

Clean Air Performance Professionals

21860 Main Street Ste A
Hayward, California 94541

June 8, 2012

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

RE: PZEV emissions performance for the motorist

Good evening Director Valverde,

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

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

Will DMV consider a letter of support for the California Air Resources Board (CARB) efforts to improve compliance with the California Partial Zero-emission Vehicles (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

Attachment

Clean Air Performance Professionals (CAPP)


Charlie Peters
(510) 537-1796

cappcharlie@earthlink.net

CAPP / An award winning coalition of motorists

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

BAR Meeting with Charlie Peters / Doug Balatti

From: "Balatti, Douglas@DCA" <Douglas.Balatti@dca.ca.gov>
To: "cappcharlie@earthlink.net"
Cc: "Wallauch, John@DCA" <John.Wallauch@dca.ca.gov>, "Sherwood, Larry@DCA" <Larry.Sherwood@dca.ca.gov>, "Bilotta, Jon@DCA" <Jon.Bilotta@dca.ca.gov>, "Corcoran, Tim@DCA" <Tim.Corcoran@dca.ca.gov>, "Bilotta, Jon@DCA" <Jon.Bilotta@dca.ca.gov>
Subject: BAR Meeting with Charlie Peters / Doug Balatti
Date: Jun 8, 2012 11:39 AM

Hi Charlie,

Just wanted to provide you a list of people who will be attending our meeting:

- Brian Newman - Our new over Field Operations & Enforcement
- Larry Sherwood - Supervising AQE over Engineering & Research
- Jon Billota - Program Manager with our Doc Lab & our Interim Deputy Chief Field Operations (prior to Brian Newman's appointment)
- Tim Corcoran - Our new Program Manager over CAP (previously our Manager over Case Management)
- Gary Hunter - Retired Annuitant who answers to Chief Wallauch

John Wallauch is a possibility. There is a conflict on his calendar, so there are no guarantees on his attendance. He was supportive in setting up this meeting & was instrumental in selecting the attendees. We value your input & want to provide you with the opportunity to meet some of our key people so that you can express your thoughts & ideas.

Sincerely,

Doug Balatti

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

What is PZEV anyway?

By Aaron Turpen, Torque News, June 4, 2012- 03:01

It doesn't have anything to do with peace or electric vehicles. We'll dissect a Subaru Impreza Premium PZEV for answers to this conundrum of marketing, science, and politics. Mostly politics

It's likely you've seen the term "PZEV" on a vehicle recently. You might have even assumed it was some kind of hybrid or green vehicle. If you guessed the latter, you'd be close.

The "EV" in the term PZEV doesn't stand for "electric vehicle" as we've come to know the acronym. Instead, PZEV stands for Partial Zero Emissions Vehicle. It's a sort of mashup category of cars created almost entirely through politics.

Recently, the question came to the fore when I was test driving a 2012 Subaru Impreza Premium PZEV. The Impreza features a nice, shiny little symbol on the trunk with PZEV sprouting a leaf. When talking to people about this neat little car, they inevitably assumed that this symbol meant it was a hybrid-electric of some kind. After explaining what it really meant a few times (often to dumbfounded expressions), I realized that most people aren't really familiar with the term or what it's for. And many find it incredulous once they do find out about it. At least, people who live in Wyoming do. I didn't ask anyone in Jackson Hole (Wyoming for "California") about it, honestly.

What is a PZEV then?

A partial zero emissions vehicle has a PZEV engine or drive train that meets or exceeds

specific requirements set forth by the State of California. It's almost 100% politically-created since the criteria have as much to do with warranties and getting around other California mandates as they do with emissions requirements.

The Subaru pictured, for instance, is a compact car that gets 27mpg city and 36mpg highway and sports all wheel drive - which where I live is a pretty good package all together given the amount of highway and semi-offroad (dirt, gravel) driving we do out here. For all that, the Impreza PZEV puts out 90% less emissions than its equivalent counterpart, meaning it meets federal super ultra low emission vehicle (SULEV) standards.

(Not just super, but super ultra.)

That alone doesn't make it a PZEV, though. To meet that distinction, it must be a SULEV and have zero evaporative emissions from its fuel system and have a 15 year/150,000 mile warranty on its emission control components. Having all of those things makes a car PZEV special.

