

**CITY COUNCIL MEETING
TUESDAY, MARCH 22, 2016**

DOCUMENTS RECEIVED AT MEETING



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President / Founder

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Protecting personal property and the environment

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Ethanol Contaminating Ground Water in Lake Tahoe; Detections Prove That Fuel Storage Tanks - Not MTBE - Are to Blame For Tainted Water.

ARLINGTON, Va., May 8, (2000) /PRNewswire/ --

South Tahoe Public Utility District ("STPUD") spokesman Dennis Cocking, acknowledged in a report by the Tahoe Daily Tribune (April 28, 2000) that ethanol is polluting Lake Tahoe's groundwater. Earlier this year, ethanol replaced MTBE in all reformulated gasoline sold in and around Lake Tahoe after opponents of MTBE blamed it for gasoline leaks from fuel storage tanks that tainted groundwater in the area.

The Tahoe Daily Tribune reported earlier this year (March 24), that ethanol has been detected in Lake Tahoe's groundwater at concentrations as high as 130,000 parts per billion. The Tribune account also quotes a Lahontan Regional Water Quality Control Board official who acknowledges that ethanol moves faster through groundwater and in a less predictable fashion than MTBE.

Charles Drevna of the Oxygenated Fuels Association commented, "We have said all along that you cannot blame a single component for gasoline leaks from substandard tanks. But our groundwater resources are too precious and the problem of leaking underground storage tanks is too serious for us to say 'I told you so.' Still, the fact that ethanol has replaced MTBE in Lake Tahoe and is now in groundwater, speaks for itself."

Unlike MTBE which is one of the most studied chemicals in commerce today, little is known about the impacts of ethanol releases into groundwater or the environment. However, because ethanol is

the primary ingredient of beverage alcohol, which is classified by the California Proposition 65 Committee and other cancer experts as a human carcinogen, many are concerned about the possibility that ethanol may pose a cancer risk. Additionally, independent researchers have determined that ethanol in groundwater can extend plumes of other more potent gasoline carcinogens (benzene, toluene, etc.) up to 25%.

Both California Governor Gray Davis and Senator Richard Mountjoy (R-Arcadia) have called for further study of ethanol to determine the health risks posed by its contamination of groundwater. Recently however, California Senate Bill 1972, which would have mandated a comprehensive study of ethanol by the University of California, was defeated in the Environment Committee of the California State Senate.

In addition to its potential adverse health effects, studies have shown that, as a component of cleaner burning gasoline, ethanol is less effective than MTBE at fighting air pollution and due to transportation and supply problems, will likely increase gasoline prices.

The Oxygenated Fuels Association is an international trade association incorporated in 1983 to advance knowledge about the use of oxygenated fuel additives which improve the combustion performance of motor vehicle fuels, thereby significantly reducing automobile emissions and air pollution.

<http://www.thefreelibrary.com/Ethanol+Contaminating+Ground+Water+in+Lake+Tahoe%3b+Detections+Prove+...-a061938659>

Officials know ethanol is a human carcinogen

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Bush to Insist on Ethanol Use in California

By Katharine Q. Seelye / New York Times / June 12, 2001

WASHINGTON, June 11— The Bush administration has decided to force California to use ethanol as an antipollution fuel additive, a move that the critics say could result in an increase of at least 5 cents a gallon at the pump this summer in that state.

California had asked the federal government to be exempted from a Clean Air Act requirement to use fuel additives like ethanol to cleanse its gasoline, arguing that cheaper technologies were available.

Administration officials said today that the government would issue a decision on Tuesday denying the request.

Last Friday, in a speech in Iowa, Mr. Bush hinted at the decision, saying he supported the use of ethanol "not only to reduce dependency on foreign sources of energy but secondly as a way to clean the air."

Several Democratic senators from farm states, including Tom Daschle of South Dakota, the new majority leader, and Tom Harkin of Iowa, the new chairman of the Agriculture Committee, saw a favorable decision as a huge boon to their states' economies and had urged Mr. Bush to deny California the waiver.

It was Mr. Daschle -- and former Senator Bob Dole of Kansas -- who began the push for ethanol a decade ago by inserting in the Clean Air Act an amendment that required 2 percent of cleaner-burning gasoline to contain oxygenates like ethanol.

The act required that it be sold in cities with the worst smog: Los Angeles, New York, Baltimore, Chicago, Hartford, Houston, Milwaukee, Philadelphia, Sacramento and San Diego.

Some California fuel has oxygenates throughout the year, but in most Northeastern states the additives are used only in the winter months to reduce emissions of carbon monoxide.

The decision opens up the biggest market in the country to corn producers and, in particular, could benefit the Archer Daniels Midland agribusiness, a major Republican contributor, because it is one of the few ethanol producers able to transport ethanol to the West and East Coasts.

But environmentalists say there are now less expensive, less complex ways to reduce such pollution than adding ethanol.

And they contend that Mr. Bush's decision is intended to solidify his support in the farm states that he won in the last election and help him make an important overture to Iowa, which he lost.

Several Northeast states were waiting to see whether California received its waiver before applying for their own, but a spokesman for a consortium of those states said today that they would not apply and without it would expect to see an increase in gasoline prices.

Gov. Gray Davis of California, who has

already clashed with the White House over its energy policy and its refusal to place price caps on electricity, said the decision could cost Californians, who already pay the highest gas prices in the nation, an additional 6 cents per gallon, or about \$450 million a year for the estimated 580 million gallons of ethanol that will be needed annually.

Janet Hathaway, a lawyer for the Natural Resources Defense Council, with a specialty in fuels and vehicles, said the decision "means that the whole country has to use ethanol in every gallon of reformulated gas, which means suddenly a lot of demand has to chase a limited supply, which always means prices go up."

Ms. Hathaway added, "It's not necessary to use ethanol to achieve the same environmental results."

There are basically two widely available additives, or oxygenates, that help cleanse gasoline -- ethanol and M.T.B.E. (methyl tertiary butyl ether). But M.T.B.E. has been found to contaminate drinking water and is being phased out in 11 states, including California and much of the Northeast.

The administration's expected decision would force those states instead to use ethanol, an alcohol made by the fermentation of sugars from corn, which last year constituted two-thirds of 1 percent of the gasoline produced in this country.

California argued two years ago to the Environmental Protection Agency that it wanted a waiver from such a mandate

because refiners had other ways to blend gasoline that were cheaper and cleaner.

The agency under the Clinton administration decided to grant the waiver, concluding that it would reduce emissions, but President Bill Clinton never completed action on the matter.

David Uchic, a spokesman for the National Corn Growers Association, said he doubted California's claim of cheaper, cleaner blends.

"If you want to tell us you can refine a gas that meets the Clean Air standards and is cheaper than ethanol-added enhanced gas, go ahead," Mr. Uchic said. "Let's see the numbers."

In addition, he said the Bush decision was a flat-out victory for his industry, which hopes to triple ethanol production over the next decade.

"This will spur new investment in ethanol plants and in expanding existing facilities, and we just see production going up, up, up," Mr. Uchic said.

Jason Grumet, executive director of the Northeast States for Coordinated Air Use Management, a consortium of state agencies, said the administration's decision was ill-conceived and potentially harmful. "We will be paying more money for higher-polluting gasoline," Mr. Grumet said. "This is a decision that will profoundly benefit a couple of multinational agribusinesses at the expense of the environment, drivers and the small farmer."

<http://www.nytimes.com/2001/06/12/us/bush-to-insist-on-ethanol-use-in-california.html>

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San Francisco dumps MTBE; will others follow?

San Francisco Chronicle, (AP), October 31, 2001 08:59 PST

(AP) In terms of the overall market, gasoline for San Francisco's city vehicles isn't likely to have a huge impact. But the city-county supervisors' decision not to buy any gasoline containing the oxygenating additive MTBE (methyl tertiary butyl ether) for its own vehicles could have a significant political and legal impact.

MTBE you may remember, is the additive favored to meet Environmental Protection Agency standards that call for oxygenates in the gasoline in parts of California that don't meet EPA clean-air standards. The trouble is that it leaks easily into water supplies and stays a long time.

While the health effects are subject to controversy – some authorities claim a link to cancer and other diseases while others disagree – MTBE has a noxious odor that makes water virtually undrinkable.

California has moved to ban MTBE in gasoline beginning January 2003. Gov. Davis petitioned the feds to grant California a waiver from the EPA decree demanding that oxygenates be added to California gasoline since the most viable alternative is ethanol, made from corn by agribusiness giant Archer Daniels Midland with heavy subsidies. Earlier this year the Bush administration refused to grant the waiver.

But some authorities believe the EPA

oxygenate requirement is not an enforceable mandate at all. If California defied it on the credible grounds that requiring oxygenates could make pollution worse rather than better, the EPA might well back off.

Those forces carried the day in San Francisco.

San Francisco Supervisor Chris Daily, spurred by lobbyists for ethanol, began the move to ban MTBE a few weeks ago. But a coalition of environmental and community groups mobilized and convinced him that the EPA "mandate" for oxygenates was not enforceable.

So the resolution the San Francisco supervisors passed (Oct. 22) did not include language giving preference to ethanol. In a letter to the group Communities for a Better Environment, Daily praised the group's "tireless efforts" and said the final ordinance "will move San Francisco closer to protecting our water quality by phasing out MTBE quickly, without creating a massive giveaway to special interests who produce ethanol." ...

There's irony in the controversy. Most of the MTBE that got into California water supplies came through leaky tanks, most of which have been replaced. So the problem may not be as widespread as some fear.


Orange County Register Oct. 29, 01

<http://www.sfgate.com/cgi-bin/article.cgi?file=/news/archive/2001/10/31/commentary1159EST0053.DTL>

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Top Ten Facts about Ethanol

By James S. White, CAL Gasoline

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- * 1 Ethanol is listed as a known human carcinogen by the International Agency for Research on Cancer.
 - * 2 The cost of Reformulated Gasoline with ethanol will increase 3-6 cents per gallons compared to RFG with MTBE.
 - * 3 Spills of pure ethanol or gasoline containing ethanol from leaking storage tanks can create a benzene plume up to 150% larger than a spill from a non-ethanol fuel.
 - * 4 Ethanol cannot be shipped by pipeline because of its high affinity for water posing significant distribution costs and hurdles for gasoline blenders.
 - * 5 According to a study by Cornell University, for every gallon of ethanol produced, 1.4 gallons of energy is consumed in the process, compared to 0.15 gallons used in the manufacture of gasoline.
 - * 6 It takes 1.5 gallons of ethanol (E-85) to drive as many miles as one gallon of gasoline.
 - * 7 Every gallon of ethanol removes 53 cents from the Federal Highway Trust Fund because of a special tax break for producers.
 - * 8 Ethanol increases the vapor pressure of gasoline by 1 psi, resulting in higher evaporative emissions of Volatile Organic Compounds, while tailpipe emissions of Acetaldehyde increase 150%.
 - * 9 Ethanol permeates the hoses and lines of automobile fuel systems resulting in a 50% increase in VOC emissions for pre 1995 cars.
 - * 10 Ethanol dissolves oxide scale from the walls of pipes and tanks, subjecting the systems to internal corrosion, which leads to leaks

<http://www.calgasoline.com/facttopten.htm>

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BOARD MEETING STATE OF CALIFORNIA AIR RESOURCES BOARD

JOE SERNA, JR. BUILDING

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**CENTRAL VALLEY AUDITORIUM, SECOND FLOOR / 1001 I STREET
SACRAMENTO, CALIFORNIA**

THURSDAY, APRIL 24, 2003 9:00 A.M. Item 03-3-2

Chairperson Dr. Lloyd / Executive Officer Witherspoon / Mr. Charlie Peters (pg 152)
(snip)

<http://www.arb.ca.gov/board/mt/mt042403.txt>

MR. PETERS: Excuse me. I'll try to help that a little bit.

I'm Charlie Peters, Clean Air Performance Professionals. We represent motorists. And for about the last seven or eight years we have had a letter most every month in Hemming's Motor news, which is considered the Bible of the old car hobby. And Matthew brought up the issue of concerns of some of the hobbyists. So we have been trying to contribute to that and trying to report on that.

We're quite concerned that there are significant opportunities to improve how the public's being treated, to increase their options, to improve performance of cars, and to significantly improve the environmental performance of cars by some appropriate supportive credit and support for the providers of service in the marketplace to enhance and improve compliance and improve how the public's being treated.

I've heard many times here today talking about how, "Gee, we got this

great program called PZEVs and 15 year, 150,000 mile emissions warranties, and that's just going to make all the flowers bloom and make it a great day and make it a better world." Just because those are free, all the car manufacturers are just going to be there and just do it right every time. And every one of those cars is going to get fixed every time just right.

