.

Mount Rose, which is on the Nevada side of north Lake Tahoe and about 25 miles from Reno, is reporting 3 to 5 inches of new snow on its Web site.

For more information about Lake Tahoe ski conditions, go to <http://skilaketahoe.com/cms/>

"The important message today is about the cold temperatures," Cline said.

Highs today will be about 50 degrees, but lows tonight will dip to about 31 degrees in downtown Sacramento. In other areas of the region, lows could reach the mid- or upper 20s.

The current storm is just one of many that will pummel the region this week.

Another storm is expected to move in Thursday night and into Friday, bringing with it another chance of rain and snow. Another system appears to be behind that one too, Cline said.

"We're pretty much into (winter) now," he said.

But the storms haven't alleviated the region's water woes -- at least not yet.

Rainfall totals remain 67 percent below normal for the season, Cline said.

Since the beginning of the rain year -- July 1 -- Sacramento has received 3.53 inches of rain. The normal precipitation totals by Dec. 15 are 5.3 inches, he said.

"We're still behind," Cline said.

The wintery weather is making for slippery driving conditions throughout the region, too.

Icy roads caused a five-car crash about 5:30 a.m. on westbound Highway 50 at Weber Creek Road and ice also was reported farther down the highway near the El Dorado Road exit.

A UPS big rig overturned on Interstate 80 near Secret Town Road about 2:30 a.m. today and closed the freeway to eastbound traffic for more than three hours, but it hasn't yet been determined whether the crash was due to ice and snow.

Chain controls are in effect on I-80 from three miles east of Gold Run to the Nevada state line for all vehicles except those with four-wheel drive and snow tires on all four wheels. Eastbound trucks are being screened at Applegate, and drivers must have maximum chains in their possession in order to proceed, Caltrans reports on its Web site.

Chain controls also are in effect on Highway 50 from nine miles east of Placerville to Meyers for all vehicles except for four-wheel-drive vehicles with snow tires on all four wheels, Caltrans states.

Chains are required for many portions of Highway 89, including from the junction of Highway 50 to Truckee. Four-wheel drive vehicles with snow tires on all four wheels are exempt.

Tracy First files lawsuit after Wal-Mart approved for 70,000 additional feet

By Eric Firpo - San Joaquin News-Service
Lodi News Sentinel, Wednesday, December 17, 2008

TRACY — A group has sued the city of Tracy for its approval of Wal-Mart's request to add 70,000 square feet and sell groceries at its store on West Grant Line Road.

Tracy First, a group that has fought plans by the nation's biggest retailer, filed the lawsuit Nov. 2.

The lawsuit charges that the city's report to gauge the environmental effects of a bigger Wal-Mart were "legally deficient," said Steve Herum of Herum and Crabtree, a Stockton law firm that represents Tracy First.

A group calling itself Lodi First has opposed Wal-Mart's plans to build a Supercenter near the intersection of Lower Sacramento Road and Kettleman Lane in Lodi. Herum, who also represented Lodi First, was able to have the Lodi project stalled in December of 2005 by using a similar argument that's being used in the Tracy lawsuit.

After a San Joaquin County Superior Court judge ruled the project's environmental report invalid, the city of Lodi and Wal-Mart had to revise it. After three years, the Lodi City Council just recently approved the revised section of the report, although it still needs to the consent of the judge that originally ruled it was insufficient.

The Tracy lawsuit says the city study improperly defined how big the store would be by not including an 11,000-square-foot garden center and failed to evaluate and possibly cut [air pollution](#), traffic, energy use and how it could spread urban rot in other shopping centers in Tracy.

The lawsuit asks a court to set aside the old study and force the city to write a new one.

Wal-Mart has been trying to add space for five years, and public debates draw throngs of impassioned supporters and critics.

Wal-Mart was built in 1993, and the company could have built a 163,000-square-foot store, but built at 125,000-square-feet instead. On Oct. 21, the City Council voted 3-1 to allow the store to add 70,000 square feet, of which roughly 30,000 will be devoted to groceries.

Fans of a Wal-Mart grocery store believe they'll save money there, while critics complain it will drive other grocery stores and other retail shopping centers out of business.

"I think it's detrimental to the city," said Marvin Rothschild, a Tracy First member who signed on to the lawsuit.

Wal-Mart spokesman Kevin Loscutoff scoffed at the idea that there was anything wrong with the city's environmental report, and said the city's work with the company in the past five years ended in "valid approval" of the environmental study.

We've appreciated the support we've received," he said.

The lawsuit was hardly unexpected, and was in fact predicted by Councilman Steve Abercrombie when he voted to OK a bigger Wal-Mart.

Mayor Brent Ives said the city will likely defend itself against the suit, as it did when it beat a challenge to its approval of a WinCo grocery store.

"We think we did a good job with the (environmental impact report)," he said.

Air rules put load on state truckers

By The Associated Press - Keith Pendleton of The Madera Tribune
Madera Tribune Wednesday, December 17, 2008

Jerry Chandler of D & C Trucking in Madera thinks California's new air regulations, which were adopted Friday, may drive up to a third of the state's independent truckers out of business. He and others are taking a wait and see strategy because the new rules will have to be reviewed in a year.

"As it currently stands we are forecasting 20 to 30 percent of the truckers in California going out of business with these rules considering the state of the economy," he said. "What is really happening is that the state is trying to pass these rules so that they can meet federal pollution guidelines so they won't lose federal highway funds."

The California Air Resources Board, part of the state's Environmental Protection Agency, adopted two regulations aimed at cleaning up harmful emissions from the estimated one million heavy-duty diesel trucks that operate in the state.