Who came up with this idea?

Why the California Air Resources Board (CARB), of course - our nation's top think tank of acronym-laden vehicle requirements (A-LVR) and politically correct environmental mumbo-jumbo (PCMJ). Why did CARB come up with PZEV? Why.. because another mandate they laid down, this one involving the term ZEV, was impossible for many automakers to meet. So PZEV became a compromise.

You see, not long ago, the out of touch with reality, but very environmentally conscious board members at CARB decided that all auto manufacturers should be required to produce a zero emissions vehicle (ZEV) or else lose their ability to sell cars in California. After much discussion, in which several professors of automotive design and never-had-a-real-job engineering espoused the wisdom of this approach, the board approved the idea. When auto makers got wind of this, they complained.

The complaints got even louder when TZEV (transitional zero emissions vehicles, formerly AT-PZEV or Enhanced PZEV) vehicles were not included in this, but were given a special category all their own that would allow them to be transitional towards the ZEV requirement. After a lot of explanation, mostly using single-syllable words, to the CARB people, automakers were able to convince them that you can't just take any car and throw batteries in it and have it work right.

Of course, just creating exemptions wasn't easy or simple enough, so CARB had to come up with a complicated scheme. They'd just returned from an important conference in which Al Gore explained carbon credits and thought the plan a great one, so they adopted something just as convoluted for ZEVs. So an automaker that can amass enough ZEV credits to match a percentage of the sales they have in California can keep selling cars in California and if they happen to amass extras, they can sell those to other automakers that otherwise might not have made their ZEV credit requirements for the year.

In this way, the CARB members could continue to claim that they are helping the environment and somehow creating green

jobs and manufacturers can continue selling the SUVs and crossovers that consumers really want just by getting those not rich enough to buy a Tesla or a Leaf to buy cheaper PZEV cars instead. In the end, it all worked out for everyone and only required the slaughter of an additional 100,000 or so trees to keep the paperwork flowing, resulting in the addition of a handful of green jobs because someone had to be hired to do all that wood chopping and paperwork filing.

Meanwhile, perfectly good cars like our little example Subaru Impreza Premium PZEV are sold with tax breaks in some states (of confusion) like California and consumers still get a perfectly good compact car capable of going to the lake on the weekend. It might not be as fuel efficient as it could have been were all those extra emissions compliance things not added in, but that's the price we pay to add new green jobs to the economy and ensure that the hundreds of millions spent by California taxpayers to keep CARB functioning aren't wasted on things like fixing the state's budget problems or improving schools.

Where the incredulous looks come in.. After explaining this to people, I usually get looks of disbelief. In a place where there is no state or county level income tax (and thus, gasp, no "rebates" for politicians to dangle) and where "mandates" are associated with alternative lifestyles; and where (despite the lack of regulation) we can still, somehow, see a lot more stars at night than most anyone else.. it's hard for people who live like that to understand the machinations of modern, sophisticated places like California where the regulatory rule of God is handed down in minutest detail to control life's every moment. You know, we being so backward and all.

<http://www.torquenews.com/1080/what-pzev-anyway>

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

Saturday, November 26, 2011
Dr. Mark Carlock
VRRRM
1102 Q Street, Suite 3500
Sacramento CA 95811

RE: Referee Oversight

Goodafternoon Dr. Carlock.

Congratulations on the VRRRM Team Director position.

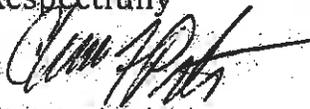
On Thursday November 10, 2011 Ms. Kirstin Triepke, Deputy Chief BAR's Bureau of Automotive Repair (BAR), honored me with a three hour phone conference meeting to review my concerns shared with the BAR's Smog Check program Field Operations and Enforcement Division in the one and one half hour June 30, 2011 meeting.

During the meeting the oversight of the Referee was addressed and my understanding was that she had no jurisdiction. My impression is the Referee is a BAR contractor, so can you share if the referee has a oversight process and what it covers.

Thank you for your help. And again Congratulations on the job.