Let me say to you there are currently downloadable free programs where you can go in and say every monitor on the car is happy and just right when, in fact, there's nothing on the car that's right. And that warranty situations in the dealer depends upon having options to the public where they can get their cars to get a second opinion. And we have a market that's supported by a regulatory process to improve performance.

So I believe that this -- what I've been hearing here today, the technology and huge amounts of money and huge costs, enforcing technology is the solution to all the problems in the world, that maybe we need to consider

the possibility of this particular subject that huge opportunities to improve air quality in California by appropriate support and credit for an industry that serves the public to see it gets done right more often.

The I&M Review Committee, yesterday the subject came up -- customer goes to one place, gets a smog check. Fails. Goes someplace else, and it passes. We take care of that complaint. Well, who's going to get the complaint? The guy that failed the car. Who gets addressed by the regulatory agency? The guy that got the complaint. Who's the guy that did the job right? The guy that got the complaint. Who's the guy that said it was okay? In this case it happened to be the new car dealer. The car never got fixed.

So without a regulatory support, without some credit, without starting to be concerned about the breathers out here, the people that drive cars, and the air, then all we're going to do in California is continue to exacerbate the loss of credibility for our Governor, the loss in opportunities to improve the air quality, and we're not going to get where we should be able to responsibly go.

We can cut fraud in half in the Smog Check program in a year. We can cut the failure rate in half by a year and reduce fleet emissions 2,000 tons a

day. Oh, gee, that would be expensive. We need to start by maybe going out and finding out if we can improve performance with one shop with a best guy in the state or the worst guy in the state.

Do a little pilot study to find out if there is, in fact, a quantifiable real benefit to the public that can take place by reduced fraud and improved performance by the most important technology that has not been discussed here at all today, that's the stuff between people's ears. Empowering that to work and serve the public. I would appreciate your consideration of a possibility of accomplishing that.

We have an appointment to see a Senator who's thrown his hat in the ring to be the pro tem of the Senate on Tuesday. We have heard that the Air Resources Board and the Department of Consumers Affairs have been invited to that meeting. That's extremely exciting. We've already met with the founder and author of "Smog Check for California," Senator Presley. He was fantastic. And we've met with the Secretary of State and Consumer Services and the Chief of the Bureau of Automotive Repair.

Maybe it's time for us to consider the motoring public and the air and create some support to do it better.

(Clean Air Performance Professionals (CAPP), Award winning Coalition of Motorists)
Thank you.

Charlie Peters

Cc: interested parties

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NEWS FROM...

U.S. REPS. CHRIS COX AND HENRY WAXMAN

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California House Delegation Urges EPA Action on Cheaper, Cleaner Fuels

WASHINGTON (Thursday, March 18, 2004) - Rep. Chris Cox (CA-48), Rep. Henry Waxman (CA-30), and members of the California House delegation today sent a letter to EPA Administrator Michael Leavitt expressing support for Governor Arnold Schwarzenegger's recent request for a waiver of the Clean Air Act's ethanol MTBE mandate for California. This waiver would allow California to use cleaner blends of gasoline, while saving consumers money at the pump.

The letter was signed by 52 of the 53 members of the California delegation.

For five years, California has sought a waiver allowing it to sell cleaner-burning gasoline without oxygenates such as MTBE and ethanol. EPA's Blue Ribbon Panel on Oxygenate in Gasoline reported on September 15, 1999, that "within California, lifting the oxygenate requirement will result in greater flexibility to maintain and enhance emission reductions, particularly as California pursues new formulation requirements for gasoline." Although last year the U.S. Ninth Circuit Court of Appeals vacated the EPA's 2001 decision to deny a waiver, the EPA still has not granted the waiver request.

"For over a decade, the congressional mandate that California use ethanol or MTBE has set back our efforts to achieve cleaner air and water, while driving up the cost of gasoline to consumers," said Rep. Cox. "The California congressional delegation has once again asked that the EPA consider a proposal that makes sense for California's environment and its economy."

California has already banned MTBE, one of the most commonly used oxygenates, because it poses significant risks to the state's groundwater and surface water resources. Without the requested waiver, California's efforts to meet its fuel needs will continue to require massive use of ethanol--a complicated and costly mandate that the California Air Resources Board asserts will jeopardize California's attainment of federal ozone standards.

The EPA recently found that the oxygenate requirement was not necessary for either New Hampshire or Arizona to meet their clean air goals. The resulting flexibility could allow the states to produce clean gasoline in the most cost-effective way possible. Today, the delegation asks EPA to allow California similar flexibility to use cleaner-burning gasoline, whether or not it contains oxygenates.

"California can improve its air quality, address the threat MTBE poses to our water, and alleviate the excessive prices for gasoline, but the oxygenate waiver is crucial to this effort. I am deeply disappointed that the U.S. EPA has not yet granted California's request," said Rep. Waxman (D-Los Angeles).

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<http://oversight-archive.waxman.house.gov/documents/20040611103812-79001.pdf>

State Presses U.S. to Drop Rule Requiring Gas Additive

By MARC SANTORA, New York Times, March 23, 2004

ALBANY, March 22 - As gasoline prices continue to rise across the nation, New York politicians are pressing the federal government to relieve the state of one potential source of the soaring costs: the requirement that New York use ethanol as an antipollutant in its fuel.

Democrats and Republicans are calling on Washington to waive the ethanol requirement, which has been in place since 1990 as part of the federal effort to clean up the nation's air. Gov. George E. Pataki has had an application for a waiver pending before the Environmental Protection Agency, the federal regulatory agency in charge of enforcing the mandate, for more than 18 months.

Environmentalists have questioned the effectiveness of the ethanol requirement, and the commissioner of the New York State Department of Environmental Conservation says it is time for the rule to be scrapped.

Even the E.P.A. acknowledges that new technology can take the place of ethanol for purposes of complying with the federal Clean Air Act.

Yet the requirement stands, with federal officials saying they are still studying New York's request.

With gasoline prices expected to approach \$2 per gallon this summer - the result of many global and industry factors outside the control of state officials - the move to do away with the ethanol requirement is taking on new urgency.

Senator Charles E. Schumer, a New York Democrat, said that next month, when

refineries switch from winter gas blends to their summer ones, New Yorkers could see prices go "through the moon," rising by as much 40 cents per gallon.

The senator said in a telephone interview that a recent report by the Energy Information Administration, a part of the United States Department of Energy, supported the idea that any potential price increases in New York could be linked to the ethanol requirement.

Made from corn, ethanol is primarily produced in farm states in the Midwest. Coastal states have protested the requirement the loudest, saying they pay more for the additive because shipping the highly volatile substance is so expensive.

Some advocates for the change blamed the White House and political calculation for the lack of response from the E.P.A.

"This is pure presidential politics," said Peter M. Iwanowicz, the director of environmental health at the American Lung Association of New York. "No one wants to tick off the farm states."

E.P.A. officials denied that charge. But advocates of the waiver pointed to California, which has been fighting since 2001 to get a waiver for the requirement, only to be turned down.

Like New York, California was required to use oxygenates in its fuel under the Clean Air Act as amended in 1990. There were essentially two choices of oxygenates, methyl tertiary butyl ether - also known as M.T.B.E. - or ethanol.

When it was found that M.T.B.E. was

susceptible to leaking into the ground, contaminating the ground water supply and causing tap water to smell like turpentine, many states, including New York and California, banned the product. That left ethanol as the only alternative. New York's ban on M.T.B.E. went into effect in January.

Advocates of the ethanol waiver, who conceded that pinpointing the cause of gasoline price increases was an inexact science at best, said that even the mere possibility of higher costs was enough to warrant waiving the requirement.

According to the Energy Information Administration, gas prices are expected to reach an all-time high nationwide - not adjusted for inflation - of \$1.83 per gallon by April.

As of March 21, New Yorkers were paying, on average, \$1.87 per gallon, according to the consumer advocacy Web site NewYorkGasPrices.com.

Mr. Schumer said that gas prices could rise well beyond the \$2 mark if the waiver is not granted.

Erin M. Crotty, the commissioner of the State Department of Environmental Conservation, said: "The federal requirement for an oxygenate in reformulated gas is outdated and no longer necessary to reduce emissions from motor vehicles. The only way to protect both our environment and New Yorkers' pocketbooks is to end the oxygenate requirement."

An official at the E.P.A. in Washington, who insisted on anonymity because the debate over ethanol is so politically fraught, said, "Oxygenates do help reduce vehicle emissions, but there are ways to achieve those results without oxygenates."

In the 14 years since the Clean Air Act was amended, the automobile industry has made innovations, such as better fuel injection systems, that have obviated the need for oxygenates, the official said.

Responding to the criticism that the E.P.A. was dragging its feet because of political maneuvering at the White House, the official said, "The administration supported the language in last year's energy bill that would have eliminated the oxygenate requirement."

While the legislation would have gotten rid of the requirement, it did, in fact, call for a nationwide mandate that actually would have increased the amount of ethanol added to gasoline, not strictly for environmental reasons but as a way to stretch the fuel supply as well.

Supporters of the legislation said it would help struggling farmers and reduce the nation's reliance on imported oil. The bill met stiff resistance from lawmakers in the coastal states and fizzled in Congress.

When asked why, if the administration supports getting rid of the requirement in the energy bill, the E.P.A. does not just grant the waiver, the official said, "The agency is evaluating the request."

<http://www.nytimes.com/2004/03/23/nyregion/23gasoline.html>

Officials know that ethanol is carcinogenic. Should the attorney general request a conversation with EPA about a waiver of the "Wallet Flushing" ethanol mandate?

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**BOARD MEETING, STATE OF CALIFORNIA, AIR RESOURCES BOARD,
9530 TELSTAR AVENUE, AUDITORIUM, EL MONTE, CALIFORNIA,
THURSDAY, APRIL 28, 2005 1:00 P.M.**

(snip)

MR. PETERS: Yes, Madam Chairman and Board. I'm Charlie Peters, Clean Air Performance Professionals. And we represent motorists. This subject matter is a lot of interest to me. I certainly don't have any education or anything that says that I should be paid any attention to. (Laughter.)

MR. PETERS: And there's been a few people who have ignored me a lot over time. But I have provided for you some opinions that are related to this issue, I think. I will give you just a little anecdotal situation that took place here in this neighborhood a little while ago.

I went on a track scholarship to Citrus JC here which is in the neighborhood. At that time it was so bad on some days you could not see across the football field at noon. And that wasn't with any fog. That was just how thick the air was at that time.

I was from an area that at that time was a much, much nicer place than, Madam Chairwoman, you may have some experience with, called Redlands. And I was captain of the cross-country team and so on. And I would go out even during the summer time and run maybe five miles a day just for something to entertain myself.

I went down there and I could not go a hundred yards without stopping and hacking and coughing, and it was pretty amazing.

I will say to you that within probably a week I was whoopin' everybody that was there, which included a guy which was the record -

- quarter mile record holder for the junior college league.

So I also saw a study that indicated that a healthy person subject to .12 ozone level first day on the treadmill would be degraded considerably, second day in the same environment would be degraded a lot less, and by the third day was actually performing better than standard, fourth and fifth days were better than standard.

So what effect the ozone has is of interest to me. And so how does it exactly affect people's health? Certainly when you get into that when you're not used to it, it certainly has a pretty negative impact.

The Air Resources Board may be getting responsibility for a smog check very soon. I have two things in your packet that I am suggesting might solve the problem here or at least significantly contribute to it.

If in the smog check program what was wrong with a car, somebody cared enough to find out if what was broken ever got fixed; which the current regulatory process does not ever do that I'm aware of.

And if we got relief from the requirement of oxygenates in our gasoline, the combination of those two could probably cut our pollution level in half in a year and probably not cost anybody a dime. As a matter of fact, probably save us a bunch of money.

Seems to me as though these heavy standards probably have an awful lot to do with taxing the public, collecting money from people and giving it to pals, not

necessarily with doing policies that would affect the air and clean it up and make it better.

So I have some pretty strong reservations that all this data may require a little additional look before a final decision to go forward takes place. Possibly it might be appropriate to set it a little higher -- it's not -- if it's just about setting standards, it's just going to cause people a whole lot of money to build a house or to drive a car or to do anything to be a California citizen, and there isn't any real benefits.

If there's nothing here about making it better, then I suggest that you do further study before you go forward.

Do I believe that we should clean up the air in California significantly? Absolutely.

Do I think there are ways to accomplish that? If somebody would pay attention to looking at the possibility and try it, I think there's significant opportunities that we are ignoring that we could put in place.