Beginning January 1, 2011, the Statewide Truck and Bus rule will require truck owners to install diesel exhaust filters on their rigs, with nearly all vehicles upgraded by 2014. Owners must also replace engines older than the 2010 model year according to a staggered implementation schedule that extends from 2012 to 2022. The exhaust filters cost as much as \$22,000 according to a dispatcher with Cherokee Freight Lines of Madera.

Note: The above article has been shortened from its published form in The Madera Tribune newspaper.

State leads "Green Chemistry" push

By Suzanne Bohan - Contra Costa Times

Tri-Valley Herald, Wednesday, December 17, 2008

The California Environmental Protection Agency on Tuesday released the state's landmark Green Chemistry Initiative, which uses a carrot-and-stick approach to encourage the development of more benign alternatives to toxic chemicals routinely used by manufacturers, businesses and consumers.

"This is looking at what is better, what is safer," said Maureen Gorsen, director of the Department of Toxic Substances Control, which worked with Cal/EPA to write the report. "The focus is on the positive."

Linda Adams, head of Cal/EPA, described the initiative as "ushering in a new wave of chemical policies in California."

"Green chemistry" refers to a focus on encouraging or mandating manufacturers to formulate chemicals that are less poisonous and degrade more quickly in the environment. That focus includes providing more information to business customers and consumers about the chemicals found in those manufacturers' products and their known health and environmental effects.

Backing the advisory report are two state laws passed in September that elevate the regulatory power of the toxic substances control department. In the past, the department had only limited jurisdiction over manufacturers operating in the state; but starting Jan. 1, 2011, one of the laws will give it authority to regulate chemicals produced outside the state.

"For the first time, we will have authority over products sold in California," Gorsen said. "And we will require manufacturers to tell us what's in it, and what are the other safer alternatives they could have put in it."

The second law, co-sponsored by state Sen. Joe Simitian, D-Palo Alto, mandates an online, public database describing the toxicity and hazards of commonly used chemicals.

The state laws trump exemptions widely criticized by environmental and health advocates in the 1976 Toxic Substances Control Act, a federal law that requires limited or no human health testing for 81,000 chemicals listed in its inventory. Nor does the law demand labeling listing potential health and environmental effects of chemicals in the products.

The American Chemistry Council, an industry trade group, didn't return two requests for comment Tuesday on the state's Green Chemistry Initiative. Its Web site, however, states that the

chemicals industry spends more than \$11 billion annually to [reduce emissions](#) and thereby protect the environment and human health.

Still, some 4,400 workers' deaths in California annually are attributed to chemical exposures, according to a University of California report released in January. Roughly 208,000 state workers each year also develop illnesses from chemical exposure, as do 240,000 California children at any given time, the UC report added.

New regulations are only part of the solution laid out in the initiative. It also seeks to inspire innovation by detailing the key benefits of switching to a "green" approach with chemicals — namely that developing these new products will create high-skill jobs while lowering health care and environmental cleanup costs.

California officials launch 'Green Chemistry' initiative

The plan would inform consumers how items sold in the state are manufactured and transported and how environmentally safe their ingredients are.

By Margot Roosevelt

L.A. Times, Wed., December 17, 2008

Is that laundry soap truly "environmentally friendly"? Was that mattress treated with toxic chemicals? Is that sweatsuit fashioned from organic cotton? Is that lipstick "natural"?

California officials launched a sweeping green initiative on Tuesday to inform consumers exactly how hundreds of thousands of products sold in the state are manufactured and transported and how safe their ingredients are.

The plan, which would require every product to reveal its "environmental footprint," envisions the most comprehensive regulations ever adopted for consumer goods.

"These recommendations usher in a new era of how we look at household products -- from our children's toys to the plastic we use to make shampoo bottles, to the varnish on our wood furniture," said Gov. Arnold Schwarzenegger.

Until now, most of the state's regulation of toxic chemicals, which can cause cancer, birth defects and neurological damage, has been focused on how to control exposure to factory workers and how to clean up hazardous waste.

But after an 18-month effort to revamp that approach, "instead of paying attention to the toxic substances in our everyday products only when it comes time to throw them away in the landfill," Schwarzenegger said, "we will now pay attention . . . when the product is designed, manufactured, used and recycled."

Maureen F. Gorsen, director of the California Department of Toxic Substances Control, said the administration would propose a law setting up a public database that could eventually allow consumers to scan a bar code on every product to determine how green it is -- or isn't.

With scanners at stores, or eventually on cellphones, purchasers could compare brands to figure out which one was manufactured, for instance, with coal-fired electricity in China and which one with solar power in California.

They could also determine how much greenhouse gas was emitted through its transportation by boat, plane or truck and whether its ingredients were the safest available and could be easily recycled.

A more limited regulation by the California Air Resources Board requires stickers on new automobiles rating them on how much smog-forming pollution and how much carbon dioxide, a gas that contributes to global warming, they emit.

The proposed "Green Chemistry Initiative" comes at a time of growing concern that the federal Toxic Substances Control Act, passed three decades ago, has failed to control an explosion of hazardous materials.

Europe recently enacted tougher toxics rules than the United States, forcing many American companies to revamp products sold for export, but the California program would go further in its disclosure requirements.

"We don't know what is really in 'artificial flavors' or 'fragrances,' " said Dan Jacobson, legislative director of Environment California, a nonprofit that issued a recent report on the lack of testing on chemicals.

Environmentalists want to curb the current practice of "risk assessment," which requires a complex calculation of exposure and harm before a chemical is restricted. Chemicals should be proven safe before marketed, in their view.