(CAPP / an award winning coalition of motorists)

Respectfully



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

cc: interested folks

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



OFFICE OF THE GOVERNOR

August 1, 2011

Mr. Charlie Peters
Clean Air Performance Professionals
21860 Main Street, # A
Hayward, California 94541

Dear Mr. Peters,

Thank you for writing to Governor Jerry Brown on this issue.

To process your request we will need additional information. Please provide us with a brief description of the request that you would like the office of the Governor to assist you with.

Again, thank you for taking the time to contact the office of Governor Jerry Brown.

Sincerely,

Constituent Affairs
Office of Governor Jerry Brown

Clean Air Performance Professionals

(CAPP)
21860 Main Street Ste.
Hayward, California 94544
Tuesday, May 31, 2011

Hayward City Hall
Mayor Michael Sweeney, & Council members
4th floor,
777 B Street,
Hayward 94541
510-583-4400 (City Clerk)
Fax 510-583-3636

RE: PZEV emissions performance for motorist

Good evening Mayor and Council members,

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

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

Will Hayward City Council consider a resolution in support of the California Air Resources Board (CARB) efforts to improve compliance with the California Partial Zero-emission Vehicles (PZEV) standards.

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

Attachment

Cc: interested parties.

Clean Air Performance Professionals


Charlie Peters
(510) 517-1796

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

Clean Air Performance Professionals

21860 Main Street Ste A
Hayward, California 94541

Department of Consumer Affairs (DCA)
Brian Stiger, DCA "Acting" Director
(916) 574-8200 / fax: (916) 574-8613

Sunday, March 13, 2011

I'm still confused as to why CA/DCA/BAR Chief Ms. Mell does not seem to care if any Smog Check faults get fixed.

Looking for a prediction of when she might become interested. My clock says the time is ripe.

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

PS: Sixteen years and still waiting. Is it time now?
other interested parties

"We support the implementation of a credible quality assurance program to protect the integrity of the I/M program. It is our understanding that the BAR has participated in a pilot pro-active quality assurance enforcement program called "Partners in Clean Air". This new program is designed to set quality standards for the automotive technicians and the repair industry. Central to the success of this program is the recognition that each smog technician must be empowered and motivated to do reliable vehicle testing and repair. Based on the results of this pilot program which was presented to the I/M Review Committee in March 1995, the BAR may consider the need for your proposed study." *

* C.A.R.B, Chairman, John D. Dunlap III, December 28, 1995

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

Clean Air Performance Professionals

21860 Main Street STE A
Hayward, CA 94541

----- Original Message -----

From: Jim Conran

To: Brian Stiger@dca.ca.gov

Cc: Sherry Mehl

Sent: Friday, June 04, 2010 9:30 AM

Subject: Charlie Peters

Brian: Charlie Peters would like to meet with you. He has been active with BAR activities for a long time as well as the legislature. Since your appointment confirmation should be coming up in the next couple of months it might be advisable you see him so he doesn't show up at the hearing complaining that you won't meet with him. I am sure Sherry can fill you in on his background and issues or you can call me. His number is 510.537.1796. Thanks!

Jim Conran
Consumers First, Inc.
33 Southwood Drive
Orinda, California 94563

925.253.1937 - direct line

925.253.1359 - fax

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

San Diego Daily Transcript

The bitter debate over smog-check cheating

By Thomas Elias,

Friday, April 18, 2003

Almost no one questions that cheating is rampant in California's Smog Check programs, both in rural areas where tests are easier to pass and in so-called "enhanced" areas where the tough Smog Check II plan reigns. But there's plenty of dispute over how to straighten out this always contentious program.

Even though no one knows just how often cheating occurs, the state Bureau of Automotive Repair reports it conducted undercover checks last year at more than 1,500 of the 8,000 testing stations around the state. Almost all those visits came after the bureau already knew cheating had occurred on site, with most such clues gleaned from discrepancies showing up on its computers.

The industry group Clean Air Performance Professionals estimates at least some cheating goes on every year in "at least 80 percent" of Smog Check shops, says the group's president, Charlie Peters.

But the Bureau of Automotive Repair has limited funds and can't do much random testing, so large numbers of stations probably get away with routine criminal chicanery. This can take many forms: Some stations may have a car standing by that's already passed the

test, ready to substitute for your smoky vehicle, for a price. That's called "clean-piping." Others may ignore a missing part or faulty timing, either out of friendship or for pay.