I think all it really takes is for Arnold to pick up the telephone and make two one-minute phone calls and this would be on its

(snip)

<http://www.arb.ca.gov/board/mt/mt042805.txt>

The California Department of Motor Vehicles (DMV) collects \$billions\$ using "Wallet Flushing" car tax. Is it time for CA AG Kamala Harris EPA GMO ethanol fuel waiver conversation?

Did Governor Brown choose a CA/DCA/BAR Chief who can find out if what is broken on a PZEV Smog Check failed car gets fixed? A Smog Check secret shopper audit would cut toxic car fleet impact 1500 tons per day while reducing cost by \$billions.

<http://www.youtube.com/watch?v=Zl-Nrep74qg>

Dr. Stan's California water supply opinion

<http://mediaarchives.gsradio.net/radioliberty/121213d.mp3>

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way.

We sit here and blame the federal government for all of our pollution problem because we're putting ethanol in the gasoline, which costs us more money, gives us less gas mileage, creates more pollution.

And we're going to blame George Bush for this somehow or another just doesn't pass the laugh test. We can regulate the refiners in every way. But, gee, we can't control the amount of ethanol. In my view that doesn't pass the laugh test.

If the public were to provide a little support for Arnold, I think we'd have that fixed, I think we'd have a management of smog check fixed. Because all he has to do is call the Chief of the Bureau of Automotive Repair, and in a one-minute conversation we'd have a management program in to determine if what's broken is getting fixed and to put in procedures to help get that done more often, which would significantly help the public.

If you do all of that, in my opinion, you'd contribute a thousand dollars to every man, woman and child in the State of California in economic positive impact.

Ethanol waiver available

Orange County Register, Sept. 20, 2005 3:00 a.m.

Tucked in among the pork and subsidies Congress passed in the energy bill this summer was a provision that could work to California's advantage - if California officials take advantage of it.

According to Congressional Quarterly magazine, the Environmental Protection Agency "would have the authority to reduce or waive the requirement for a state in which a percentage of fuel sold in that state contains renewable fuel additives. The requirement could be waived if it is determined that the mandate would have a significant adverse economic or environmental impact on the state or region." The waiver would be for one year, but it can be renewed.

As we have noted previously, California has had problems with the federal mandates under the Clean Air Act amendments of 1990, which mandated that "reformulated gasoline contain 2 percent oxygen." Most California refiners chose to meet that requirement by adding methyl tertiary butyl ether (MTBE), but it created both environmental and economic problems. It escaped easily from storage tanks and in some cases led to water supplies and

bodies of water having an unpalatable taste and odor. There are also allegations that MTBE can lead to diseases.

California governors Gray Davis and Arnold Schwarzenegger, supported by elected officials from both parties, have in the past applied for a waiver from the federal oxygenate mandate without success. The energy bill, according to the Congressional Research Service, eliminates the oxygenate mandate but replaces it with a mandate to use increasing amounts of ethanol, made from corn. And it allows states to apply for a waiver.

California has led the nation in regulating fuel to reduce air pollution, and California regulators believe the oxygenate mandate and ethanol are not necessary to reduce smog; indeed, some environmentalists believe ethanol makes certain aspects of smog worse.

Gasoline with ethanol is also more expensive, so mandated ethanol use is a factor - though not the only one - in gasoline being more expensive in California. Gov. Schwarzenegger should move aggressively to apply for a waiver from this unnecessary mandate to subsidize agribusiness in the Midwest.

<http://www.ocregister.com/opinion/california-42628-mandate-ethanol.html>

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Wooden Nichols

Schwarzenegger's nominee to fight global warming has a checkered past
By Nick Miller, News Review, July 19, 2007

When Governor Arnold Schwarzenegger fired California Air Resources Board chairman Robert Sawyer last month, he set off a chain reaction that exposed an agency badly shaken. Within weeks, ARB executive director Catherine Witherspoon resigned, and Capitol testimony by her and Sawyer revealed unprecedented interference by the governor's staff over the ARB's implementation of last year's Global Warming Solutions Act.

Schwarzenegger tapped Mary Nichols to head the board. Her nomination was seen as a shrewd recovery; Nichols' qualifications—chairwoman of the ARB under Governor Jerry Brown and administrator with the U.S. EPA under President Bill Clinton—seemed beyond doubt.

But while some critics question whether Nichols will be able to effectively curb emissions within the industry-beholden Schwarzenegger administration—"I don't think anybody should be under the illusion that appointing Mary Nichols completely solves all of the problems at ARB," offered Sierra Club's Bill Magavern, who gingerly supports her nomination. "It's a first step."—others fear she'll be part of the problem.

Their evidence? Nichols' performance at the U.S. EPA and her role in enforcing 1990's Clean Air Act amendments, which they contend casts doubts on her ability to effectively fight global warming in California.

"I am under the impression that Mary has been wired to the major corporate agenda for decades," argued Charlie Peters, a longstanding smog-check and environmental activist who heads up the New Jersey-based Clean Air Performance

Professionals. "She's being put in there because she does what the corporate agenda wants."

Nichols' tenure at the national EPA marked a decided shift in U.S. policy for establishing and enforcing emissions reductions. A June 2000 report by D.C.-based nonprofit Public Employees for Environmental Responsibility documents that Nichols, then-EPA assistant administrator for air and radiation, played an instrumental role in undermining regulations and compliance.

According to the PEER report, Nichols in 1995 touted open-market trading as the "new paradigm for market-based control," referring to a paper by attorney Richard Ayres of the O'Melveny and Myers law firm as inspiration for the new direction.

But there was a conflict of interest: Nichols' husband, attorney John Daum, who represented Exxon in the infamous Exxon Valdez oil spill case *Baker v. Exxon*, was an employee of O'Melveny and Myers.

In July 1994, Nichols had issued a permanent recusal that forbid her to participate "in any EPA matter in which the law firm of O'Melveny and Myers is providing representational services." Her support for the Ayres concept of open-market trading in 1995 seemingly violated the recusal, but the EPA ignored the apparent conflict.

In 1995, the report says Nichols "directed EPA regional administrators to de-emphasize the Clean Air Act's deadlines for attainment plans [or emissions-reductions goals] and instead shift to an emphasis on what she described as 'market-based alternatives.'" This gave states the green

light to initiate carbon-credit-trading programs without a national cap on overall emissions or "quantification protocols," which would have established a common currency for trading.

The Clean Air Act Corporation, an O'Melveny and Myers client, later would become the nation's largest broker of these open-market-trading credits.

A 1996 EPA inspector general report challenged the validity of Nichols' plan, citing "invalid credits or weaken[ed] enforcement." But Nichols and fellow EPA officials were unconcerned. "Mary Nichols and I remain committed to developing a model rule which minimizes the federal government's involvement in the day-to-day operation of the market for these trades," stated John Seitz, director of the EPA's Office of Air Quality Planning and Standards.

In 1997, Nichols testified before Congress that greenhouse-gas emissions are "especially well-suited to be addressed through emissions trading because the problem is caused by cumulative emissions well mixed in the atmosphere."

PEER executive director Jeffrey Ruch explained the folly of this approach to SN&R: "You were trading one type of pollutant for another, and you didn't have any kind of way to ensure you were getting apples for apples," he said. "In many cases you were trading apples for the promise of a future guava." Essentially, the carbon credits being traded were illusory; they didn't necessarily have any net environmental benefit.

Nichols left the EPA in 1997, but her "new paradigm" de facto policy remained—and proved disastrous.

"She was a midwife to a stillborn in a sense

that she wasn't around when [the open-market trading] collapsed," beginning in New Jersey in 2002, Ruch explained. A 2003 Department of Environmental Protection report observed that New Jersey's Open Market Emissions Trading program failed to establish an emissions cap, did not verify the validity of credits and allowed facilities to build compliance strategies entirely on the prospect of using emission credits without the guarantee of finding a seller.

"Instead of being a trial balloon, it turned into a trial buffoon," Ruch quipped. "This was sort of looked upon as the next new wave in air-pollution control, and it collapsed under its own weight."

Experts are conflicted as to what this means for California and the implementation of last year's Global Warming Solutions Act.

"I'm not sure that I had high expectations to begin with," Ruch admitted. "In a sense, you have a governor that's just cleaned out the Air Resources Board under circumstances that seem highly unusual and controversial." He views Nichols as "somebody who's promising independence but certainly understands that there's some requirement of flexibility."

"I think her appointment helps bring some stability back to the agency" and alleviates a "major problem" for the governor, said Sierra Club's Magavern.

"To me, the cornerstone of [the global-warming act's] implementation is direct emissions reductions," Magavern continued. "You can't put market mechanisms in place just by having the governor's office, through back channels, dictate that to the Air Board."

The question now is whether Nichols will share this priority—and take a stand against Schwarzenegger's interference.

<http://www.newsreview.com/sacramento/wooden-nichols/content?oid=353445>

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

For Release: June 16, 2010, Contact: David Almasi at (202) 543-4110 x11 or (703) 568-4727 or dalmasi@nationalcenter.org, or Judy Kent at (703) 759-7476 or jkent@nationalcenter.org

Obama Pushes BP-Inspired Cap-and-Trade Bill in Speech to Nation; The National Center for Public Policy Research Calls on the Senate to Reject the "BP Bill"

Both BP CEO Hayward and Obama Support Big Government Efforts to Discourage Fossil Fuels

Washington, D.C. – Responding to President Obama's speech on the oil disaster in the Gulf of Mexico, The National Center for Public Policy Research is calling attention to BP's role in pushing Obama's cap-and-trade energy policy.

BP was a founding member of the United States Climate Action Partnership – a lobbying coalition that played a key role in passing the Waxman-Markey cap-and-trade bill that passed the House of Representatives last year and the company also played a role in negotiating the terms of the Kerry-Lieberman bill recently introduced in the Senate.

"It's ironic that Obama is touting legislation inspired by BP. While Obama criticized the oil industry's influence over its regulators he failed to mention the role BP was playing in influencing the president's cherished cap-and-trade legislation," said Tom Borelli, Ph.D., Director of the National Center's Free Enterprise Project.

"Maybe in addition to the tragedy in the Gulf, Obama and BP CEO Tony Hayward will discuss cap-and-trade legislative strategy when they meet," added Tom Borelli.

According to The Hill, "Hayward indicated he was encouraged by the effort by Sens. John Kerry (D-Mass.), Lindsey Graham (R-S.C.) and Joseph Lieberman (I-Conn.) to write compromise climate legislation." Other media outlets reported on BP's effort to improve the elements of the bill.

Senator Kerry also mentioned BP as one of the companies that supports his cap-and-trade bill.

"Given BP's incompetence and its awful record

with environmental and safety matters, it's outrageous elected officials allow the company to influence legislation. Maybe if BP spent less time and money in lobbying and more on safety we would not be suffering from this environmental disaster," said Deneen Borelli, fellow with Project 21.

"The public should demand that the 'BP Bill' be soundly rejected by the Senate. It's outrageous that elected officials are bashing BP in public while they seek their advice in private," said Deneen Borelli.

Deneen Borelli also commented on Obama downplaying the cost of cap-and-trade to Americans. During the presidential campaign Obama said, "Under my plan of a cap-and-trade system electricity rates would necessarily skyrocket. Businesses would have to retrofit their operations. That will cost money. They will pass that cost onto consumers."

Last night Obama minimized the cost, saying, "Now, there are costs associated with this transition."

"It's shocking the degree to which Obama is misleading the American people about the cost of cap-and-trade. Obama's priorities are with his progressive ideology and not with the interests of 'we the people'," Deneen Borelli said.

The National Center For Public Policy Research is a conservative, free-market non-profit think-tank established in 1982. It is supported by the voluntary gifts of over 100,000 individual recent supporters, and receives less than one percent of its revenue from corporate sources.

-30-

501 Capitol Court, N.E., Washington, D.C. 20002, Ph (202) 543-4110, Fax (202) 543-5975
info@nationalcenter.org / www.nationalcenter.org

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Hayward City Council, May 31, 2011

Tri-City Voice, June 7, 2011

(snip)

Public Comment

(snip)

Charlie Peters, Clean Air Performance Professionals, spoke of Partial Zero Emissions Vehicles (PZEVs), a category of low-emission vehicles created in California with the California Air Resources Board's agreement so that car manufacturers could postpone production of mandated zero emission vehicles (ZEVs), which will require production of electric vehicles or hydrogen fuel cell vehicles. According to Peters, many are unaware PZEVs have a 15-year, or at least 150,000-mile, warranty. Not only will this reduce ownership costs, PZEVs could reduce daily emissions by 2,000 tons.