"Industry fights for risk assessment because it is easier to hide the dangers of their chemicals," Jacobson said. "This issue is not fully addressed in the report."

Gorsen responded that the plan would mean "a big move away from traditional risk assessment. . . We create a system that accelerates our move to safer choices -- rather than argue and equivocate about how bad is bad."

Meanwhile, companies, latching on to consumer fears, are trying to outdo one another in advertising their products' eco-virtues -- a phenomenon sometimes disparaged as "greenwashing."

"Most of the green stuff that is marketed is not really green," Gorsen said. "With this plan, we are moving from 'claims of green' to 'metrics of green.' Maybe a company did one thing to make their product green, but their overall footprint is not good. We'll look at how green is green. And how to compare this bottle of shampoo to that bottle of shampoo."

Approximately 100,000 known chemicals are used in production today, but safety data is available on only a few thousand. In California, 644 million pounds of chemical products are sold each day.

"The federal government has not required ingredients disclosure for all products," Gorsen said. "Now for the first time, we will know what is in products -- and not just those made in California but anything sold in California."

Two California laws passed last fall have jump-started the program. AB 1879, sponsored by Assemblyman Mike Feuer (D-Los Angeles), requires the state to identify "chemicals of concern" and to evaluate safer alternatives. SB 509, sponsored by Sen. Joe Simitian (D-Palo Alto), creates a scientific clearinghouse for information on chemicals' effects.

Automakers and electronics manufacturers lobbied against the bills, saying that, given the new European standards, they could be subjected to a patchwork of warning labels. Car manufacturers use flame retardants that have been linked to neurodevelopmental effects. Computers and other electronics contain contaminants that endanger health if they escape into factory workplaces, landfills and water supplies.

Representatives of the electronics and auto industries in Sacramento declined to comment on the new plan, but John Ulrich, executive director of the Chemistry Industry Council of California, called the initiative "balanced. Our industry has been promoting sustainable development since the 1980s," he said.

The initiative takes a scientific approach to regulation, he added, instead of the "earlier chemical-by-chemical approach conducted in the Legislature by people who didn't have a background in the field."

He noted, however, that consumer products associations, such as detergent manufacturers, have not endorsed the disclosure of their ingredients because of concerns over trade secrets.

Gorsen said industry leaders such as Patagonia, Levi Strauss and Wal-Mart that are already using environmental score cards to rate products are enthusiastic about a footprint database.

"It will give a competitive advantage to companies that are ahead of the curve," she said.

It could also favor California-made products, she suggested. "With globalization, a lot of them are at a price disadvantage. But if a California manufacturing facility is cleaner than a facility in China, then California will not be at such a competitive disadvantage.

Gorsen said her agency "held workshops up and down the state. We talked to the manufacturers, to Dow, DuPont and Procter & Gamble, to the grocery chains and the retailers. We sifted through 57,000 comments.

The 57-page plan will require both regulations and new legislation. And, given the hundreds of thousands of products sold in the state, it could take as long as 10 years to gather all the information on their manufacture, toxicity and environmental footprints, Gorsen acknowledged.

State panel urges cutting chemicals in products

The Associated Press

In the S.F. Chronicle , Merced Sun-Star, Tuesday, Dec. 16, 2008

SACRAMENTO-A panel launched by Gov. Arnold Schwarzenegger wants California to force companies to disclose the chemicals they put in their products and consider their long-term effect on the environment, or risk having them banned from sale in California.

The proposals released Tuesday by the California Green Chemical Initiative would again put California at the forefront of environmental policy.

Its six-point plan is an effort to help the state immediately start reducing the toxic chemicals in everything from dish soap to prescription drugs.

"We will have authority over products sold in California and we will be able to require the manufacturer to tell us what's in it, and what were the other alternatives they could have used that would be safer. ... I don't know of any other government that has that," said Maureen Gorsen, director of the state Department of Toxic Substances Control, which led the initiative.

Companies will be urged to replace toxic substances with safer ingredients or eventually lose the right to sell them in California - regardless of where they're made, Gorsen said.

Schwarzenegger set up the panel of scientists, policy makers and industry officials in 2007 to come up with broad recommendations on how to deal with chemicals. He was seeking a streamlined system rather than the piecemeal legislation being adopted as new problems came up.

Schwarzenegger said the policy would mark a change in how people look at household products as varied as children's toys to varnish on wood furniture.

"Instead of paying attention to the toxic substances in our everyday products only when it comes time to throw them away in the landfill, we will now pay attention to those substances every step of the way - from when the product is designed, manufactured, used and recycled," the governor said in a statement Tuesday.

The plan also calls for the state to expand its pollution prevention initiatives, add "green chemistry" to public school curriculum and gather international research on toxic products in one central place so the public can access it.

The panel said all products should be weighed by how they affect the air, water and land.

Their proposals come less than a week after state officials adopted sweeping, landmark laws to cut back greenhouse gases in California. Those regulations are expected to transform everything from the way factories operate to the appliances people buy and the fuel they put in their cars.

Dan Jacobson, legislative director for Environment California, said the plan released Tuesday also would make California a national leader.

For the past eight years, the group has "worked to ban individual chemicals and thus draw attention to the need for greater chemical reform. The plan worked," he said in a statement.

Schwarzenegger already signed laws implementing two of the panel's recommendations: allowing the Department of Toxic Substances Control to start identifying and prioritizing the most toxic chemicals and studying alternatives, and setting up a Web site to give the public more information about toxic chemicals.

