

# Oil Industry Stages Another Sham Anti-Ethanol Press Conference

## By Marc J. Rauch, *THE AUTO CHANNEL*, January 29, 2013

AUTO CENTRAL - January 29, 2013: This morning, the American Petroleum Institute held their latest telephone press conference in their continuous attempt to undermine any alternative fuel solutions and keep us addicted to gasoline.

The information released by the API today during the press conference added nothing new or significant in their fallacious assault on ethanol... except one thing. The two presenters took on the surprisingly conciliatory pretense of "having nothing against ethanol." They went so far as to say that there are fine "blending qualities" about ethanol.

They just don't want it living in their neighborhood, so to speak.

API did what they have done for decades: they made up lies and insinuations, and they mischaracterized ethanol. To listen to them, anyone would think that vehicles that run on gasoline never experience any engine breakdowns or system failures, and that fuel pumps, fuel lines, pistons and cylinder walls only ever show signs of wear if alcohol somehow gets into the fuel system. They warned about consumers experiencing roadside breakdowns and costly repairs because of E15 use. What? Are they suggesting that the millions of vehicles that have broken down over the past 100-years only broke down because they used fuel other than gasoline?

To use the old phrase made contemporary again by Joe Biden: The API is full of malarkey.

The API guys stated, yet again, that the EPA prematurely approved the use of E15 in vehicles manufactured since 2001. API says that there hasn't been sufficient study. They conveniently ignore the fact that alcohol/ethanol has been used in vehicle engines since the mid-1850's; that virtually every independent study of gasoline vs. ethanol shows ethanol is the superior engine fuel; and that even the automobile industry's top scientists (including the General Motors guys who invented leaded gasoline) believed that ethanol is the better fuel. They also ignore the fact that there are other countries on this planet that have relied on ethanol and various ethanol-gasoline blends for years, with no problems other than those that are customarily experienced by internal combustion engines.

In addition, they gloss over the fact that the government's testing laboratories didn't just take up the study of ethanol as an engine fuel in the past couple of years; they have

studied ethanol and different blend levels for many, many years. Moreover, Ricardo Laboratories – the world's leading and most respected private lab dealing with fuel issues – did its own study that shows that E15 can be used in all vehicles going back to the early 1990's.

They have also mischaracterized, again, the EPA's E15 waiver; making it sound like it wasn't just a recommendation, but that it is a mandated imperial order. They referred to a recent AAA warning about E15 causing engine damage as if AAA conducted their own conclusive testing of the fuel. But AAA didn't, they relied on the lies given to them by the oil lobby and then invented some of their own gross exaggerations to make the warning seem more urgent. It's just more malarkey; hot stinky grotesque batches of malarkey.

But perhaps the single stupidest misstatement that the two presenters made today is when they characterized ethanol as being dangerously corrosive. Let me remind everyone that ethanol is alcohol. Alcohol can be consumed; it can be rubbed on your body; it is used to clean and disinfect sensitive medical instruments that are used on internal organs of the human body; and you can leave an open container of alcohol in a closed room without killing any people who may be in the room. Try doing these things with gasoline. And, if you only use gasoline and you experience water related problems such as freezing, you add alcohol to the gasoline to solve the problem. In my estimation, if there is something that's bad in ethanol, it's the gasoline that's added to the alcohol to denaturize it.

The petroleum oil industry is controlled by foreign regimes and terrorist groups who want to keep us addicted to gasoline. Regardless of where and how the oil is found, it is controlled by OPEC. There are no "American" petroleum oil companies; they are international companies who may have offices here. They hire uninformed PR whores to spread their lies and they bribe politicians to keep us using their poison.

Even if ethanol caused some or all of the engine problems that the oil industry pretend that it does, the solution is not to not use ethanol. The solution is to ban the use of gasoline as an engine fuel and to mandate that all engine components be manufactured with regard to alcohol use. And of course, the ethanol should be produced in America by Americans. Simply put, I'd much rather have my fuel money go to American farmers than foreign terrorists.