<http://www.tricityvoice.com/articlefiledisplay.php?issue=2011-06-07&file=Hayward+Summary+++TCV.txt>

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

21860 Main Street Ste
Hayward, California 945
June 20, 20

Dear Dr. Armstrong,
Dep. Secretary of the State and Consumer Services Agency
915 Capitol Mall, Suite 200
Sacramento, CA 95814
(916) 653-3815 fax

Good morning Dr.

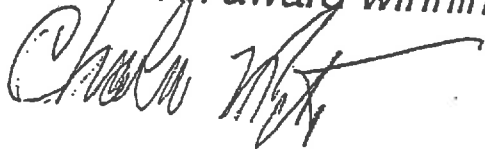
RE: PZEV emissions performance.

California has the best car emissions system but we need support to improve.

Will you consider a letter in support of the California Air Resources Board (CARB) efforts to improve compliance with the California Partial Zero-emissions (PZEV) standards.

Improved toxic impact from the car fleet will provide better health and economic performance for California.

(CAPP / An award winning coalition of motorists)



Charlie Peters
(510) 537-1796
cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

Sunday, September 23, 2012

Mr. President
Barack Obama
1600 Pennsylvania Ave NW
Washington, DC 20500
(202) 456-1414 / 2461 fax

Clean Air Performance Professionals (CAPP)
21860 Main Street, Ste A
Hayward, California 94541
(510) 537-1796
cappcharlie@earthlink.net

Aloha Mr. President,

It is reported that corn along I-5 south of Sacramento uses up to 1500 gallons of water to grow corn for 1 gallon of GMO ethanol for our gas tanks.

Should Governor Brown consider a (GMO) corn ethanol fuel waiver supported by the UN?

Is fed EPA confused when a Lodi, California bread baker is taken to federal court to collect \$625,000.00 fine for generating ozone from the ethanol made by baking bread while mandating GMO corn fuel ethanol in our gas that may be a bigger deal than MTBE to our ground water supply.

Do water folks check for ethanol in our drinking water? Drinking ethanol maybe rated as causing cancer but MTBE never has.

Does Alcohol, Tobacco, & Firearms (ATF) audit for the payment of the \$17 tax of food grade corn ethanol from fuel refiners?

Let's see, a 5,000 gallon tanker truck can move around a \$85,000.00 tax and a reported \$0.50 cent per gallon process can move fuel grade to food grade.

The last time my mom and I saw the spreading banyan tree at Waikiki was shortly after Dec. the 7th 1941.

Aloha, Thank you for your service.

CAPP an award winning coalition of motorists.


Charlie Peters
Cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Fuel Standard Could Cost Restaurants Billions

By Charlie Peters, Environmental Leader, December 1st, 2012

(snip)

- * California CARB fuel was close to zero ethanol in our fuel in 1992..
- * 1992 fuel price about \$1.40 per gallon.
- * Ethanol push from fed EPA and friends pushed ethanol to 5.6% and we paid more for our fuel.
- * Fed EPA and Big oil refiners pushed the oxygenate to 10% and we paid more.
- * Now BP GMO fuel is pushing for over \$1.00 in corporate welfare with 15% of the fuel market while cutting back Oil and refining
- * Will BP GMO fuel patents generate credit trade income from the Big oil industry with the Queen Mother help.
- * The Queen banker friends may want a share.
- * So, how big does California ethanol bill need to be to qualify for the EPA waiver?
- * Can Mary Nichols and Governor Brown support a BP GMO fuel ethanol waiver? Motorcycle, Classic car, Lawn tool engines, Boat, & the beef just might like a choice of fuel ethanol opinion, a waiver. Can Governor Brown use the 10th amendment to support California waiver.

<http://www.environmentalleader.com/2012/11/29/pwc-fuel-standard-could-cost-restaurants-billions/>

The California Department of Motor Vehicles (DMV) collects \$billions\$ using "Wallet Flushing" car tax. Is it time for CA AG Kamala Harris EPA GMO ethanol fuel waiver conversation?

Did Governor Brown choose a CA/DCA/BAR Chief who can find out if what is broken on a PZEV Smog Check failed car gets fixed? A Smog Check secret shopper audit would cut toxic car fleet impact 1500 tons per day while reducing cost by \$billions.

<http://www.youtube.com/watch?v=Zl-Nrep74qg>

Dr. Stan's California water supply opinion

<http://mediaarchives.gsradio.net/radioliberty/121213d.mp3>

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

California sues oil company for environmental violations

By East Bay News, KGO-TV, February 04, 2013

ALAMEDA, Calif. -- State Attorney General Kamala Harris is going after Arco and its parent company BP. In a lawsuit filed Monday, the state attorney general and seven counties are accusing the oil company of violating regulations designed to protect the environment.

The Arco gas station at Park Street and Encinal Avenue in Alameda, one of 7,000 Arco stations named in the suit, was deemed to be among the worst environmental violators in Alameda County.

Alameda County Deputy District Attorney Ken Misfud explains, "One of the most important regulations is to require certain sensors be inside certain areas of the underground storage compartment to make sure that if there is a fuel leak it's detected." He said.

The underground storage tanks at the Alameda station had sensors but instead of being placed next to the ground they were an inch above the ground so that the sensors would not go off unless the leak was severe.

"BP was actually instructing their service stations here in Alameda County that they can be raised up to an inch," Misfud said.

"That would allow for a leak that wouldn't be detected for quite some time," he said.

Misfud says that sensor violation was the most egregious. Most of the other violations named in the suit have to do with maintaining equipment, proper monitoring, and training.

In a statement to ABC7 News, BP said the bulk of the allegations were procedural violations concerning documentation.

The statement read, "A small number of the alleged violations relate to the monitoring of tanks. None of the alleged violations posed any harm to human health or the environment."

BP suggests the attorney general is going after oil companies for money. The attorney general recently settled a similar case against Chevron for \$24 million. There is another factor at play; Arco is selling off its stations. The station in Alameda was sold a little over a year ago, and the company is unloading more of them.

The deputy district attorney speculates that Arco's reason to sell is economic. The stations are liabilities for environmental problems like leaking underground storage tanks.

http://abclocal.go.com/story?section=news/local/east_bay&id=8980676

Does California use 1500 gallons of water to grow corn to produce 1 gallon of GMO corn fuel ethanol? Does California water providers check for ethanol in the supply water for public consumption? Should California request a waiver of the "Wallet Flushing" ethanol mandate so fuel ethanol ozone is in federal EPA compliance?

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

From: "Woonacott, Richard@SCSA" <Richard.Woonacott@SC...
To: "cappcharlie@earthlink.net" <cappcharlie@earthlink.net>
Subject: Nissan PZEV Warranty
Date: Feb 6, 2013 4:40 PM

Good afternoon Charlie: It was good to talk with you yesterday. I wanted to let you know that the issue is resolved, but that another meeting is scheduled tomorrow to discuss the diagnostic charges that consumers paid that should have been included as part of the warranty repair, and a discussion about California warranty in general. Please let me know if you need additional assistance. Regards, Richard

RICHARD D. WOONACOTT, MBA

Deputy Secretary, Legislation

State & Consumer Services Agency

www.scsa.ca.gov

"Because your own strength is unequal to the task, do not assume that it is beyond the powers of humankind; but if anything is within the powers and province of humankind, believe that it is within your own compass also."

~ Adapted from Marcus Aurelius

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

BP Defends Renewable-Fuel Rule Other Oil Companies Oppose

By Mark Drajem, Business Week, June 20, 2013

As Congress considers scaling back or abolishing U.S. rules that mandate the use of renewable fuels, it has the full-throated support of the petroleum industry -- with one major exception.

BP Plc (BP/), one of the world's biggest oil companies by revenue, is part of a joint venture with DuPont Co. (DD) that is set to start producing a new alternative fuel by the end of the year. In order to preserve a market for that fuel, the venture's officials are busy in Washington trying to convince lawmakers that the current system doesn't need an overhaul.

"They don't need to change the law," Paul Beckwith, the chief executive of the venture, Butamax Advanced Biofuels LLC (0031863D) of Wilmington, Delaware, said in an interview. The program "as it's currently configured is working, and there are good opportunities for increasing renewable levels beyond where they are today."

The Renewable Fuel Standard, or RFS, dates in its current form to 2007, when concerns about dependence on overseas oil and a desire to curb the use of fossil fuels induced Congress to set quotas for the use of alternatives to gasoline or diesel, such as corn-based ethanol and biodiesel.

Under the law, refiners such as Exxon Mobil Corp. (XOM) must blend a certain amount of renewable fuels into their gasoline each year, with their contribution determined by their share of the fuel market. The Environmental Protection Agency and renewable-fuel producers say the mandate spurs production of American-made fuels, helps corn farmers and cuts carbon emissions by replacing gasoline.

Lobbying Costs

The efforts of BP and Wilmington, Delaware-based DuPont, which together spent \$13.8 million on lobbying in 2012, show the fissures in the business community over the future of the rules, and the difficult path any overhaul must tread. A panel of the House Energy and Commerce Committee is set to hold a hearing on the program next week, as Republicans such as Representative Bob Goodlatte of Virginia push to scrap it.

Critics, ranging from motorcyclists to chicken farmers, focus on two separate issues. Food retailers and food charities complain that use of corn to make ethanol is pushing up the cost of food.

Local chain restaurant owners pestered their advocacy group, the National Council of Chain Restaurants, to find out why their commodity costs were spiking, according to Robert Green, the executive director of the Washington-based group. After hiring an outside research firm to conduct a study, "it was very clear that the RFS was a cause of it," he said in an interview. The group, whose members include White Castle and Wendy's Co. (WEN), is today launching a campaign in Washington it calls the Feed Food Fairness to repeal the RFS.

Blendwall Danger

Lobbyists representing refiners such as Exxon, based in Irving, Texas, and Tesoro Corp. (TSO) of Waltham, Massachusetts, raise a different objection to the mandates. They say falling U.S. fuel demand means that requirements for ethanol may force its use higher than the 10 percent that the government says is safe for all engines,

exceeding what the industry calls "the blendwall."

"With each passing day or month we're going to see more movement" for repeal, Charles Drevna, president of the American Fuel & Petrochemical Manufacturers, which represents refiners such as Exxon and Tesoro, said in an interview.

Now the small collection of renewable-fuel producers are pushing back against those efforts, arguing that they will soon be making the kinds of next-generation fuels necessary to fill the growing government quotas while avoiding the damage to engines that worries the refiners.

Butamax Plant

Butamax plans to convert an existing ethanol plant to make biobutanol, a related fuel also made from corn that has lower greenhouse-gas emissions and doesn't present the same kind of refining issues as ethanol, according to the company.

"It completely overcomes the issues with the blendwall," Beckwith said before meeting this month with congressional staff members to discuss the issue.

The London-based BP, which in the U.S. has the capacity to refine 725,000 barrels of crude oil a day, is taking a slightly different position than the industry trade groups in advocating for regulatory mending by EPA, not a legislated end.

"BP supports the goals of the RFS program

to stimulate the development and deployment of biofuels technologies, and we believe that technologies like Butamax's will be an important part of our liquid transportation fuel mix," Matt Hartwig, a company spokesman, said. Still, "safely moving past the ethanol blendwall will require time and investment."

Iowa Corn

Butamax is not alone in pushing to preserve the program. Iowa's corn growers have flooded Washington to make their case, and to take aim at what they say are unfair subsidies that the oil industry gets.

Separately, ethanol producer Poet LLC of Sioux Falls, South Dakota, and Royal DSM NV (DSM), a Heerlen, Netherlands-based biotechnology company, are pushing ahead on a plant that will use crop residue such as corn cobs and husks to produce 20 million gallons of cellulosic biofuel a year. It plans to start full commercial production in early 2014.

The foes "continue to work hard to spread myths and misinformation about the RFS in an effort to return to a gasoline monopoly on transportation fuel, maintain their record profits, and serve their interests here and in the Middle East, Hugh Welsh, DSM's president for North America, said in an e-mail.

"The RFS is doing great things, and will continue to do so for the next 15 years," he said. "When presented with the facts and the results, our elected officials recognize this."

To contact the reporter on this story: Mark Drajem in Washington at mdrajem@bloomberg.net

To contact the editor responsible for this story: Jon Morgan at jmorgan97@bloomberg.net

<http://www.businessweek.com/news/2013-06-20/bp-backs-u-dot-s-dot-renewable-fuel-mandate-other-oil-companies-oppose#p1>

(CAPP contact: Charlie Peters / (510) 537-1796 / cappcharlie@earthlink.net)



Clean Air Performance Professionals

March 10, 2014 - 9am
John L. Burton hearing room (4203)
Senator Ted W. Lieu Chair
Assemblymember Susan Bonilla Co-Chair
State Capitol, California 95814

RE: BAR Sunset Review

Dear Joint Business & Professions Committees Chairs and members.