Gorsen said she expects the others will start becoming policy over the next year. Some need further legislation, while others can be implemented by an executive order from the governor.

The state Environmental Protection Agency has not calculated the estimated costs for the state or businesses. Gorsen said the recommendations are still too broad and the chemicals that could be banned are unknown, making it impossible to measure.

But she said the rules would save California billions of dollars by avoiding expensive cleanups in low-income communities, the increased cost to dispose of and store hazardous waste and in reduced health care costs from a less polluted environment.

The European Union is far ahead of the United States in passing laws to ban toxic chemicals in favor of more environmental friendly alternatives.

Still, California officials said they were taking a different approach than the one adopted by the European Union, in which companies will submit product information to a clearinghouse of scientists.

In California, data will be gathered on a "Facebook for chemicals" where everyone from scientists to consumers can post ideas and information about toxic materials and the companies that use them, Gorsen said.

10 Northeastern states hold 2nd carbon auction

The Associated Press

Tri-Valley Herald, Wednesday, December 17, 2008

ALBANY, N.Y.—About 31.5 million tons of carbon is on the block as 10 Northeastern states hold their second auction of pollution credits aimed at curbing global warming.

The Regional Greenhouse Gas Initiative requires power plants to pay for every ton of carbon dioxide they produce, providing financial incentive to cut emissions. The total amount for sale will gradually be reduced through 2014.

The program is seen as a model for "cap and trade" greenhouse gas reduction programs nationally.

The RGGI states are New York, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island and Vermont.

The first auction, on Sept. 25, sold 12.5 tons of carbon and netted nearly \$40 million for renewable and energy efficient technologies.

Cooperation helped Louisville clean up air

By James Bruggers

USA TODAY, Wednesday, December 17, 2008

LOUISVILLE — For years, Louisville has been known for fast horses, fine bourbon, a love of college basketball — and lousy air.

People who lived near a complex of chemical plants, called Rubbertown, put up with odors, burning eyes and fears that their every breath might contribute to asthma, cancer or other illnesses.

But that began to change about a decade ago, after a minister from the predominantly African-American neighborhoods around Rubbertown organized protests, demanding aggressive government action to clean up the toxic air and reduce the chemical emissions from factories.

The campaign soon ranged beyond those neighborhoods, attracting the help of university scientists, industry representatives and government officials. It has led to an ambitious and successful anti-pollution effort that has gained national attention.

In 2000 and 2001, extensive air monitoring at three public schools and nine other sites confirmed what many in Louisville had suspected: High levels of chemicals were putting residents, young and old, at an unacceptable risk of cancer and other illnesses, especially in the neighborhoods closest to Rubbertown, on the city's west side.

Louisville's Strategic Toxic Air Reduction (STAR) program, launched in 2005 after years of squabbling and negotiations, has dramatically cut emissions of the city's most risky chemical and promises to curb others by the end of 2011. Louisville's efforts have become a national model: The U.S. Government Accountability Office singled out the city's handling of toxic air in a 2006 report, and the U.S. Environmental Protection Agency honored Louisville for its new program in 2007.

"Ounce per ounce, the Louisville program packs a greater punch than almost any other community's program," says S. William Becker, executive director of the National Association of Clean Air Agencies, whose members include pollution-control officials across the country.

Since 2005, concentrations in the air of the biggest chemical culprit found by the monitoring, the human carcinogen 1,3-butadiene, have fallen more than 75%. "That's a huge reduction," says Russell Barnett, director of research for the University of Louisville's Institute for the Environment and Sustainable Development. The university ran the air-monitoring program and has continued to operate a smaller network of monitors ever since.

Even the local chamber of commerce — Greater Louisville Inc. — now embraces the program, despite early objections from some of its members who predicted job losses and plant relocations. Of the city's 37 biggest industrial-pollution sources, including chemical plants, automotive assembly lines and a large dry-cleaning operation, 32 have reported that they will comply with the STAR program's strict standards by Dec. 31. The remaining plants appear to be close to compliance, says the Louisville Metro Air Pollution Control District.

"We put as much focus on attracting people as we do businesses to the community," says Joe Reagan, CEO of Greater Louisville Inc. "We all know how important quality of life is. So to be able to come up with a program that balances everyone's desires for clean air and to be able to provide quality jobs is what we achieved."

What it cost

To be sure, STAR has cost Louisville companies money; some plants have spent several million dollars each to pay for new pollution controls. American Synthetic Rubber, which had been the city's largest industrial source of butadiene, has spent about \$5 million on new pollution controls, including a super-efficient burner that helped lower its emissions of the chemical from 150,000 pounds in 2000 to about 7,000 pounds last year.

And there are still naysayers. Greg Brotzge, a spokesman for the Louisville Chemistry Partnership, says the city damaged its reputation in some business circles by pushing so hard for the STAR program. "There was a perception created that Louisville wasn't interested in manufacturing anymore," he says. "To some extent, that perception still exists... The benefits we are going to get from (the program) could have been done in a more cooperative and less heavy-handed manner."

But the threatened job losses never materialized, city and industry officials agree. When Rohm and Haas, a chemical company, announced earlier this year that it was shrinking its workforce at its western Louisville plant by two-thirds, cutting 220 of 353 positions, plant manager Jane Bowen said STAR was not a factor. Instead, she described the downsizing as corporate belt-tightening blamed on high energy costs and the housing slump.

The Louisville effort started at the grass-roots level in the early 1990s. Leading the charge was the Rev. Louis Coleman, a civil rights leader whose father worked many years for DuPont in

Rubbertown. Coleman, the longtime head of Kentucky's Justice Resource Center, made fighting the companies and pressing regulators for change a major cause. Until his death in July at the age of 64, Coleman asserted that western Louisville residents, both African-Americans and lower-income whites, had "borne a disproportionate burden of toxic emissions for decades."