<http://www.theautochannel.com/news/2013/01/29/064282-oil-industry-stages-another-sham-anti-ethanol-press-conference.html>

*CAPP contact: Charlie Peters*

New state STAR program has drivers confused on smog tests

## New guidelines set for mechanic shops

*By Cristin Severance, ABC 10 NEWS, January 29, 2013*

SAN DIEGO - A new state program for smog emissions testers has phones ringing off the hook at area mechanic shops. Drivers said they have no idea what the program is, or how it affects their car tests.

The STAR program is a new way the Bureau of Automotive Repair designates smog check stations.

The shops now have to pass a stricter guidelines to get the new STAR certification, in order to do the smog tests on cars .

A BAR spokesperson told Team 10 the STAR certification is a way to tell consumers shops are doing proper inspections.

Renewal forms from the Department of Motor Vehicles used to tell drivers to go to "gold shield" stations. The new rules direct drivers to STAR stations.

Drivers told Team 10 the state could have done a better job explaining the new STAR certification program, which went into affect

on January 1.

Greg Kelly said people keep calling his shop, Greg's Automotive, asking about the STAR program. "What the heck is a STAR station?" Kelly said people ask him.

"They are in a loss, they are in a panic and it's usually the day of the registration renewal being due," Kelly said.

Kelly's shop STAR certified. He said he likes the stricter rules.

"This new standard is to get consistency in the test, so they have consistency in the data." Kelly said. "They can tell from the data when somebody is not doing the job right."

The BAR spokesperson told Team 10 the agency worked with the DMV to inform drivers about the switch, and offered to do workshops with community organizations to explain the STAR program. Team 10 found out, no group in San Diego took the state agency up on the offer, so the renewal notice change confused drivers.

<http://www.10news.com/news/investigations/new-state-star-program-has-drivers-confused-on-smog-tests>

*I'm confused, does Nissan PZEV 15 year 150,000 mile Smog Check obligation to California motorist matter? California Air Resources Board (CARB) and Bureau of Automotive Repair (BAR) says yes but Nissan opinion of the rules is interesting. California Governor Brown just might partner with George Valverde, Director of the Department of Motor Vehicles (DMV), Mary Nichols (CARB) & John Wallaich (BAR) to Support Smog Check compliance agreement with Nissan. Attorney General Kamala D. Harris likes environmental issues and might help improve Nissan compliance with California rules.*

CAPP contact: Charlie Peters

# The real truths about ethanol

*By Jeff Lutt (Poet-CEO), Argus Leader, January 27, 2013*

The biofuels industry is beleaguered by misinformation and smear tactics, and the most recent "pro/con" series in a recent Sunday Argus Leader was a sad continuation of that. Two competing articles both ripping grain-based ethanol hardly constitute fair or balanced coverage.

Ethanol is the most successful renewable fuel in history, dropping our oil imports, providing good jobs in South Dakota and other rural states, boosting farm income, cleaning our environment and helping engines become more efficient. But the truth is spun and respun every year, led primarily by the oil industry and all it can buy: ad campaigns, P.R. firms, lobbying power and sponsored "studies" creating the impression that ethanol is a subsidized, low-quality fuel that's taking food off the table.

That impression couldn't be further from the truth, and I'd like to set the record straight on some claims that continuously come up around ethanol.

1. Ethanol is an over-subsidized industry.

False. Sunday's headline, "Should Congress end ethanol subsidies?" is an example of baseless allegations thrown at the biofuels industry. It's plain wrong.

Corn ethanol does not get federal subsidies and hasn't for more than a year. The ethanol tax credit expired at the end of 2011, as did the tariff. A more fitting pro/con debate would be "Should Congress end oil subsidies?" Because the billions of dollars in oil subsidies

and tax credits, which have been written into our federal tax code, still are intact after a century despite the oil industry setting earnings records year after year on the backs of American drivers.

2. Ethanol, especially E15, isn't safe for my vehicle.

False. Safe use of ethanol is well established. Henry Ford even designed his first automobile to run on ethanol. In Brazil today, cars run on 20 percent ethanol blends, and there are plans for Brazil to go up to 25 percent later this year.