Even certified Gold Shield repair stations, where the state spends some \$20 million per year helping to fix polluting cars, can cheat. Sometimes they put more parts in than are needed to clean up a car's emissions. Other times they may charge a customer hundreds of dollars, but not really repair anything, knowing a confederate in the testing station will clean-pipe the car later. That's an effort to cheat both the customer and the Smog Check system.

The Bureau of Automotive Repair fights all this with computers that instantly note when two tests at the same station produce identical results, as often happens with clean-piping. The same computers sound an alarm when tests produce results that are impossible for a particular make or model. They report when tests take too short a time, implying that mechanics have failed to make the required visual or functional inspections.

And the BAR sends in undercover cars when it gets repair receipts from Gold Shield stations showing replacement of parts not justified by a car's test results.

But that doesn't nab nearly all cheats, and the bureau lacks the money to randomly test all stations every year.

Instead, it relies on the threat of lifting station owners' licenses, thus rendering worthless investments of \$250,000 or more in dynamometers and other equipment.

"We like to have probable cause before we move in," says Rich Mundy, the BAR's deputy chief for field operations and enforcement. "It's much more efficient than when we did 9,000 random checks a year (during the early 1980s)."

But cheating can be done by employees, even right under the nose of a well-meaning shop owner. Owners are then held responsible, and can lose their licenses if they can't show they've taken some kind of action to prevent mechanics from cheating. "We suggest they might use their own cars to check the honesty of their mechanics or make sure that at least two people are involved in some way on every check," said Mundy.

"That's unfair," says Peters. "There have been shops where employees were caught clean-piping and the owner had no way to know about it, but they were put out of business, even though they did take precautions."

Peters favors a return to the system in effect before 1991, when the BAR randomly checked testing stations and gave two or three warnings and fines before lifting a license. He also believes the BAR should use cars that it knows

will test as gross polluters to check on the honesty of licensed repair shops.

"They need to use real cars with real problems and determine just what those problems are before the car goes to the shop," Peters said. "Then they could act if someone deliberately cheated on the repairs. As it is, they act only on complaints, and most car owners have no idea what's needed to put their car in compliance, so they don't complain."

He contends that during the years 1985-'91, when a warning-and-fine system was in effect, cheating stations dropped to no more than 20 percent from about 80 percent found dishonest on previous random checks.

"If we can change behavior from consistent fraud to consistent reliability, that's a good thing, and it's not happening today," he said.

Replies Mundy, "We don't take licenses away from guys who just slip. But if they cheat with design, that's fraud and that's a crime. And I would strongly dispute that 80 percent of all shops do some cheating, or that they did it before 1985."

These two sides will plainly not soon arrive at agreement. But they ought to find a compromise. For today's system may indeed be overly tough on shop owners who want to be honest, but are confounded by corrupt employees.

What's needed is a plan that motivates honesty, for that's the only way to assure both fairness in smog testing and the clean air that's the aim of the whole program.

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

Money available to clean air and improve smog program

Charlie Peters, The Daily Review / MY WORD, August 14, 2002

The smog check issue has been under continuous legislative debate since 1993. AB 2637 by Dennis Cardoza is an opportunity to improve program performance and public support.

We at the Clean Air Performance Professionals propose "reasonably available control measures" to improve California Smog Check performance. Consider a Consumer Assistance Program (CAP) quality audit (secret shopper) to improve smog check performance.

We propose using the CAP cars and funds to provide random quality audit of smog check providers. Audits that result in the car's not being in compliance should be handled similarly to the former Consumer Repair and Education Workforce program. The Bureau of Automotive Repair program did not fine the licensees nor did it involve coercion. But when the question of "what would you like to do?" was asked, the shop took care of business and usually elected to fix the car.

The average smog check failure repair is about \$ 150.00 statewide. The

motorist pays about the same at the average repair station and the CAP station. The average CAP repair is about \$350.00. Many cars are not brought into compliance.

To level the smog check failure repair playing field so more cars meet standards after repair, the whole smog check market should be subject to a CAP (secret shopper) random audit.

Around 1985, BAR started a "missing part" audit. In 1991 that program was stopped,

The difference was a 300 percent change in result in finding the missing part.