But proof was elusive. Two studies conducted in the 1990s — one by the Louisville-Jefferson County Board of Health, and the other by the U.S. Agency for Toxic Substances and Disease Registry — had failed to confirm a link between the emissions and residents' health problems.

Then two key figures got involved. Arnita Gadson was hired through the University of Louisville to lead the newly created West Jefferson County Community Task Force, which made air monitoring a priority, and environmental attorney Art Williams, a former high-ranking state official, signed on as director of Louisville's air-pollution agency.

The task force met monthly, sometimes drawing as many as 25 or 30 people, including Williams and representatives from at least three of the Rubbertown companies.

"It was clear that if there was a problem, we didn't have any evidence that was sufficient to establish that," says Williams, who retired earlier this year. "And if there was a problem that needed to be solved, that it was inconceivable we could solve it unless we had the evidentiary foundation."

And, during that period, he says, the Rubbertown companies were generally complying with the terms of their air permits.

The meetings were sometimes tense, with residents not trusting the local air-pollution agency, the University of Louisville or the chemical plants' representatives, Gadson recalls. Over time, however, she said people began to see each other as individuals, adding that from the beginning she drew a line against allowing personal attacks. "I said, 'We deal with issues, not people, in here,'" Gadson says.

Williams says one of the keys to the task force's success "may sound a bit trivial" but was that its meetings were held over supper. "It's difficult to break bread together and fight a lot," Williams says. "We were all in this together, even though we had different points of view."

The group cobbled together grants from state and local governments and the EPA, eventually getting about \$2 million for the air-monitoring project, which included a risk assessment of the findings by a private consulting firm, Sciences International. Williams says the process was slow but deliberate. It took several months, for example, to get everyone to agree on the 12 monitoring stations, where air samples would be taken every 12 days for at least a year.

The school sites were chosen because children tend to be especially sensitive to chemical pollutants, Williams says. "Kids are important. ... And if you can protect them, you can protect everyone."

The task force also had to agree on how much risk was too much. The members set that mark at levels that would cause one additional cancer case among 1 million people, a common but stringent national standard for such a study.

The EPA became a partner, contributing money and assigning staff. At the same time, EPA officials in Atlanta conducted a separate regional study that in 2002 ranked Louisville's Jefferson County atop 736 counties in eight Southeastern states for health risks from hazardous air pollutants.

The local newspaper, *The (Louisville) Courier-Journal*, launched a year-long series on toxic air in 2003 by obtaining the task force's first year air monitoring data and publishing the first analysis of it in May that year. The report identified butadiene as a serious risk. Within 10 days, the city released Sciences International's official draft report confirming butadiene as a problem, as well as a variety of other chemicals in the air.

The final report issued six months later identified 18 chemicals of concern and estimated the risk from long-term exposure at up to 690 additional cancer cases per 1 million people.

The risk level found at Farnsley Middle School was 250 in 1 million, and it was 140 in 1 million at both Martin Luther King and Cane Run Elementary Schools, the study found. At Cane Run, seven chemicals were detected at levels greater than the city's 1 in 1 million risk goal.

"It was scary," recalls Traci Priddy, president of the Parent Teacher Association district that serves Jefferson County Public Schools. She was living near Farnsley Middle School at the time. The report "showed that what the residents had been saying was true. ... People were complaining ... they weren't getting heard." But as the risks were documented, she says, that began to change.

In 2003, Louisville Mayor Jerry Abramson had summoned representatives of three Rubbertown plants that emitted butadiene to his office, and the companies — American Synthetic Rubber, Zeon and Rohm and Haas — soon announced they would voluntarily reduce their emissions.

Those voluntary plans later stalled as details were presented to the city's air-pollution control board, and as Coleman's group and a spinoff organization, Rubbertown Emergency Action, pressed for something more permanent and legally enforceable.

The spinoff group collected thousands of signatures on petitions and got citizens to pack public meetings, sharing their stories of living near chemical plants and health problems they blamed on the pollution. It organized citizens to stage theatrical protests and pressure the local air district, the mayor and Louisville Metro council.

"A lot of people tried to trivialize the role of (the group) by describing us as agitators," says Eboni Cochran, one of Rubbertown Emergency Action's leaders. "An agitator to me just sounds like a troublemaker who has little to no thought but just wants to complain about everything. In fact we were very well-informed and strategic."

Along the way, there was also a high-stakes drama in the Kentucky legislature. Several months after the local air board unanimously voted in June 2005 to adopt the STAR program, a Republican state senator from Louisville, Dan Seum, put forward a bill intended to kill the program. The senator's bill passed 27 to 10 in the state senate in 2006. Another version, one less hostile toward STAR, passed the Kentucky house. But, in the end, the two legislative bodies were unable to agree, and both bills died.

During that session, Ford Motor, which employed as many as 9,000 workers in Louisville at the time, supported Seum's legislation, as did the United Auto Workers and some Rubbertown companies.

Abramson, the mayor, says the fight was worth it. "We pushed for a responsible approach," he says. "We wanted measurable standards and timelines. It seems to have already reduced the levels of some toxic chemicals. The air is safer."

Gwen Goffner, in her third year as principal at Cane Run Elementary, says she hasn't heard any recent complaints about air quality. "People have really taken action," she says. "Maybe that's why I'm not hearing any concerns."