Ethanol boosts octane and adds horsepower while burning cleaner. More than 90 percent of gasoline sold today contains ethanol. And after E15 (15 percent ethanol blend) went through the most exhaustive testing ever for a fuel component, the EPA ruled it safe for all cars 2001 model year and newer (older vehicles were not tested). If you think your mileage drops significantly when using ethanol, blame oil companies that produce cheap gasoline and use ethanol to meet octane requirements.

3. If ethanol could compete, it wouldn't need a mandate.

False. Ethanol is the most competitive fuel component on the market today. In 2012, wholesale ethanol was a \$.55-per-gallon discount on average to wholesale gasoline. After a century of subsidies and government support, the oil industry has control of our fueling infrastructure from refineries to pipelines to gas stations. Without a mandate, they would ignore other

fuels even if they'd save consumers money.

4. Ethanol increases food prices.

False. Oil prices are a much larger component of the cost of food than raw materials from the farm. A truckload of cornflakes has about \$450 worth of corn in it. But the average transportation cost to get that corn to the store shelf comes to about \$1,000. For years, food prices have risen and fallen along with oil prices.

5. Ethanol uses 40 percent of the U.S. corn crop.

False. While ethanol plants grind about 40 percent of the U.S. corn crop, they only use the starch. The protein, oil and micronutrients are put back into the feed market as distillers grains, with three times the protein per ton of corn. Net use of corn for ethanol is actually 17 percent in the U.S. and less than 3 percent globally. If there wasn't an ethanol market for this corn, do you think farmers would grow it? No. You could say the ethanol industry actually increases the amount of corn available for food.

Big oil and big food use the philosophy of Soviet leader Vladimir Lenin: "A lie told often enough becomes the truth." It's time the American public woke up to these lies and questioned the industries behind them.

The real facts are that the American ethanol industry uses America's two greatest natural resources — agriculture and innovation — to produce a high-octane, clean-burning fuel that saves consumers money at the pump.

# Chandra Levy conviction may be thrown out

*CBS NEWS, January 25, 2013 8:04 AM*

(CBS News) It took years to find and convict the killer of Chandra Levy - a young, attractive Capitol Hill intern - but now that conviction could be thrown out.

Last month, federal prosecutors in the Chandra Levy case went before a judge and made a bombshell disclosure: Ingmar Guandique had been convicted of Levy's murder with the help of a witness whose credibility is now in doubt.

Citing safety concerns raised, the judge sealed court records and issued a gag order.

Susan Levy, Chandra Levy's mother, said, "The attorneys cannot even go in along with the people who are reporters or news people."

At a subsequent hearing in January, spectators were kicked out of the courtroom. The case is now so shrouded in secrecy, not even Levy's parents know what's going on. Robert Levy, Chandra's father, said, "Whether they have to have a new trial or have another suspect, or whatever, we don't know. They can't tell us because it's secret."

Sex, power, and murder are the recipe for a media firestorm, and in May 2001, when

Levy, a beautiful young woman from California mysteriously vanished, suspicion fell on her congressman and paramour, Gary Condit.

One year later, her remains were found in Rock Creek Park. While Condit was never charged, his political career was derailed.

Guandique was convicted in 2010, on a case without any physical evidence linking him to the crime. But two women said he attacked them in Rock Creek Park around the time Levy disappeared, and a jailhouse snitch claimed Guandique confessed to the Levy murder.

His defense attorneys now accuse prosecutors of withholding the new information. Guandique has always maintained his innocence.

Robert Levy said, "He's a convicted rapist and an illegal alien. He's not legal at all or working or anything. He's just a criminal, so he shouldn't go free. But if he's innocent of murder then he shouldn't be in jail for it."

Susan Levy said, "No matter what goes on, our daughter is dead. It doesn't really matter except that they get the right person."

*For "48 Hours" correspondent Erin Moriarty's full report, watch the video in the player above.*

© 2013 CBS Interactive Inc. All Rights Reserved.