The California Department of Motor Vehicles (DMV) collects \$billions\$ using "Wallet Flushing" car tax. Is it time for CA AG Kamala Harris EPA GMO ethanol fuel waiver conversation?

Did Governor Brown choose a CA/DCA/BAR Chief who can find out if what is broken on a PZEV Smog Check failed car gets fixed? A Smog Check secret shopper audit would cut toxic car fleet impact 1500 tons per day while reducing cost by \$billions.

<http://www.youtube.com/watch?v=Zl-Nrep74qg>

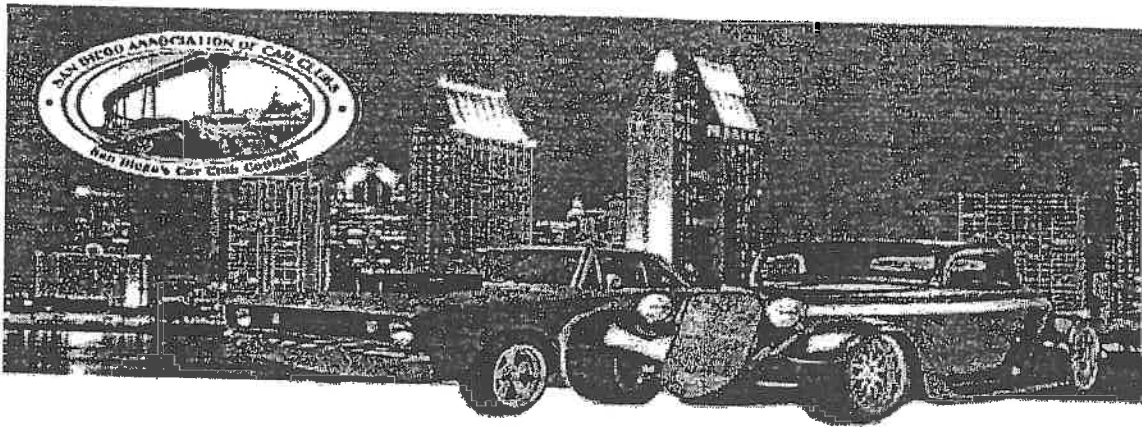
Clean Air Performance Professionals (CAPP) / an award winning coalition of motorists

Respectfully

Charlie Peters
Clean Air Performance Professionals (CAPP)
(510) 537-1796

cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



San Diego Association of Car Clubs

August 19, 2014,
Brandon Baranco
Office of Assemblymember Nancy Skinner
Elihu Harris State Building
1515 Clay Street, Suite 2201
Oakland, CA 94612
(510) 286-1400 / Fax: 1406

Dear Mr. Baranco

RE: AB 69 Perea and AB 32 Pavley

I would like to take a minute to thank Honorable Assembly member Nancy Skinner for her help and concerns about 2006 Assembly Bill (AB) 32 Pavley, this important matter that will effect so many of us.

A question came to me, would a voluntary use of GMO Ethanol in our fuel and a quality audit of the Smog Check program further improve the performance of AB 32 law?

• Thanks for your service.

Respectfully
James Stukey
CA Automotive green job professional

cc: interested parties

<http://carclubcouncilofsandiego.com/>



Clean Air Performance Professionals

Saturday, November 22, 2014

Voluntary GMO corn fuel may reduce CO₂ & Fuel cost to \$2 per gallon.

50% butanol mandate may raise fuel to \$10 per gallon.

Monopoly patent mandate may lower BP-DuPont stock value and profit while a move to voluntary may improve employee and customer relationship with improved profit. Win Win outcome.

MTBE is in our water and a pain to oil profit. Is it time to check California water for fuel ethanol? Time for food air & fuel price mitigation? Time for a AG conversation for consideration of a California fuel ethanol waiver?

UN supports voluntary GMO fuel, a waiver.

Go OOIDA, Clean Air Performance Professionals supports your fuel performance and price conversation, Fed EPA ethanol mandate stinks.

A random 'Smog Check' inspection & repair 'secret shopper' audit, ethanol cap and elimination of dual fuel CAFE credit can cut California "Wallet Flushing" car tax over 50% in 2015. (Prevent 2000 tons per day of sulfur, PM, HC, O₃, NO_x, CO & CO₂.) Improved performance of AB32 by \$billions

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Cheap Gasoline

Climate One at the Commonwealth Club, February 27th, 2015

Gas prices are plunging, and Americans can get back on the road again. What are the economic, geopolitical and environmental consequences of cheap oil?

Jason Bordoff, Founding Director, Center on Global Energy Policy, Columbia University; Former Special Advisor to President Obama, National Security Council Staff

Kate Gordon, Senior VP and Director, Energy & Climate Program, Next Generation

Bill Reilly, Former Board Member, ConocoPhillips; Senior Advisor, TPG Capital

Transcript

(snip)

We're talking about cheap oil and gasoline at Climate One. Let's have our audience questions. Welcome.

Male Participant (Charlie Peters): I have a question that has been an awful fun part of this debate over time which is the issue of the use of corn to make products that were promoted to be a significant improvement in global warming, in carbon taxes. So my question is, there's an appearance that there's a divide there between possibly British Petroleum and Shell and DuPont wanting to go to butanol. And then the question becomes is it impacting our water supply being a carcinogen. Is that something that should be of concern? We never check our water supply anywhere ever

Greg Dalton: Thank you --

Male Participant (Charlie Peters): So a response to that would be great.

Greg Dalton: So who'd like to -- Bill Reilly, you were on the board of DuPont, but the question, I think, is that people advocated for corn as a climate solution, corn turned out to

not be so good. Cellulosic ethanol has been disappointing. Your thoughts.

Bill Reilly: Well, if you make the ethanol out of switch grass or something of the sort, I think that you possibly do something very positive with respect to liquid fuels, and I would support that. I would not worry so much about contaminating the water supply with ethanol. I mean, we're talking about replacing some portion of the gasoline and we've been managing that with some success for, I think, some time. So I don't think that would be the major problem.

The major problem, I think, with the ethanol area is the enormous subsidies that have gone into it and for corn production and certainly my recollection from having administered the Clean Air Act is that the advantages of ethanol as an additive are for wintertime NOx [nitrogen oxides] control. So it's been touted as doing something far more significant than that and reducing our dependency on foreign imports and the rest. Those arguments, I think, have lost a great deal of their appeal.

Greg Dalton: Corn has been overhyped. ...

<http://www.climate-one.org/audio/cheap-gasoline>

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

DeWine sues BP over \$33 million from Ohio's fuel-tank clean-up fund

Toledo Blade, March 3, 2015

Ohio Attorney General Mike DeWine is suing BP, alleging that it improperly obtained \$33 million from a state fund to clean up leaks from underground fuel tanks.

The lawsuit, filed yesterday in Franklin County Common Pleas Court, says the energy company received money from the Petroleum Financial Assurance Fund at the same time it was receiving insurance money for the same leaks. DeWine's office described that as "double-dipping."

"Our lawsuit alleges that BP knowingly and intentionally took more than \$33 million that it was not eligible to accept," DeWine said in a statement. "BP has to follow the same rules as other businesses and can't engage in misconduct without consequence."

The complaint says BP concealed the existence of hundreds of insurance policies. It cites 2,651 claims filed by the company with the state, which led to \$33.4 million in payments. And that doesn't include an additional 905 claims worth \$22.3 million that the state is still reviewing.

BP spokesman Jason Black had this statement:

"BP acted at all times in good faith and believes its dealings with the Ohio state underground storage tank fund have been proper. BP plans to defend itself against the allegations in the complaint."

The cleanup fund has paid out \$221 million, according to the panel that oversees it. BP and companies that it later acquired have received more money from the fund than any other company dating to the fund's inception in 1989.

<http://www.toledoblade.com/news/2015/03/03/DeWine-sues-BP-over-33-million-from-Ohio-s-fuel-tank-clean-up-fund.html#>

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

Thursday, April 2, 2015

Honorable Dianne Feinstein

One Post Street San Francisco, CA 94104

(415) 393-0707 / Fax: (202) 228-3954

RE: NO on S-577 unless amended.

Good morning Senator Dianne Feinstein,-

It is reported that today California is using Shell Brazil sugar cane ethanol at \$0.16 per gal increase over using GMO corn fuel ethanol. In this game the cars and trucks get to pay and Big oil profits are the result that may be ready for change.

We do NOT support S-577 unless the ethanol mandate is changed to voluntary ethanol in our gasoline.

Folks that pay more at the pump for less from Cars, trucks, food, water & air need better, it is time.

The car tax of AB 118 Nunez is just a simple Big oil welfare program, AAA questioned the policy and some folks still agree.

S-577 is just a short put (waiver) from better results.

Thank you for your life-time of service.

Clean Air Performance Professionals (CAPP) / An award winning coalition of motorists.

Charlie Peters

Cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

Charlie Peters
21860 Main Street Ste A
Hayward, California 94541
Fax: 510-537-9675

Friday, April 10, 2015

Eric Swalwell
Member of Congress
1260 B Street, Suite 150
Hayward, CA 94541
(510) 370-3322

Honorable Congressman Swalwell,

RE: California motorist interest in GMO fuel waiver

Thank you for your service to us.

The administration of our President George W Bush rejection of my hero California Governor Davis request for a fuel oxygenate waiver (change the mandate to voluntary) with support of all California congressional members may deserve a review audit of our waiver requests.

*** I want \$2 fuel at the pump ***

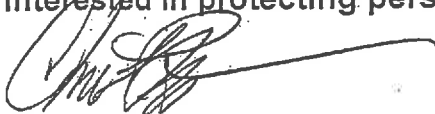
*** I want clean air and water ***

Ethanol waiver & elimination of E-85 flex fuel credit can cut our CO2 transportation pollution over 50%

Let's improve performance of CA climate change law AB 32 (Pavley) in 2015 for future generations.

Congressman Swalwell thank you for your interest in our waiver audit request, a response would be great.

Clean Air Performance Professionals (CAPP), an award winning coalition of motorists interested in protecting personal property and the environment.



Charlie Peters (CAPP)
Ph: 510-537-1796 / fax: -9675
cappcharlie@earthlink.net
cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

April 26, 2015
Assemblyman Frank Bigelow
State Capitol, Suite #6027
Sacramento, CA 94249-0005
(916) 319-2005
(916) 319-2105 fax

RE: Audit of Lake Tahoe service station ground water

Dear Assemblyman,

Can California audit Lake Tahoe Service Station fuel tank leak compliance?

California water supply is in short supply and fuel leaks has a history of impacting local business at the Lake Tahoe World Class resort.

Charlie Peters
Clean Air Performance Professionals
Fax: 510-537-9675

Our Attorney General has given attention to southern California water protection but Northern California AB 32 climate change pollution may be getting the short stick

Cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

21860 Main Street Ste A
Hayward, California 94541

Monday, June 29, 2015

Department of Motor Vehicles (DMV)
Jean Shiimoto / Director
2415 First Ave., Mail Station F101
Sacramento, California 95818-2606
(916) 657-6941 / 7393 fax

RE: Partial Zero Emissions Vehicle (PZEV) Performance

Good evening Director Shiimoto,

California has the best car emissions system but we need support to improve.

Improved car fleet toxic impact will provide better California health and economic performance.

Will DMV consider a letter of support for the California Air Resources Board (CARB) efforts to improve compliance with the PZEV standards.

CARB contact: Manager of the Zero Emission Vehicle (ZEV) of the Mobil Source Control Division. Dr. Elise Keddie, (916) 323-8974, ekeddie@arb.ca.gov

Clean Air Performance Professionals (CAPP), award winning coalition of motorists.

Respectfully



Charlie Peters

Fax: 510-537-9675

interested parties

<i>CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net</i>

Global Warning will get us

By Joan Baez / Music-News.com Newsdesk / August 16, 2015

Music legend Joan Baez says the Trumpification of the United States is like the fall of the Roman Empire and that conservatives like Tony Abbott surely cannot believe their own words.

When asked if the young Joan Baez could have ever foreseen American taking someone like Donald Trump seriously Joan told Noise11.com, 'My mum tells me, because I don't remember, when I was about 14 I'd been reading 'The Rise and Fall of the Roman Empire' and I came out to where she was ironing and she said that I said that I said that I said 'the same thing is going to happen to the United States what happened in the Roman Empire'. Now I don't know whether to gloat or mourn. I think we have long since began crumbling. Not to mention the global refusal to deal with Global Warning which will probably get us all anyway'.