Rules are 'very aggressive'

Like many American cities, Louisville has seen its industrial base shrink. Its remaining industrial facilities include the Ford plants, a plant that makes General Electric appliances and the Rubbertown complex, whose 10 plants turn out products ranging from tire rubber to plastics used in automotive manufacturing to ingredients in latex paint.

STAR requires about 200 businesses to calculate whether their emissions exceed risk-based standards based on the potential to harm neighbors. If so, the companies must lower that risk or seek a variance. The biggest 37 plants were required to move first. Some accepted tighter emission limits in their permits that did not result in any actual cuts in what they could send up their stacks but gave the community assurances against any future spikes in pollution.

"The STAR limits are very aggressive," says American Synthetic's plant manager Jim Dunbaugh, adding that the program caused plant engineers to review all aspects of their operations. In fact, Louisville's standards are among the most stringent in the nation.

The Rubbertown companies, the main target of STAR, still collectively employ more than 1,500 workers — down from a peak of more than 4,600 in 1968 — in jobs that often pay more than \$65,000 a year plus benefits.

Next up under STAR: Scores of businesses with more moderate emissions will be required to evaluate their health risks. The district is also developing rules to reduce engine idling — part of a strategy to target pollution from cars, trucks, buses and construction equipment. It's considering other actions to tighten vapors from smaller dry cleaners.

Williams, who is now embarking on an international consulting career, says he's pleased with what Louisville was able to accomplish. He says it was because "many elements" fell into place.

"There was strong public concern and support for action," he says. "The media focused on it. The evidentiary foundation was solid. Political support came along from the mayor. ... I don't think you can find this collection of elements that come together at the same time in many communities."

James Bruggers covers the environment for The (Louisville) Courier-Journal

Public hearings scheduled on proposed facilities in Antioch, Pittsburg

By Hilary Costa and Paul Bugarino, East County Times
Contra Costa Times, Wednesday, December 17, 2008

Residents will have a chance Thursday to vet two proposed East County power plants.

As part of its review process, the California Energy Commission will conduct public informational hearings Thursday night on Mirant Corp.'s proposed Antioch Marsh Landing Generating Station and the company's proposed Pittsburg Willow Pass Generating Station.

The hearing on the Antioch plant will begin at 5 p.m., with the hearing on the Pittsburg plant scheduled to follow at 6:30 p.m. The hearings at the Delta Diablo Sanitation District Plant Operations Center in Antioch will give residents a venue to learn about the projects, ask questions, and comment on concerns about the proposed plants.

These plans came in response to a request by PG&E for proposals to increase California's electricity capacity, said Chip Little, manager of government affairs for Mirant.

The \$800 million Marsh Landing power plant would be built on land currently occupied by five unused oil tanks next to the Contra Costa Power Plant on Wilbur Avenue. Mirant's \$585 million Willow Pass power plant would be built on 26 acres next to the existing large smokestacks on part of a parcel Pittsburg annexed in May.

The 27-acre Marsh Landing parcel is just outside Antioch limits, but the city has plans to annex the land next year, said Victor Carniglia, Antioch's deputy director of economic development and advanced planning.

Both plants have many of the same environmental issues, such as effects on the Delta, air quality impacts and visual blight, Pittsburg Power Co. Director Garrett Evans said.

Construction on both plants would begin in fall 2009, with completion around 2012. The 930 megawatts generated by the Antioch plant would be enough to power 930,000 homes during off-peak usage and 651,000 homes during peak usage, said Percy Della, spokesman for the California Energy Commission. The 550 megawatts generated at the Pittsburg site would be enough to power 550,000 homes during off-peak hours and 385,000 during peak usage, Della said.

Both plants would be natural-gas fired.

Resident input is part of the CEC's yearlong review process. Though it would replace an existing brownfield site, the Pittsburg plant is within 900 feet of a residential neighborhood, Marina Park and St. Peter Martyr School.

The Antioch plant's location has generated little concern because it would be built on an existing brownfield site already in industrial use.

With the Mirant project in its infancy and details sparse, Pittsburg is in the early stages of reviewing the scope and "making sure it's a good fit for Pittsburg and the community," Evans said.

Pittsburg Power Co. is the city's municipal utility and, though not involved in implementation of the project, is in constant communication with Mirant, Evans said.

Reach Hilary Costa at 925-779-7166 or hcosta@bayareanewsgroup.com. Reach Paul Bugarino at 925-779-7164 or pbugarino@bayareanewsgroup.com.

If you go

- What: California Energy Commission public hearings on proposed power plants in Antioch and Pittsburg
- When: Hearings begin at 5 p.m. Thursday
- Where: Delta Diablo Sanitation District Plant Operations Center lunch room, 2500 Pittsburg-Antioch Highway
- more information: For more information about the projects, visit www.energy.ca.gov/sitingcases/marshlanding or www.energy.ca.gov/sitingcases/willowpass

EU Parliament ratifies climate change plans

The Associated Press

Washington Post Wed. Dec. 17, 2008

STRASBOURG, France -- Lawmakers at the European Parliament have endorsed a package of bills to enable EU governments to reduce greenhouse gas emissions 20 percent by 2020.

The lawmakers voted on six bills Wednesday, passing the deal negotiated by EU leaders last week on how carbon dioxide emissions will be reduced in the 27-nation bloc.

The deal shares the burden of cutting emissions and aims to ensure that 20 percent of EU energy comes from wind, sun and other renewables by 2020. Emissions of new cars will also be capped.

The heart of the EU agreement is a system _ starting in 2013 _ of auctioning industrial emission permits that are now issued free of charge. Major polluters will eventually pay euro48.28 billion (\$66 billion) a year for this permission to pollute.