[http://www.cbsnews.com/8301-505263\\_162-57565798/chandra-levy-conviction-may-be-thrown-out/](http://www.cbsnews.com/8301-505263_162-57565798/chandra-levy-conviction-may-be-thrown-out/)

***Alex Ferrell, Grey Davis & Gary Condit interest in fuel oxygenates seemed interesting***

*CAPP contact: Charlie Peters*

# Court rules EPA ethanol mandate "unreasonable"

*By Christopher Doering, A.P., USATODAY, January 25, 2013*

WASHINGTON -- A federal court delivered a defeat to the biofuels industry Friday, ruling the U.S. government exceeded its authority by requiring refiners to purchase cellulosic biofuel despite the fact the next-generation fuel is not commercially available.

The U.S. Court of Appeals for the District of Columbia decided in favor of the American Petroleum Institute when it ruled that the Environmental Protection Agency's process for estimating cellulosic biofuel output "did not take neutral aim at accuracy" and "was an unreasonable exercise of agency discretion."

The court's ruling in effect said the EPA's overly aggressive estimate was set with the goal of promoting the growth of cellulosic fuel to spur investment rather than making an accurate prediction of how much could be produced.

Cellulosic ethanol, made with crop residue, grasses or wood chips, has advanced more slowly than envisioned in the 2007 Renewable Fuels Standard (RFS) enacted by Congress. The EPA has acknowledged that cellulosic output targets in recent years were not being met because of insufficient domestic production.

Last year alone, the EPA said 8.7 million gallons of the advanced fuel must be blended into gasoline. The ethanol industry produced a fraction of that total,

about 20,000 gallons, in 2012. The EPA has yet to issue its 2013 mandate for cellulosic production, a decision that could be complicated by the court's ruling on Friday.

"We agree with API that EPA's 2012 projection of cellulosic biofuel production was in excess of the agency's statutory authority," the three-judge panel said. "We accordingly vacate that aspect of the 2012 RFS rule and remand for further proceedings consistent with this opinion."

The EPA said in a statement it is reviewing the court's decision.

The ruling was a victory for the API, the organization that represents major oil and gas producers such as energy giants ExxonMobil and ConocoPhillips. The group has pushed Congress to repeal the Renewable Fuel Standard, a requirement they have called unworkable and ill-conceived.

"This absurd mandate acts as a stealth tax on gasoline with no environmental benefit that could have ultimately burdened consumers," said Bob Greco, API's downstream director. "This decision relieves refiners of complying with the unachievable 2012 mandate and forces EPA to adopt a more realistic approach for setting future cellulosic biofuel mandates."

The court ordered the EPA to reevaluate the 2012 cellulosic standards and have a more realistic mandate in future years.

Since no cellulosic was commercially produced in 2012, API contends the mandate for 2012 should be set at zero. For 2013 and beyond, API has asked that EPA base projections on at least two months of actual production, rather than "wishful thinking."

Earlier this month, supporters of advanced biofuels said cellulosic ethanol is on the verge of coming into its own after a slow start. The groups said that - after years of significant investment and advances in technology to overcome hurdles that have stymied development - there is finally visible progress. As more projects come on line, they said it will spur additional investments in the technology.

In a statement, a group of biofuel groups including Growth Energy and the Renewable Fuels Association said they are "reviewing the court's decision and assessing next steps in the matter."

"The biofuels organizations strongly disagree with the court's characterization of what EPA did -- EPA did not determine a reasonably achievable volume and then inflate it," the groups said in a statement. "Rather, it set the

volume based on the best information available to it at the time."

Monte Shaw, executive director of the Iowa Renewable Fuels Association, downplayed the impact of the ruling.

"It really doesn't change things because all the EPA has to do is clarify when they roll out the next number and justify . . . they will have to say here is our 2013 number and this is the number that we think will be produced, period. There is no fluff. There is no bonus. There is no added gallons because we want the industry to grow."

"I think that's what the EPA did in 2012, but the court disagreed," Shaw said.