When BAR ran fewer than one audit per station per year, the result was a change in behavior that started at more than an 80 percent rate, but moved to less than 20 percent rate of noncompliance.

The difference was a 300 percent change in result in finding the missing part. If the CAP audit was addressing the issue of repair compliance rather than just finding a missing part, the results may be the same or a 300

percent improvement in compliance.

With the missing part program, a follow-up audit with increasing demands lift the stations no options but to find the missing part or be removed from the game.

There are huge inconsistencies from smog check station to station and with BAR representatives. For BAR to decide a car is not in compliance, rules of smog check must be clarified. Money is available for the CAP program. It can be used for contracted scrap and repairs, or some of the funds can be used to evaluate and support improved Performance of licensed small business. The cars and funds are the same, but the results may be credit for 2,000 tons per day in pollution prevention credit in the State Implementation Plan, rather than our current credit of fewer than 100 tons per day.

The governor and state Legislature would get the credit for improved performance. Performance improvements would be accomplished at a cost of less than \$500.00 per ton. And program illusions would be reduced in 1 year.

Charlie Peters is president of Clean Air Performance Professionals. 510.537.1796

http://laist.com/2006/11/04/id_rather_get_bills.php

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Clean Air Performance Professionals

21860 Main Street Ste A
Hayward, California 94541

California
DMV
Director

George Valverde

Office of the Director
Department of Motor Vehicles
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(916) 657-6941 / 7393 fax

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

Clean Air Performance Professionals

21860 Main Street Ste A
Hayward, California 94541

Monday, May 14, 2012

Dr. Willie Armstrong
Dep. Secretary of the
State and Consumer Services Agency
915 Capitol Mall, Suite 200
Sacramento, California 95814
(916) 653-4090 / 653-3815 fax

RE: 1.43 million Apportioned Plated Vehicles within California

Dear Dr.,

Can you honor me by arranging a meeting with DCA Director Denise Brown.

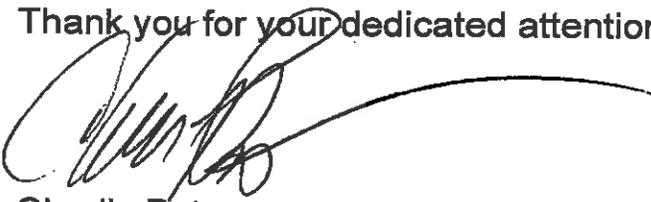
A Memorandum to Harold Mace dated August 28, 2003 evaluated issues that to me provided opportunities to improve quality of California Air and business profit performance.

Has any progress on this important issue become available for public review?

Small green business jobs and government regulator value has been expanding public interest over this past decade.

Is it time for expanded conversation?

Thank you for your dedicated attention to the details of an improved California.



Charlie Peters
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(510) 537-1796
cappcharlie@earthlink.net
cc: interested parties

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

THE WHITE HOUSE
WASHINGTON

March 11, 2011

Mr. Charlie Peters
Apartment A
21860 Main Street
Hayward, California 94541

Dear Charlie:

Thank you for sending me materials to review. I appreciate hearing from you.

I am encouraged by the outpouring of messages and suggestions from Americans across the country. Some comments are supportive, others are critical, but all reflect the desire of Americans to participate in a dialogue about our common concerns and challenges. To learn more about my Administration's agenda, please visit: www.WhiteHouse.gov.

Thank you again for contacting me and for your continued participation.

Sincerely,



MEMORANDUM

TO: Harold Maca, Manager
Field Inspection / Testing Section

FROM: Tony Dickerson, Air Resources Engineer
Field Inspection / Testing Section

DATE: August 28, 2003

SUBJECT: A FIELD REPORT REGARDING -
APPORTIONED PLATED VEHICLES WITHIN CALIFORNIA

In February 2003, during the course of our regular commercial fleet inspections Field Inspection Staff inspected various U-Haul, Ryder, and Penske rental facilities in the Los Angeles area. These inspections provided information detailing make, model, year, mileage, certification information, OBD information, and license plate number.