[L.A. Times editorial, Wed., Dec. 17, 2008:](#)

California's Green Chemistry Initiative

Recommendations of California's Green Chemistry Initiative offer ways to assess the dangers of common chemicals in everyday goods.

In a neighborhood in McHenry, Ill., there are enough brain-cancer patients to fill a hospital ward -- 14 residents in a community of 1,000 developed brain tumors, compared with a national rate of seven in 100,000. The result, according to CBS News, is multiple lawsuits against chemical giant Rohm and Haas Co., whose McHenry plant dumped toxic chemicals on its property for 20 years, ending in 1979.

Such tragedies, and such lawsuits, might be avoided if California aggressively pursues the policies suggested Tuesday by the state Environmental Protection Agency in its Green Chemistry Initiative report. It contains six recommendations, which, if implemented, would give consumers,

manufacturers and retailers new ways to assess the dangers of common chemicals in goods we use every day. The state's effort could also revolutionize the way chemicals are made and analyzed nationwide

Disturbingly little is known about the effects on human health of the thousands of chemicals contained in consumer products or used in industrial processes. Cal/EPA aims to change that by requiring manufacturers and suppliers to divulge all of the chemicals in products sold in the state, which would be published in an online database. To counter industry objections that this would reveal trade secrets, manufacturers would be allowed to give some information only to state officials, who could take action if a specific ingredient proved to be dangerous. Meanwhile, another online database would contain all the known information on chemical hazards, letting consumers decide whether to expose themselves or their children to questionable products.

Other recommendations by Cal/EPA include developing more educational programs to encourage green-chemistry innovation, creating a voluntary "green scorecard" program to rate product safety and environmental friendliness, and ordering manufacturers to study ways to make things more safely. Most of the proposals will require action by the Legislature before they can be implemented, and unfortunately, nearly all of them will cost money.

It's unclear who will foot the bill, but most likely the businesses that make, sell, use or emit chemicals will be stuck with higher fees, and that will be highly controversial during an economic downturn. Yet the businesses that complain the loudest about added costs are often those that have given the least consideration to how they could benefit from the regulations, in the form of lower cleanup costs, potentially cheaper materials, lower litigation expenses and greater sales in an era when consumers are paying more attention to product safety. It may not be easy being green, but it often pays.

[Letter to the Fresno Bee, Wed., Dec. 17, 2008:](#)

Clean up the trucks

I am very glad that the state air board is going to put pollution controls on those heavy-duty diesel trucks. I am extremely tired of nearly asphyxiating every time I am behind one of those monstrosities.

I am also sick of watching the air get filthy shortly after rainstorms because of those trucks. I think it's time for the truckers to take responsibility for their actions that affect the air we all breathe.

Not only does it affect human health, but filthy air affects plant life (a major industry in California is agriculture) and affects the quality of a tourist's visit (another major industry in California).

The trucking industry has state grants and loans for upgrades. I say it's high time that the truckers get their act together and do their part!

Andrea Gjerde, Fresno

[Note: The following clip in Spanish discusses California adopts new green rules. The state looks for ways in reducing pollution. For more information on this or other Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

California adoptó nuevas medidas verdes

El estado busca reducir la contaminación

The Associated Press

Terra, Wednesday, December 17, 2008

SACRAMENTO, California - California adoptó el jueves un nuevo plan climático que obligará a refinerías, empresas de servicio público y grandes fábricas a transformar sus operaciones para reducir emisiones de gases de efecto invernadero.

A la vanguardia del cambio climático

La Junta de Recursos del Aire de California votó de forma unánime con el fin de adoptar el plan más estricto del país para combatir el calentamiento global.

El plan describe por primera vez la forma en que individuos y empresas cumplirán con una ley aprobada en el 2006, que colocó a California a la vanguardia en el combate al cambio climático.

La nueva propuesta obliga a las empresas que contaminan más en el estado a asumir su responsabilidad y las obliga a transformar sus operaciones de forma radical: Desde cómo generan energía, a cómo usan la electricidad, a cómo se trasladan sus empleados.

El estado ofrecerá a las compañías que emitan las mayores emisiones de gases contaminantes maneras más baratas para reducirlos. Esa medida y muchas otras de las que habla el plan serán adoptadas en los próximos años.

El plan californiano llega en un momento en que gobiernos de todo el mundo intentan lidiar con una crisis financiera global que amenaza con reducir esfuerzos para conservar el medio ambiente.

La propia California se enfrenta a un déficit previsto de \$41,800 millones de dólares hasta junio del 2010.

El gobernador republicano del estado, Arnold Schwarzenegger, dijo el jueves que California ha creado un modelo a seguir para el resto del país.

"Hoy es el día en que demostramos la fuerza de la innovación de California y la tecnología para conseguir un planeta más sano, una economía más fuerte y robusta y un futuro energético más seguro", declaró Schwarzenegger a través de un comunicado emitido tras el voto de la junta.

Sus comentarios siguen a los del presidente electo Barack Obama, que también promovió inversiones que garanticen la eficiencia energética y la tecnología sostenible.

El mes pasado Obama dijo que espera que el Congreso del país adopte los objetivos de California, cambiando de forma radical ocho años de política estadounidense opuestos a los acuerdos internacionales para reducir las emisiones de gases contaminantes.

La ley de California del 2006, llamada Ley de Soluciones para el Calentamiento Global (Global Warming Solutions Act, en inglés) pero popularmente conocida por AB32, obliga al estado a reducir emisiones al nivel de de 1990 antes del 2020.