About Australia's extreme right-wing Prime Minister Tony Abbott, who is on record as saying 'Climate change is crap' Joan commented, 'He is like whoever our Republican was who through a snowball across the room in Congress and said 'you call this Global Warming'. I don't know what it is. I don't know if they really believe things that we think are crazy. I know a lot of Conservatives are in this terrible struggle with themselves because they know they will lose their votes if they say they think Global Warming is real. They are still at that level. It is hard to imagine they are serious and that there isn't some ridiculous scam behind what they are saying.'

http://www.music-news.com/ShowNews.asp?nItemID=91575&utm_source=dvvr.it&utm_medium=twitter#comments

**** Do you want \$2 Gasoline at the pump?***

**** Do you want clean air and water?***

***GMO-Ethanol waiver and elimination of E-85 flex fuel credit
can cut our ozone & CO2 transportation pollution over 50%***

***Let's improve performance of CA Climate change
law AB 32 (Pavley) in 2015 for future generations***

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

Charlie Peters
21860 Main Street Ste A
Hayward, California 94541
Fax: 510-537-9675

Thursday, August 20, 2015
Senator Jim Beall (Chair)
Senate Committee on Transportation and Housing
State Capitol, Room 2209
Sacramento, CA 95814
(916) 651-4121 / Fax: 445-2209

Honorable Chair Jim Beall,

RE: SB 16 & SBX 1 1 funding to maintain, repair, and clean-up state roads.

Thank you for your service.

The administration of our President George W Bush rejection of my hero California Governor Davis request for a fuel oxygenate waiver with support of all California congressional members may deserve a review audit of our waiver requests.

*** *We want \$2 fuel at the pump* ***

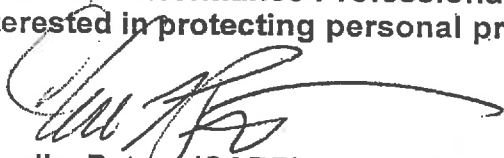
*** *We want clean air and water* ***

Ethanol waiver & elimination of E-85 flex fuel credit can cut our CO2 transportation pollution.

Let's improve performance of CA climate change law AB 32 (Pavley) in 2015 for future generations.

Chair Beall thank you for your interest in our waiver audit request.

Clean Air Performance Professionals (CAPP), an award winning coalition of motorists interested in protecting personal property and the environment.



Charlie Peters (CAPP)
Ph: 510-537-1796 / fax: -9675
cappcharlie@earthlink.net
cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

Charlie Peters
21860 Main Street Ste "A"
Hayward, California 94541
Fax: 510-537-9675

Friday, August 28, 2015
Assembly Speaker Toni G. Atkins
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0078
Tel: (916) 319-2078 / Fax: 319-2178

Honorable Speaker Atkins,

RE: GMO fuel ethanol waiver.

Thank you for your service.

The administration of our President George W Bush rejection of my hero California Governor Davis request for a fuel oxygenate waiver with support of all California congressional members may deserve a review audit of our waiver requests.

*** *We want \$2 fuel at the pump* ***

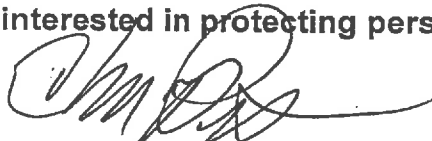
*** *We want clean air and water* ***

Ethanol waiver & elimination of E-85 flex fuel credit can cut our CO2 transportation pollution.

Let's improve performance of CA climate change law AB 32 (Pavley) in 2015 for future generations.

Speaker Atkins, thank you for your interest in our waiver audit request.

Clean Air Performance Professionals (CAPP), an award winning coalition of motorists interested in protecting personal property and the environment.



Charlie Peters
Ph: 510-537-1796 / fax: -9675
cappcharlie@earthlink.net
cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

Sunday, August 30, 2015
Senate President Gavin Newsom
State Capitol, Room 1114
Sacramento, CA 95814
P (916) 445-8994 / (916) 323-4998 fax

Honorable President Newsom,

RE: SB 32 and SB 350 climate crisis performance

Thank you for your service.

The administration of our President George W Bush's rejection of your friend, and my hero California Congressman Henry Waxman's request for a fuel oxygenate waiver supported by 52 of 53 California congressional members, may deserve a review audit of our waiver requests.

GMO fuel waiver & elimination of E-85 flex fuel credit can cut our ozone and CO2 transportation pollution.

I want \$2 Gasoline at the pump / We want clean air and water

Let's improve performance of CA climate change law AB 32 (Pavley) in 2015 for future generations.

Senate President Gavin Newsom thank you for your interest in our waiver audit request.

Clean Air Performance Professionals (CAPP), an award winning coalition of motorists.

Charlie Peters

Ph: 510-537-1796 / fax: -9675

cappcharlie@earthlink.net

cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

August 30, 2015

RE: California AB 32, SB 18, SB 32 & SB350 climate performance

Bill Clinton, Al Gore & Senator Obama supported the California 2006 Prop. 87, a GMO corn ethanol mandate program.

Bill, Al, have changed opinion on the ethanol mandate, I wonder if Obama will make this "the time for CHANGE"?

I support a waiver of the ethanol mandate, voluntary use of ethanol in my gas.

EPA GMO ethanol mandate policy increases oil use and profit.

We do NOT support SB 18, SB 32 or SB 350 unless the ethanol mandate is changed to voluntary ethanol in our gas.

Folks that pay more at the pump for less from Cars, trucks, food, water & air need better, it is time.

The "Wallet flushing car tax of AB 118 Nunez is just a simple oil welfare program, AAA questioned the policy and some folks still agree with AAA.

California is just a short put, (waiver) from better results.

Is it time for an Attorney General, EPA conversation?

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

Brian Kelly

California State Transportation Agency

915 Capitol Mall Suite 350 B

Sacramento, CA 95814

Phone: (916) 323-5400

Fax: (916) 323-5440

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

Thursday, September 17, 2015

Governor Jerry Brown
c/o State Capitol, Suite 1173
Sacramento, CA 95814
P (916) 445-2841 / Fax: 558-3160

Honorable Governor Brown,

RE: SB 350 climate crisis performance

Thank you for your service.

The administration of our President George W Bush's rejection of your friend, and my hero California Governor Gray Davis request for a fuel oxygenate waiver supported by all California congressional members, may deserve a review audit of our waiver requests.

GMO fuel waiver & elimination of E-85 flex fuel credit can cut our ozone and CO2 transportation pollution.

I want \$2 Gasoline at the pump / We want clean air and water

Let's improve performance of CA climate change law AB 32 (Pavley) in 2015 for future generations.

Governor Brown thank you for your interest in our waiver audit request.

Clean Air Performance Professionals (CAPP), an award winning coalition of motorists.

Charlie Peters
Ph: 510-537-1796 / fax: -9675
cappcharlie@earthlink.net
cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Clean Air Performance Professionals

October 1, 2015

RE: VW Smog Check game

Honorable Governor Jerry Brown.

In a 1991 visit to Washington DC Environmental Protection Agency (EPA) upper management, EPA ask for an opinion of Smog Check test performance, can the IM 240 generate desired results?

The opinion provided was NO, even Federal Test Procedure (FTP) could not, NOT, control cheating results.

EPA was provided the opinion that the ethics of regulator and regulated with a proper audit system could perform superior to the modeled technology only results.

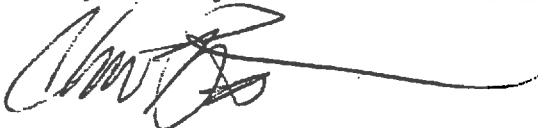
So what does it take to consider a Total Quality Management (TQM) E. Edwards Deming audit pilot study concept demonstration?

A California meeting in 1993 resulted in an "agreement" to start a pilot study to demonstrate proof of concept within 45 days.

Is it time to consider adding Little Hoover Commission to the game?

People matter.

Respectfully, CAPP an award winning coalition of motorists



Charlie Peters

510-537-1796

cappcharlie@earthlink.net

cc: interested parties

<i>CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net</i>

State's vehicle testing programs have an Achilles' heel

By Dr. Thomas A. Cahill, Sacramento Bee, October 11, 2015

Cheating on "clean diesels"? I am shocked! Shocked! But I was really shocked when told in 2009 that the Volkswagen diesel had passed the California Air Resources Board's stringent dynamometer emission tests.

Make no bones about it – diesel combustion is essentially filthy, and only by extensive and expensive efforts can its problems be overcome. But I had no clue that a corporate fix was in.

There had been several earlier examples of shenanigans with "defeat devices" by home-grown and foreign auto companies, but this one from Volkswagen was a lulu, with pollution up to 40 times the standard.

The heart of the matter is that California's vaunted vehicle testing and validation programs have an Achilles' heel: What is seen in laboratory dynamometer tests is not what appears on the highway. Volkswagen knew this, and except for a fluke on-road test in West Virginia, they could have been cheating for years to come.

This is not the first time lab results and real-world results differed. I was working on lead pollution from highways in 1973. We had models from the U.S. EPA, but California wanted to validate these by on-road testing. My work found that the elevated freeways that were supposed to be the cleanest by the EPA model were the dirtiest, dumping 400 percent more lead than the California standard into nearby houses.

My data helped Gov. Jerry Brown, version 1.0, to win a sweeping victory against industry and the EPA, which did not want California to have its own standards. The stunning reductions in California air pollution encouraged most of the world to follow the Golden State, with the exception of Europe and its diesel fixation based on mileage claims.

But the companies do their own testing. What could possibly go wrong in this scenario? It probably explains why on-road mileage of diesels in Europe is about 40 percent worse than advertised.

Again, in 1987, a research team used a freeway tunnel in Van Nuys to compare the predicted auto

emissions from ARB dynamometer laboratory tests to real-world conditions. The tunnel tests gave carbon monoxide and hydrocarbon emission values 300 percent and 400 percent higher than expected on the basis of dynamometer tests.

The on-road tests identified a sad result – most California cars were clean, but a small number of "gross emitters" were generating two-thirds of all highway pollution. These cars are modified vehicles with bypassed catalytic converters, old throw-away cars, unregistered cars, some with fake smog-check clearances from shady service stations, and the like.

In order to rectify the problem of gross emitters, the California's Inspection and Maintenance Review Committee, a state board on which I served for years, repeatedly recommended on-road testing to identify gross emitters. The technique is actually simple, using an infrared beam across a freeway on-ramp and to measure pollutants. If this had been modified to detect nitric oxide, the diesel cheaters would have been immediately identified and the pollution stopped years ago. Regrettably, the committee was shut down a few years ago.

Even post-Volkswagen, the problem persists that laboratory dynamometer tests cannot protect us in real-world conditions.

"Wear aerosols" are particles generated by grinding and abrasion by vehicles, such as polluted freeway dust, erosion of brake drums and pads, etc., which cannot be realistically measured in the lab. But health data on children living near freeways in Los Angeles and our data on heart disease in the Central Valley show roadways are still causing health problems. Medical studies points to "wear aerosols" and ultra-fine metals from brakes as potentially toxic agents.

California needs to initiate truly realistic on-road testing to catch gross emitters and cheating by "defeat devices," but also to measure "wear aerosols" by size and compositions. These tests should include realistic freeway actions such as braking and accelerating, as we are doing in a U.S. EPA study in Detroit. Only with such data can we propose legislation that can address these problems and protect the health of California's people.

Trump blaming fall in Iowa poll on GMO corn?

by Bradford Richardson, The Hill, October 22, 2015

A poll released by Quinnipiac University early Thursday shows Trump trailing retired neurosurgeon Ben Carson by 8 points among likely caucus-goers.

The tweet references Monsanto, a company that pioneered the use of genetically modified organisms (GMO) in farming. GMO farming produces larger crops and saves resources, but critics say food that has been genetically engineered is not safe for consumption.

The St. Louis-based company has become the poster child for opponents of GMOs, spurring a "March Against Monsanto" movement.

Concerned groups have launched unsuccessful state ballot initiatives that would require foods that contain GMOs to be labeled.

The Food and Drug Administration, however, has said food made with GMOs is safe.

<http://thehill.com/blogs/ballot-box/presidential-races/257758-trump-blaming-fall-in-iowa-poll-on-gmo-corn>

** I want \$2 Gasoline at the pump*

** Do you want clean air and water?*

BP-DuPont GMO fuel waiver and elimination of E-85 flex fuel credit can cut our ozone, NOx & CO2 transportation pollution

Let's improve performance of CA Climate change law AB 32 (Pavley) in 2016 for future generations

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Oil lobby launches new campaign against ethanol mandate

By Devin Henry / The Hill / October 28, 2015

The top oil and gas lobby group is launching a new advertising campaign against the federal ethanol mandate.