Of particular note was the license plate of these rental vehicles. Nearly every vehicle inspected was registered in another state, other than CA. Over 200 vehicles were inspected. The pattern seen was that U-Haul vehicles are registered to AZ, Ryder vehicles are registered to IN, and Penske are registered in OK. At the time of inspection, staff was not concerned with registry because it was thought that these vehicles would move on after a period of time

In August staff returned to inspect a local U-Haul rental site. Again, all vehicles on the lot were licensed in AZ. In fact, some of the same vehicles from the previous inspection were found on the same lot. Some of the rental vehicles registered in AZ had the phone number of the local U-Haul rental lot painted on them (Picture 1 and Picture 2). This seemed strange on a vehicle supposedly "just passing through."

Field Staff inquired with the rental site manager as to where these vehicles received maintenance. The manager reported that light maintenance was performed "on-site," and major repairs are performed at regional centralized station, in this case City of Industry. When asked if these vehicles ever receive a Smog Check the manager stated "NO."

A phone call was made to California DMV to inquire about registration details of these apportioned plated vehicles. Ms. Debbie Tarrant, Manager of the International Registration Plan (IRP) Section outlined the usage and requirements of these vehicles.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Website: <http://www.arb.ca.gov>

California Environmental Protection Agency

According to DMV these vehicles are authorized to operate within CA on the condition that they make one trip outside the state per year. This out of state trip would keep them compliant with IRP rules. Ms. Tarrant stated there are 1.43 million apportioned plated vehicles operating within CA.

Field Staff's curiosity next led to contacting the Arizona Department of Environmental Quality. Chris, from the Technical Support for Government and Law Enforcement, researched the question, "Do any of these vehicles receive a Smog Check?" Her reply was "NO." She stated that though registered vehicles operating within certain Arizona communities are required to receive a Smog Check, it was too confusing to bring the U-Haul vehicles into the program. It was decided that Arizona would exempt these vehicles from their Smog Check requirements.

During the April 2003 ARB Board Meeting FITS staff heard comments from Mr. Charlie Peters regarding the fact that U-Haul vehicles operated within CA outside of the Smog Check. Upon follow-up to the inspections conducted in 2003 Mr. Peters stands correct. Yet it appears, this trend extends to more vehicles than U-Haul.

John, the Marketing Manager from U-Haul's Phoenix office was contacted and he stated their nation-wide fleet base of vehicles to be approximately 64,000 gasoline powered engines and an additional 28,000 diesel powered engines.

U-Haul vehicles inspected by staff ranged from a 1978 Ford F-350 with 37,153 miles to a 2002 Chevy Sonoma with 2,447 miles. The GVWRs of all the inspected vehicles ranged from 4,200 to 18,200 pounds. Of note was a 1990 Toyota 1-Ton Pickup (6,600 GVWR) with 205,257 miles. Though these vehicles do not violate any current Health and Safety Code, because they have in excess of 7,500 miles or are certified to California emission standards, they do not receive any Smog Check inspection.

It appears none of the 1.43 million apportioned plated gasoline or diesel powered commercial vehicles ever receive an annual or biennial Smog Check from any state, including California.

Paper trail

Chemical industry documents reveal deceptions

By Raheem F. Hosseini, News & Review, April 12, 2001

In the wake of recent well-publicized exposés of the chemical industry's reckless endangerment of workers and the public, cover-ups and other dastardly deeds, the Environmental Working Group (EWG) has posted online 50 years and 25,000 pages worth of insider industry documents.

Pried open by lawsuits and regulatory actions, the vast collection of memos, policy papers and directives formed the basis for Bill Moyers' recent PBS documentary *Trade Secrets*, and reports in the *New York Times* and other major newspapers.

The documents reveal, in their own words, how chemical executives knowingly exposed workers and the public to cancer-causing chemicals, polluted whole communities and devoted vast resources to covering up the truth. The searchable archive of documents is available at www.ewg.org.

Journalists and concerned citizens can examine the

Chemical Industry Archive to see for themselves how the tragedies of Bhopal and Love Canal were treated as public relations problems, how companies hid the truth about cancer and other diseases from their own workers, and how the industry manipulates science and public opinion to protect its profits.

The database is easily searchable by keyword, so typing in the word "Sacramento" offers a peek into the chemical industry's efforts to shape public perception and influence legislation in California as far back as 1966.