[Note: The following clip in Spanish discusses Continental to organize first air flight using biofuel in America.](#)

Continental organizará el primer vuelo con biocombustibles en América

Staff Writer

Hoy Internet, Wednesday, December 17, 2008

Nueva York, 15 dic (EFE).- Continental será la primera línea aérea comercial del continente americano en realizar el próximo 7 de enero un vuelo con biocombustibles, anunció hoy la compañía estadounidense en un comunicado.

"Este vuelo constituye un paso más en el compromiso de Continental por eliminar las emisiones de dióxido de carbono e identificar soluciones de combustible sostenibles a largo plazo para el sector aeronáutico", afirmó el presidente del Consejo de Administración y Director General Ejecutivo (CEO) de Continental, Larry Kellner.

Organizado con la colaboración de Boeing, GE Aviation, CFM International y UOP, entre otras firmas, el vuelo partirá de Houston (Texas) sin pasajeros y propulsado por una mezcla de combustibles que incluye componentes derivados de algas y jatrofa, un árbol perenne de países tropicales que es una fuente importante de aceite.

"Se trata -explicó la compañía- de fuentes de combustible sostenible de segunda generación que no repercuten de manera negativa en los cultivos de alimentos ni los recursos hídricos y tampoco contribuyen a la deforestación".

Este vuelo de demostración será el primero con biocombustibles realizado por una línea aérea comercial en América empleando algas como fuente de combustibles y el primero en el que se

utilice un avión birreactor, en esta ocasión un Boeing 737-800 dotado de motores CFM International CFM56-7B.

Los sistemas de a bordo registrarán una gran cantidad de parámetros de vuelo cuyo análisis se espera que contribuya a "demostrar que la mezcla de biocombustibles puede sustituir fácilmente al combustible convencional sin detrimento del desempeño ni la seguridad", explicó la quinta mayor aerolínea del mundo.

Fuera de América, la británica Virgin fue la primera aerolínea del mundo en realizar el pasado febrero un vuelo de este tipo, aunque también anunciaron sus planes de hacer lo propio otras compañías como Japan Airlines y JetBlue.

En promedio, Continental consume aproximadamente 18 galones (68,14 litros) de combustible para transportar un pasajero una distancia de mil millas (1.609 kilómetros), considerando únicamente operaciones principales, lo que representa una disminución respecto de 1997 del 35% en las emisiones de gases efecto invernadero y el consumo de combustible.

[Note: The following clip in Spanish discusses "green patrol cars" will be launched in January. In order to detect and remove automobiles that pollute whether they are registered or not, 36 ecological units will patrol the main avenues and streets in metropolitan municipalities of Mexico City.](#)

Lanzarán en enero 'patrullas verdes'

Para detectar y retirar de circulación los automotores que contaminen "ostensiblemente", tengan o no verificación, durante la primera quincena de enero de 2009 entrarán en operación 36 "unidades ecológicas" que patrullarán las principales avenidas y calles de los municipios metropolitanos del valle de México

Ma. Teresa Montañó Corresponsal

El Universal, Wednesday, December 17, 2008

TOLUCA, Méx.— Para detectar y retirar de circulación los automotores que contaminen "ostensiblemente", tengan o no verificación, durante la primera quincena de enero de 2009 entrarán en operación 36 "unidades ecológicas" que patrullarán las principales avenidas y calles de los municipios metropolitanos del valle de México.

Las "patrullas ecológicas" estarán equipadas con GPS, cámaras de filmación, software y filtros de medición de contaminantes, además de que estarán operadas por técnicos de la Secretaría de Medio Ambiente del gobierno mexiquense y un elemento de la Agencia de Seguridad Estatal (ASE).

El monitoreo se aplicará tanto a vehículos particulares como unidades del transporte público, a los cuales la primera vez que sean sorprendidos violando la norma ambiental, aunque estén verificados, se les retirará una placa; si hay reincidencia se les quitarán ambas, y en la tercera el vehículo será enviado al corralón.

Para la adquisición de los equipos se invirtieron 14 millones de pesos con un costo promedio de casi 400 mil pesos por unidad, informó el secretario estatal de Medio Ambiente, Guillermo Velasco Rodríguez, al destacar que se trata de tecnología de punta que por primera vez se usará en la entidad mexiquense.

Para prevenir casos de corrupción, las "patrullas ecológicas" serán a su vez monitoreadas por GPS desde un puesto de control ubicado en la capital del estado, desde donde se estarán captando las labores que realicen los policías ecológicos en tiempo real, pues en cuanto abran la parte trasera donde estarán ubicados los aparatos de medición, de forma automática comenzarán a filmar dos cámaras integradas.

"En la pantalla se van a poder mostrar los niveles de contaminación que tienen las unidades detenidas, de igual manera, se marcarán los niveles permitidos y los niveles que está presentando la unidad analizada, para que en todo momento el conductor pueda corroborar en tiempo real los niveles que está presentando su unidad", indicó.

Explicó que las patrullas podrán medir los niveles de emisiones en vehículos que utilicen diesel, gasolina o gas.

Velasco Rodríguez detalló que para prevenir que este nuevo sistema se corrompa, los patrulleros serán monitoreados y vigilados por supervisores regionales, además de que deberán estar conectados electrónicamente al sistema, desde el cual también se les dará seguimiento.

Informó que de las 36 unidades adquiridas, al menos seis se destinarán al valle de Toluca, y el resto estarán en municipios metropolitanos. Para 2010 se espera incrementar el número de unidades dentro de este programa conocido como Ostensiblemente Contaminante, que se aplazó casi por dos años.