

Air board seeks later deadline to cut soot

The agency says the state can't meet 2015 target and needs five more years. Critics say it is giving up too easily.

By Janet Wilson, Times Staff Writer

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Declaring that California cannot meet federal soot reduction standards by a 2015 deadline, the state air board has asked for a five-year extension that critics say will cut short lives and aggravate asthma and other health problems.

"California's problem is unique in the nation," with greater Los Angeles facing "the biggest challenge" in meeting the deadline with annual average measurements for soot exceeding national limits by 50%, Katherine Witherspoon, executive director of the state Air Resources Board, wrote in a March 12 letter to the U.S. Environmental Protection Agency.

In her letter, Witherspoon blamed the timing of the EPA's new diesel engine standards, which were announced in draft form on March 3 after years of delay. She said the phase-in period for the rules between 2010 and 2017 "comes too late" to meet the 2015 soot-reduction deadline.

Diesel soot, also known as fine particulate matter, lodges deep in the lungs when inhaled, and has been linked to heart and respiratory disease, cancer, asthma and other illnesses. It spews from trucks, ships, trains, construction equipment and anything else that uses a combustion engine.

Witherspoon could not be reached for comment. But air board spokeswoman Gennet Paauwe said the state was simply trying to "give another option" to the South Coast Air Quality Management District, which oversees greater Los Angeles, because it was so far away from attainment.

She said Witherspoon and San Joaquin Valley air officials thought that they would meet the deadline, but that the AQMD would require at least an additional three years.

"We really don't feel that South Coast at this point with that 50% hanging out there can meet that deadline," Paauwe said, "so that additional five years will give them a chance."

Thanks but no thanks, said AQMD Executive Director Barry Wallerstein, adding that he had not been consulted before the letter was sent and did not agree.

"This is not being done on our behalf.... This letter completely undercuts the public process," Wallerstein said. "This means higher pollution emissions from cars, trucks, ships, locomotives, [construction] engines and other mobile sources for an additional five-year period or more. It takes the pressure off the U.S. EPA and state Air Resources Board to do their fair share of pollution cleanup in Southern California."

Although air quality in Southern California has improved dramatically in the last three decades, the region still experiences 5,400 premature deaths a year because of air pollution, the state estimates.

Others said Witherspoon was "jumping the gun" because the deadline for air districts to submit cleanup plans is April 2008.

"It's shortsighted and defeatist... They're throwing in the towel too soon," said state Sen. Dean Florez (D-Shafter), chairman of the Senate Select Committee on Air Quality in the Central Valley. He said he would order state air officials to appear before the committee to discuss the extension request.

Tim Carmichael, president of the Coalition for Clean Air, said, "Any delay will negatively impact the health of millions of Californians ... from difficulty breathing to premature death."

If the state does not meet the deadlines or an extension is not granted, federal transportation funds could be at risk. Last year, California received about \$4 billion in such funds.

In an e-mail, EPA spokesman John Millett said the agency "will review and consider the request."

He added that "federal funding has only rarely been in jeopardy — only one or two instances in the history of the program. Funding is linked to state planning, not the air quality status of an individual jurisdiction."

He also defended the diesel engine proposals, saying that when fully implemented they would cut particulate emissions by 90%.

Carmichael and others said they feared that Witherspoon and the governor's office were bowing to pressure from the powerful construction, trucking and rail industries.

But Adam Mendelsohn, Gov. Schwarzenegger's communications director, said the state air board's action was taken "without consultation of Cal EPA or the governor's office.... We believe staff acted prematurely and are reviewing options in terms of additional steps to rectify the situation."

State air board staff are finalizing separate rules that would limit diesel soot emissions from construction equipment. Industry officials have protested loudly and are calling for a delay, saying that air officials lack accurate information about heavy-duty equipment.

Witherspoon has drawn the wrath of Southern California air officials and environmentalists in the past by signing voluntary agreements with railroads to reduce pollution without holding public hearings or seeking input from affected districts first.