The American Petroleum Institute (API) will run a "multifaceted advocacy campaign" against the Renewable Fuel Standard (RFS) for the next month ahead of a deadline for the Obama administration to finalize three years of standards under the mandate.

Bob Greco, the group director of API's downstream and industry operations, said Wednesday that the campaign would include television, radio and online ads, focused on "the negative consequences higher ethanol mandates could have on consumers." The campaign will be targeted at the Washington, D.C. market.

API's campaign comes as the public fight over the fuel standard heats up. The Environmental Protection Agency (EPA) proposed new ethanol blending requirements for three years in May, and the agency is required to finalize those targets by

the end of November.

Oil groups say the federal government is already requiring refiners to blend as much ethanol as possible into their gasoline and they are resisting the EPA's proposed targets.

Ethanol supporters, however, say the agency should set an even higher goal for refiners. A group of senators met with Obama officials earlier this month to take their case directly to the White House.

API's ads call the RFS "Washington red tape" and blame it for raising fuel prices and hurting the environment.

"Ultimately Congress has the responsibility to repeal or significantly reform this outdated and potentially dangerous program," Greco said Wednesday.

But because congressional action isn't likely any time soon, he said API's ad campaign will "focus on the administration, on the president, because that's where the review will be happening."

<http://thehill.com/policy/energy-environment/258365-oil-lobby-launches-new-campaign-against-ethanol-mandate>

Ethanol waiver and elimination of E-85 flex fuel credit can improve California AB 32 Pavley climate law performance in 2016

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Governor's consumer services secretary is stepping down

By John Myers / Los Angeles Times / November 7, 2015

Anna Caballero, the top administrator of the state agency overseeing such services as the licensing of businesses and employment and housing discrimination cases, is resigning her position in the cabinet of Gov. Jerry Brown.

Caballero previously served two terms in the Legislature as an Assembly member from Salinas and, before that, as the city's mayor. She was appointed by Brown to a cabinet position in 2011 and helped oversee a 2013 reorganization of a number of state agencies and commissions that left her as secretary of the newly formed Business, Consumer Services and Housing Agency.

Most recently, Caballero has served as a member of the governor's task force on the drought and has traveled the state to discuss water conservation ideas with local officials.

A spokesman said Caballero told Brown of her decision this week. She made the formal announcement to her staff on Friday afternoon. Her last day is scheduled for Nov. 17.

Although she didn't make her future plans clear, the 60-year-old Democrat has suggested in recent months that she's considering a return to elective office. An August story in the Monterey Herald quoted Caballero as saying that she's mulling a run for a seat on the Monterey County Board of Supervisors.

Caballero was selected by Brown after losing a close 2010 race for the state Senate to Sen. Anthony Cannella (R-Ceres).

"We have accomplished a lot," said Caballero in an email to her staff on Friday afternoon. "I will miss being a part of all the good work we do."

<http://www.latimes.com/politics/la-me-pol-california-consumer-services-secretary-stepping-down-story.html>

Does California use 1500 gallons of water to grow corn to produce 1 gallon of GMO fuel ethanol? Does California water providers check for ethanol in the supply water for public consumption? Should Gov. Brown request Conversation with EPA about a waiver of the "Wallet Flushing" ethanol mandate so fuel ethanol ozone is in compliance?

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



Clean Air Performance Professionals

Tuesday, November 17, 2015
Councilmember Jesse Arreguín
City of Berkeley
2180 Milvia Street, 5th Floor
Berkeley, CA 94704
(510) 981-7140 / FAX: -7144
jarreguin@cityofberkeley.info

Honorable Councilmember Arreguín,

RE: GMO climate crisis performance

Thank you for your service.

The administration of our President George W Bush's rejection of your friend, and my hero California Congressman Henry Waxman's request for a fuel oxygenate waiver supported by 52 of 53 California congressional members, may deserve a review audit of our waiver requests.

GMO fuel waiver & elimination of E-85 flex fuel credit can cut our ozone and CO2 transportation pollution.

I want \$2 Gasoline at the pump / We want clean air and water

Let's improve performance of CA climate change law AB 32 (Pavley) in 2016 for future generations.

Councilmember Jesse Arreguín thank you for your interest in our waiver audit request.

Clean Air Performance Professionals (CAPP), an award winning coalition of motorists.


Charlie Peters
Ph: 510-537-1796 / fax: -9675
cappcharlie@earthlink.net
cc: interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net

Head oil regulator resigns as Jerry Brown gets ready for Paris conference

by Dan Bachere / Indy Bay / December 2nd, 2015

The firings, hirings and resignations of oil and gas industry regulators over the past 4 years under the supposedly "green" Jerry Brown provide a window into the capture of the regulatory apparatus in California by Big Oil, Big Ag and other Big Money interests.

Head oil regulator resigns as Jerry Brown gets ready for Paris conference

by Dan Bacher

As Governor Jerry Brown reels from a series of scandals involving the capture of the regulatory apparatus in California under his administration, Brown announced the resignation of his head oil regulator, Steven Bohlen, on November 30.

Brown also announced the appointment of Ken Harris of Davis to replace Bohlen as California Department of Conservation Division of Oil, Gas and Geothermal Resources (DOGGR) supervisor.

Bohlen's resignation took place after an Associated Press story revealed that Jerry Brown ordered Bohlen to survey the land on the Governor's private ranch about the potential for oil drilling. This investigation raised questions about whether the Governor was illegally using state resources for his own personal gain.

"The AP reported earlier this month that Brown directed Bohlen in June 2014, days after appointing Bohlen to the job, to investigate and map out the oil, gas and mineral potential and history of the Brown family ranch in Northern California," according to Ellen Knickmeyer from the Associated Press.
(<http://www.insidebayarea.com/breaking->

news/ci_29185108/californias-top-oil-regulator-resigning)

The Governor's Office did not cite a reason for Bohlen's departure, but did say Bohlen will return to the Lawrence Livermore National Laboratory. He will also continue to assist the Administration as an "unpaid science advisor" to the Division.

"Steve brought strong leadership and valuable scientific expertise to the job of improving oil and gas oversight," said Governor Brown. "California will benefit from his continued service as an unpaid advisor to the Division, even as he returns to scientific and national security work at the Lawrence Livermore National Laboratory."

The Governor's Office claimed, "Steven Bohlen was appointed supervisor in May 2014 with the assignment to conduct a full, systematic analysis of the division and a comprehensive plan for organizational change. During his tenure, the Division released a Renewal Plan for Oil and Gas Regulation, which refocuses the Division on its core values to regulate the oil and gas industry with safety and environmental health as top priorities .

"Bohlen has been on loan from the Lawrence Berkeley National Laboratory over the past 18 months and brought considerable "technical experience" to the Division, including experience with ocean drilling, geology and academic research. In his capacity as an unpaid science advisor, Bohlen will continue to assist the Division on oil and gas issues, including the ongoing development of underground injection regulations," the Office said.

Bohlen's replacement, Ken Harris, 59, of Davis, has been the

executive officer for the Central Coast Regional Water Quality Control Board since 2012, according to the Governor's Office.

He held multiple positions at the State Water Resources Control Board from 1987 to 2012 including assistant deputy director, supervising engineering geologist, assistant director and senior engineering geologist. Harris was interim assistant executive officer for the Los Angeles Regional Water Quality Control Board from 2010 to 2011 and a staff geologist at the San Lorenzo Valley Water District from 1983 to 1984.

He earned a Master of Science degree in hydrology from the New Mexico Institute of Mining and Technology. This position does not require Senate confirmation and the compensation is \$198,500. Harris is a Democrat.

The latest resignation follows a series of shake-ups at the Department of Conservation since 2011, the result of the virtual capture of the agency by the Western States Petroleum Association (WSPA) and Big Oil.

"California regulators have prioritized oil company profits and the governor's personal requests at the expense of our air, water and health," summed up Hollin Kretzmann, an attorney with the Center for Biological Diversity, in a statement.

Court documents filed in a RICO lawsuit by Central Valley farmers against the Brown administration document the claims by anti-fracking activists that the governor is collaborating with Big Oil on the expansion of extreme oil extraction techniques in California.

In these documents, two former senior level officials in the Department of Conservation, Derek

Chernow and Elena Miller, reveal that they were fired on November 3, 2011, one day after a final order from Governor Brown to bypass provisions of the federal Safe Drinking Water Act (SDWA) and grant permits for oilfield injection wells. Chernow was the director of the Department and Miller was the DOGGR supervisor at the time. (<http://bigstory.ap.org/article/0ffe67e1a7af4c688696f741699a9f89/fired-regulator-brown-pushed-waive-oil-safeguards>)

The day after the farmers filed the lawsuit, Mark Nechodom, the oil industry-friendly director of the Department of Conservation, resigned.

More recently, the Governor on October 9 appointed Bill Bartling of Bakersfield, a Republican who has worked as an oil industry executive and consultant, as district deputy for the Bakersfield region. (<http://www.eastbayexpress.com/S evenDays/archives/2015/10/12/governor-brown-appoints-republican-oil-executive-to-be-industry-regulator>)

The firings, hirings and resignations of oil and gas industry regulators over the past 4 years under the supposedly "green" Jerry Brown provide a window into the capture of the regulatory apparatus in California by Big Oil, Big Ag and other Big Money interests.

Big Oil is the largest and most powerful corporate lobby in California - and the Western States Petroleum Association is the

largest most powerful corporate lobbying group. In one of the most extreme examples of the "fox guarding the hen house," Catherine Reheis-Boyd, the President of the Western States Petroleum Association (WSPA), chaired the Marine Life Protection Act (MLPA) Initiative Blue Ribbon Task Force that created so-called "marine protected" areas in Southern California. (http://www.dfg.ca.gov/marine/mpa/brtf_bios_sc.asp)

As Jerry Brown continues to promote the expansion of fracking in California and hires Big Oil-friendly officials to "regulate" the oil and gas industry in California, reporters and editors from the mainstream generally provide fawning covering of the Governor's trips to climate conferences across the globe to greenwash his tainted environmental legacy.

You can expect this mostly uncritical coverage to continue when Brown joins the world's "climate leaders" in Paris, France later this week for the 2015 United Nations Climate Change Conference.

"Our message in Paris is simple: Tackling climate change is good for the environment and good for the future," said Governor Brown. "California has cut carbon pollution and grown its economy at the same time - and so can the rest of the world."

In addition to promoting fracking and appointing Big Oil friendly "regulators," Jerry Brown has

overseen a number of anti-environmental policies and projects that rip away the Governor's "green" façade.

Brown presided over record water exports out of the Sacramento San Joaquin River Delta and a record Sacramento splittail kill in 2011; has overseen the systematic draining and mismanagement of Central Valley reservoirs and Trinity Lake during a record drought; has helped bring winter-run Chinook salmon, Delta and longfin smelt, green sturgeon and other fish species to the precipice of extinction; has backed the clearcutting of forests in the Sierra Nevada and elsewhere; and backs neo-liberal carbon trading policies that imperil the environment and Indigenous Peoples in Mexico and across the globe.

For more information on the toxic environmental legacy of "Big Oil Brown," go to: <http://www.truth-out.org/speakout/item/30452-the-extinction-governor-rips-the-green-mask-off-his-tunnels-plan>

You can also read my online debate with Tom Hayden over whether Jerry Brown is a "climate hero" or "greenwashing villain" at: <http://sandiegofreepress.org/2014/06/tom-hayden-greenwashes-governor-browns-abysmal-environmental-record/14>

For more information on Big Oil lobbying money, go to: <http://redgreenandblue.org/2015/11/10/big-oil-lobbying-money-turns-california-the-wrong-kind-of-green/>

<https://www.indybay.org/newsitems/2015/12/02/18780595.php>

Mary Nichols' AB 32 improved performance

<https://www.youtube.com/watch?v=Zl-Nrep74qg>

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A CA random Smog Check "secret shopper" audit, GMO fuel waiver & elimination of dual fuel CAFÉ credit can improve AB 32 mobil fleet toxic ozone, CO2 and NOx performance

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State of California

Attorney General

DEPARTMENT OF JUSTICE

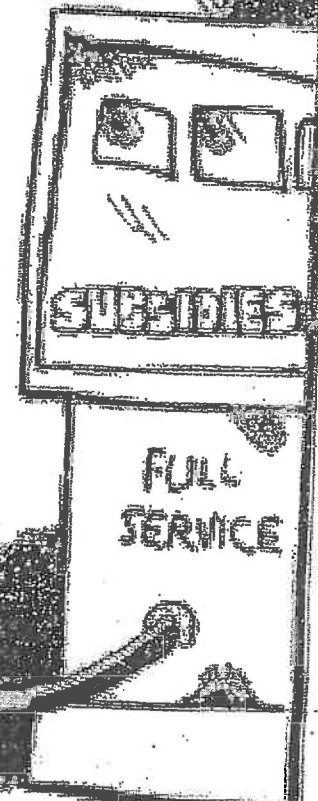
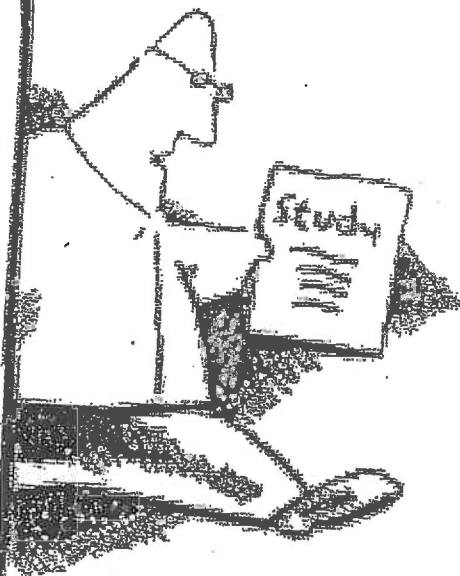
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WAIT!
IT TURNS OUT BIOFUELS
MAY BE WORSE FOR
GLOBAL WARMING!