That was the year the industry executives formed the Chemical Industry Council (CIC) in Northern California. The 35-year-old report states "the need for CIC was based on the need for improvement in the public image," and that the "CIC appears to be a fine tool" to recruit college graduates into the industry "by exerting stimulating influence on youngsters in high school."

Besides softening the harsh image of the chemical industry, CIC was used, and still is, to employ industry advocacy resources in Sacramento. In 1986, as much as \$6.75 million was spent and as many as 50 contract lobbyists and employees were hired by oil and chemical companies to sway politicians into reducing industry regulations.

Two organizations, the Pacific Legal Foundation (PLF) and the California Council for Environmental and Economic Balance (CCEEB), shown by documents to be founded decades ago to push the chemical industry's agenda, are still active today.

As organizations such as Ralph Nader's Public Citizen Litigation Groups, the Natural Resources Defense Council and the Sierra Club were improving the public's right to know about chemical exposures, "the Pacific Legal Foundation was established in 1973, in Sacramento, California, to counteract the activities of the above groups by supporting the

free market system and traditional concepts of personal property and competition," read a Manufacturing Chemists Association memo.

Harold Johnson, an attorney for the PLF, denied claims that their organization is in the pocket of the chemical industry, saying they represent small landowners and individuals "who think they are aggrieved by government, by an arbitrary or unconstitutional government."

Another industry document discusses the formation and funding of CCEEB to combat proposed legislation and ballot measures designed to stiffen toxics regulations and penalties. In this regard, it used its own experts to compile a softer list of hazardous materials to present to lawmakers, provided a critique of California regulations, and conducted a public opinion poll to improve industry messages.

A CCEEB representative who would identify herself to the SN&R only as Cindy said, "We are not a front group for the chemical industry," noting that its board includes representatives from businesses, labor and the general public. She said her group is well-thought-of by the

NRDC and Sierra Club, although sources within these environmental group say the CCEEB is little more than the voice of industry.

The documents that brought all this to light eventually found their way to the public mostly via lawsuits against chemical companies and tire manufacturers for worker deaths and illnesses from exposure to vinyl chloride. Vinyl chloride, one of the building blocks of plastic, causes liver and brain cancer. After dozens of worker deaths, and over the chemical industry's objections that it would go out of business, the U.S. government finally established a strict standard for vinyl chloride exposure in 1976.

In a letter to the California Air Resources Board (ARB) in 1989, the Vinyl Institute challenged the ARB's findings on the dangers of vinyl chloride, even suggesting that some other variable is responsible for vinyl chloride's toxicity. Calling the ARB's results "a dramatic overestimate of likely human risk," the letter goes on to cite other studies in an effort to suggest that humans may be able to endure higher levels of vinyl chloride than the ARB

initially decided.

While documenting efforts to influence public policy debate in Sacramento, the archive collection outlines even more serious deceptions and manipulations on the national level.

The denial, cover-up, and disregard for workers and public health revealed in documents from the 1960s and 1970s continue today. Last year, 3M abruptly discontinued Scotchguard, a \$200 million-a-year product. Why would a company suddenly drop one of its most profitable items? The archive reveals that 3M knew since the 1970s that Scotchguard, believed to cause reproductive harm, was contaminating the bloodstreams not only of its workers, but the public and wildlife worldwide.

"These documents could do for the chemical industry's public image what the tobacco papers did to the cigarette companies," said EWG president Ken Cook. "Anyone who reads the documents can tell that chemical companies knew 25 years ago their products were unsafe and that workers were in danger. It's time for Congress to step in and investigate what the industry knows today but isn't telling us."

AScribe News Service contributed to this report.

<http://www.newsreview.com/sacramento/paper-trail/content?oid=5366>

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Clean Air Performance Professionals

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Smog shops have vested interest in clean air

Charlie Peters, San Bernardino Sun, March 1996

After reading the three part series "Consumer Nightmare?" by Steven Church (March 17 - 19). I find it amazing that more Californians are not aware of what is really happening with the state's Smog Check program.

For the past five years a poor economy has plagued California. The money starved California government and regulatory agencies have found their pot of gold at the end of the rainbow via the Smog Check program.

Financial relief for the poor economy will be generated by contracts such as the smog testing contract signed with the Parsons Co. (via Engineering Science) and Envirotest.