TOO
LATE!



TIME

BY THE WASHINGTON POST

DON'T YOU CARE
ABOUT THE SCIENCE?

-GUESS

TRUMP LOVES

GMO CORN MANDATE

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Clean Air Performance Professionals

March 20, 2016

*Donald Trump-Arnold Schwarzenegger-Barack Obama
Love (BP-Shell-DuPont) GMO Gas Patent & Mandate?*

*“Biobutanol ventures” GMO Waiver
Data Study might prove interesting
to Kamala Harris, Joan Baez, Gina
McCarthy of the Environmental
Protection Agency (EPA), Mary
Nichols California Air Resources
Board (CARB), & My Hero’s
Senate President Gavin Newsom,
Willie Brown, Chairman John
Burton & Governor Gray Davis.*

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If Trump is elected, we'll have to build wall around Californi

KSBH Action 8 News / March 16, 2016

"If Trump were ever elected, we'd have to build a wall around California to defend ourselves from the rest of this country," Brown told labor organizers at a dinner in the state's capital, the Sacramento Bee reported. "By the way that is a joke. We don't like walls, we like bridges."

Donald Trump's most provocative quotes

Brown, 77, told members of the California Labor Federation and State Building and Construction Trades Council of California that California had benefited from immigration.

"Some of these old white guys ought to recognize that the whole pension system would

collapse if we didn't have a bunch of young people coming into this country and into this state," he said. "They're not all coming from here. They're coming from other places."

Lt. Governor of California Gavin Newsom challenged the Republican Presidential candidate to a debate about immigration in a Facebook video earlier this month, calling his immigration plan "a big loser."

"A wall won't secure our border or keep us safe," Newsom says in his video. As for Trump's idea of deporting 11 million men, women and children, Newsom cites a think tank that says the cost would amount to over \$400 billion.

<http://www.ksbw.com/news/gov-brown-if-trump-is-elected-well-have-to-build-wall-around-california/38546228#comments>

Trump Loves (BP-DuPont) Corn Mandate.

Lt. Governor of California Gavin Newsom challenged the Republican Presidential candidate to a debate.

Gavin Newsom Authored a bill to allow a (BP-DuPont) Ethanol waiver of San Francisco County vehicle Fuel, signed into Law by "DA Mayor" Willie Brown.

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DuPont opens world's largest cellulosic ethanol plant

Gulf Digital News / Kingdom of Bahrain / 05 November 2015

DuPont, a global chemical company, recently celebrated the opening of its cellulosic biofuel facility in the US state of Iowa, the largest in the world with the capacity to produce 30 million gallons per year of clean fuel.

The raw material used to produce the ethanol is corn stover – the stalks, leaves and cobs left in a field after harvest. The facility will demonstrate at commercial scale that non-food feedstocks from agriculture can be the renewable raw material to power the future energy demands of society. Cellulosic ethanol will further diversify the transportation fuel mix just as wind and solar are expanding the renewable options for power generation.

DuPont brings an unparalleled combination of science competencies and almost 90 years of agronomy expertise in Iowa to develop both a pioneering clean fuel and biomass supply chain. Vital to the supply chain and the entire operation of biorefinery are close to 500 local farmers, who will provide the annual 375,000 dry tonnes of stover needed to produce this cellulosic ethanol from within a 30-mile radius of

the facility.

In addition to providing a brand-new revenue stream for these growers, the plant will create 85 full-time jobs at the plant and more than 150 seasonal local jobs in Iowa.

"Iowa has a rich history of innovation in agriculture," said Iowa Governor Terry Branstad. "Today we celebrate the next chapter in that story, using agricultural residue as a feedstock for fuel, which brings both tremendous environmental benefits to society and economic benefits to the state. The opening of DuPont's biorefinery represents a great example of the innovation that is possible when rural communities, their government and private industry work together toward a common goal."

Biomass-based businesses can bring new sources of revenue and high-tech opportunities to rural economies around the world. As a global company with operations in more than 90 countries, DuPont is uniquely positioned to deploy its cellulosic technology for a global rollout, in transportation fuel and other industries, a

statement said.

"Today, we fulfill our promise to the global biofuels industry with the dedication of our Iowa facility," said William F Feehery, president of DuPont Industrial Biosciences.

"And perhaps more significantly, we fulfill our promise to society to bring scientific innovation to the market that positively impacts people's lives. Cellulosic biofuel is joining ranks with wind and solar as true alternatives to fossil fuels, reducing damaging environmental impacts and increasing our energy security."

The majority of the fuel produced at the Iowa facility will be bound for California to fulfill the state's Low Carbon Fuel Standard where the state has adopted a policy to reduce carbon intensity in transportation fuels.

The plant also will serve as a commercial-scale demonstration of the cellulosic technology where investors from all over the world can see firsthand how to replicate this model in their home regions. –

<http://www.gdnonline.com/Details/31666/DuPont-opens-world%E2%80%99s-largest-cellulosic-ethanol-plant>

\$1 per gallon FED corporate welfare for cellulosic GMO ethanol with a BP patent mandate partnership for butanol, Oh my!

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DuPont opens commercial-scale cellulosic ethanol plant in Iowa

By DuPont / Biomass Magazine / October 30, 2015

DuPont celebrated the opening of its cellulosic biofuel facility in Nevada, Iowa, with a ceremony including Iowa Gov. Terry Branstad and many other dignitaries. This biorefinery is the world's largest cellulosic ethanol plant, with the capacity to produce 30 million gallons per year of clean fuel that offers a 90 percent reduction in greenhouse gas emissions as compared to gasoline.

The raw material used to produce the ethanol is corn stover – the stalks, leaves and cobs left in a field after harvest. The facility will demonstrate at commercial scale that nonfood feedstocks from agriculture can be the renewable raw material to power the future energy demands of society. Cellulosic ethanol will further diversify the transportation fuel mix just as wind and solar are expanding the renewable options for power generation.

DuPont brings an unparalleled combination of science competencies and almost 90 years of agronomy expertise in Iowa to develop both a pioneering clean fuel and biomass supply chain. Vital to the supply chain and the entire operation of the Nevada biorefinery are close to 500 local farmers, who will provide the annual 375,000 dry tons of stover needed to produce this cellulosic ethanol from within a 30-mile radius of the facility. In addition to providing a brand-new revenue stream for these growers, the plant will create 85 full-time jobs at the plant and more than 150 seasonal local jobs in Iowa.

"Iowa has a rich history of innovation in agriculture," said Gov. Branstad. "Today we celebrate the next chapter in that story, using agricultural residue as a feedstock for fuel, which brings both tremendous environmental benefits to society and economic benefits to the state. The opening of DuPont's biorefinery represents a great example of the innovation that is possible when rural communities, their government and private industry work together toward a common goal."

Biomass-based businesses can bring new sources of revenue and high-tech opportunities to rural economies around the world. As a global company with operations in more than 90 countries, DuPont is uniquely positioned to deploy its cellulosic technology for a global rollout, in transportation fuel and other industries.

"Today, we fulfill our promise to the global biofuels industry with the dedication of our Iowa facility," said William F. Feehery, president of DuPont Industrial Biosciences. "And perhaps more significantly, we fulfill our promise to society to bring scientific innovation to the market that positively impacts people's lives. Cellulosic biofuel is joining ranks with wind and solar as true alternatives to fossil fuels, reducing damaging environmental impacts and increasing our energy security."

In Asia, DuPont recently announced its first licensing agreement with New Tianlong Industry to build China's largest cellulosic ethanol plant, and last

fall a Memorandum of Understanding (MOU) was announced between DuPont, Ethanol Europe and the government of Macedonia to develop a second-generation biorefinery project. The company also is working in partnership with Procter & Gamble to use cellulosic ethanol in North American Tide® laundry detergents.

The majority of the fuel produced at the Nevada, Iowa, facility will be bound for California to fulfill the state's Low Carbon Fuel Standard where the state has adopted a policy to reduce carbon intensity in transportation fuels. The plant also will serve as a commercial-scale demonstration of the cellulosic technology where investors from all over the world can see firsthand how to replicate this model in their home regions.

DuPont's achievement provides the technology that will transform the U.S. fuel supply enabling a transition to fulfill the original cellulosic ethanol volume targets as Congress intended when it passed the renewable fuel standard (RFS), a regulation established in 2005 to encourage growth and investment in sustainable fuel solutions. Earlier this month, DuPont and America's Renewable Future released new poll findings that suggested Iowa caucus-goers from both parties – 61 percent of Republicans and 76 percent of Democrats – would be more likely to vote for a presidential candidate who supports the Renewable Fuel Standard and renewable fuels

<http://biomassmagazine.com/articles/12521/dupont-opens-commercial-scale-cellulosic-ethanol-plant-in-iowa>

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The Farce About Ethanol...

by State Senator Tom McClintock, Free Republic, June 28, 2007

In response to my blog, "Ethanol Economics," Former Secretary of State Bill Jones (now Chairman of Pacific Ethanol), made five key points in his piece, "The Facts About Ethanol." Just for fun, let's run "The Facts About Ethanol" through the old fact-checker:

"Today, ethanol is about 65 cents per gallon cheaper than gasoline in the California market." That's only after taxpayers and consumers have kicked in a subsidy of \$1.50 per gallon - or \$7 billion a year paid into the pockets of ethanol producers to hide the staggering price of ethanol production. And even with the subsidy, the California Energy Commission estimates that the new CARB edict will INCREASE the price per gallon by between 4.2 and 6.5 cents - on top of the tax subsidies. Ouch.

"Allowing a 10 percent blend of ethanol into gasoline provides a 4 percent supply increase to the marketplace at a price far below current gasoline prices." Not only is the price far ABOVE current gasoline prices (see above) but Bill ignores the fact that ethanol produces less energy than gasoline - meaning you'll have to buy more gallons for the same mileage.

"CARB's recent vote reduces our reliance on oil from overseas..." Let's walk through the numbers again. One acre of corn produces 350 gallons of ethanol; the CARB edict will require 1.5 billion gallons

of ethanol, in turn requiring 4.3 million acres of corn for ethanol production. Yet California only has 11 million acres devoted to growing crops of any kind. And that, in turn, means an increasing reliance on foreign agricultural produce, shifting our energy dependence from King Abdullah to Hu Jintao.

"Further, it sends a signal to companies like ours to continue to invest in California production to help make this state energy independent." Yes, you can sell a lot more ethanol with a kind word and a gun than with a kind word alone. You got me there. But it also sends a signal to the market to raise prices on every product that relies upon corn for both food and grain feed - meaning skyrocketing prices for everything from corn meal to milk. Remember the tortilla riots in Mexico in January?

"Pacific Ethanol uses state-of-the-art production practices that reduce carbon dioxide emissions by up to 40 percent compared to conventional gasoline." Unless Pacific Ethanol has re-written the laws of chemistry, ethanol is produced by converting glucose into two parts ethanol and two parts carbon dioxide. The chemical equation is $C_6H_{12}O_6 = 2C_2H_5OH + 2CO_2$. (Memo to Bill: If you're not using this formula, you're not producing ethanol. And if you are, you're also producing lots of carbon dioxide. Better check.)

<http://www.freerepublic.com/focus/f-news/1858095/posts>

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