The Environmental Protection Agency's demands for clean air (through the 1990 Clean Air Act amendments) will generate the largest tax increase in history. Behind the effort is Dr. Don Stedman, patent holder of the remote sensing technology to detect "gross polluters," the state's worst

polluting vehicles. Stedman works out of the University of Denver.

A long list of international government and big business interests, led by the federal EPA, have provided funding for Stedman's work.

Pollution credit trading is at the core of this money tree.

Numerous buy back programs project that 50,000 cars a day will be scrapped to meet the state's clean-air standards, generating approximately \$1,000.00 a car. This moves money from small business and the public to government and big business.

Parsons (Engineering Science) is also the referee for Smog Check II, the latest rendition of Smog Check, and Envirotest is the quality auditing service that takes all the information from the smog testing equipment in California. These two international companies are providing government and big business the opportunity for increased revenue.

At the heart of these efforts are monopoly contracts to inspect vehicles on the road and in "state" test stations. Remote sensing studies by California and Arizona are reported to "false fail" more than 50 percent of identified cars. State test stations in Colorado are reported by some to have false-failures in excess of 50 percent.

So the question is: Are clean-air mandates about clean air – or money?

If the goal of scrapping 50,000 vehicles per day is met, the incentives to provide privatized rapid transit may be next. An additional party to this tax increase strategy, some say, will be privatizing roads and charging for parking. This will help with incentives to make privatized rapid transit economically feasible.

Is the American love affair with the automobile at risk because of funding demands of government and big business's desire for profits (and thus its partnership with government)?

These policies are being questioned by an expanding group, including academics from state universities and many groups across the country.

Money and power generated from

command and control policies that have possibilities of changing the face of America are a raging debate in many quarters. One voice is demanding that responsible government "manage what it mandates."

Promotion of responsible government to promote competitive market inspection and quality maintenance is getting consideration as an option to the money trading strategy. The Clean Air Performance Professionals has requested a pilot study to change management techniques to improve mechanics' Smog Check performance. CAPP maintains that the study will demonstrate a reduction in mobile emissions in excess of 1 million tons per year. Such a result promotes continuation of America's love affair with the automobile.

The strategy of the proposed pilot study is that government and the private sector can work together toward common goals to provide the public with services that are superior to those provided by government monopoly efforts.

America is making big decisions that affect the very air we breathe. But only private citizens can decide the final direction and results by lobbying for improved performance.

Peters of Loma Linda is President of Clean Air Performance Professionals. Point of view is an occasional column of commentary by local citizens. Send material to point of view, The Sun, 399 N. D St., San Bernardino, Calif. 92401. Or fax it to (909) 885-8741.

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URGENT NOTICE

H.R. 3030: The "Centralized Program" Rumor

The Bureau of Automotive Repair (BAR) has become aware of a rumor that H.R. 3030 (the House version of the Federal Clean Air Act) contains a provision requiring a centralized inspection and maintenance program. (A centralized program is one where the state or private contractor conducts inspections for the Smog Check program.)

This is not correct.

We have contacted both the California Air Resources Board and the Federal Environmental Protection Administration (EPA). Well informed officials from both agencies have assured us that the language does not require a centralized program.

The exact phrase in question says that the Federal Government will require a centralized program "unless the State demonstrates...that a decentralized program will be equally effective."

Since 1984 the BAR has operated its decentralized, biennial program which has met Federal requirements. Other states have annual or centralized programs which are less rigorous than California's. Our "cut points" for failing vehicles are much more stringent than elsewhere and in other respects we are a leader in enforcement and emissions technology.

The language must still be adopted by a Congressional conference committee and signed by the President. The Senate version of the Clean Air Act does not require centralized programs. We can reasonably expect that the House language will be moderated by the Senate in the conference committee.

California will be able to demonstrate that its 1990 decentralized program would comfortably meet or exceed the requirements of the new Federal law. According to Bureau Chief John Warrus, "The EPA has looked to California as a leader in Inspection and Maintenance programs. The House version is designed to bring other states up to our level. It is inconceivable that the EPA would reject what they in fact regard as an exemplary program."

Betty

(5/25/90)

Important

*make sure this is stored
somewhere where we can get at
it. may need a remedy*