Cellulosic ethanol is considered key to Iowa in order to maintain its position as the nation's largest ethanol producer. DuPont Industrial Biosciences is building a 30 million-gallon-capacity refinery in Nevada, Iowa. A second cellulosic plant, a joint venture of Poet and Dutch-based DSM Advanced Biofuels, is under construction adjacent to Poet's corn-fed ethanol plant at Emmetsburg. Other companies have plants in the late stages of development or under construction in more than 20 states and other countries.

*Copyright 2012 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.*

<http://www.usatoday.com/story/news/politics/2013/01/25/epa-biofuel-mandate-unreasonable/1865567/>

Will GMO cellulosic fuel give an advantage to BP-DuPont in the fuel market?

Is home water supply checked for ethanol?

Can ethanol in home water supply if GMO fuel has patent issues, gain water ownership?

Is Shell using renewable issues, moving on the California electric market?

Is this A Big export move of profits to the British Crown?

*CAPP contact: Charlie Peters*

# EPA Cellulosic Biofuel Regulation Rejected by Court

*By Andrew Harris & Mark Drajem, Bloomberg, Jan 25, 2013*

An Environmental Protection Agency rule mandating refiners generate or purchase advanced biofuels was overturned by a federal appeals court in Washington, after producers failed to make any commercial supplies last year.

The American Petroleum Institute, an oil and gas trade association, last year asked the court to overturn the EPA standard setting mandates in 2012 for production and sale of the cellulosic fuels, which can be made from materials including wood chips, switchgrass or agricultural waste.

The three-judge panel today rejected that target and sent it back to the EPA to come up with a new mandate. While the EPA set a standard for refiners of 8.65 million gallons of cellulosic ethanol in 2012, the actual U.S. production was 20,000 gallons -- and those were exported to Brazil.

"Apart from their role as captive consumers, the refiners are in no position to ensure, or even contribute to, growth in the cellulosic biofuel industry," the court said in a 14-page ruling. According to the court, the EPA rule tells producers, "Do a good job, cellulosic fuel producers. If you fail, we'll fine your customers."

The biofuels decision was one of two setbacks the Washington-based appellate court handed President Barack Obama's administration today and the second loss there for the EPA in as many days.

## **Second Defeat**

A panel of three different judges today rejected the president's ability to appoint three members of the

National Labor Relations Board during what he asserted was a U.S. Senate recess.

Yesterday, the full court declined to review an earlier ruling throwing out EPA regulations designed to cut cross-state pollution from coal-fired power plants.

Wyn Hornbuckle, a spokesman for the U.S. Justice Department, said by phone that the government's lawyers are reviewing the court's biofuels ruling. The EPA too said in a statement that it is "reviewing the decision and will determine next steps."

Tossing out the 2012 standard for those cellulosic fuels, which can be made from switchgrass or plant waste materials, leaves the 2013 standard in doubt, as well. The EPA is overdue to issue its mandate for 2013, and this decision may further complicate that process.

## **'No Production'**

"We've had three years of mandates, and each year there has been no production" Bob Greco, a director for the Washington-based petroleum institute, said in an interview. "We would hope EPA would scrutinize whatever mandate they have going forward to make sure they match reality."

As a result of the ruling and uncertainty, investments in the nascent industry may fall, said Michael Frohlich, a spokesman for Growth Energy, which represents ethanol producers.

"It dampens any future investment, and creates a further level of vulnerability," Frohlich said.

*The case is American Petroleum Institute v. U.S. Environmental Protection Agency, 12-1139, U.S. Court of Appeals for the District of Columbia Circuit (Washington).*

*To contact the reporters on this story: Andrew Harris in Chicago at [aharris16@bloomberg.net](mailto:aharris16@bloomberg.net); Mark Drajem in Washington at [mdrajem@bloomberg.net](mailto:mdrajem@bloomberg.net)*

*To contact the editor responsible for this story: Michael Hytha at [mhytha@bloomberg.net](mailto:mhytha@bloomberg.net)*

<http://www.bloomberg.com/news/2013-01-25/epa-cellulosic-biofuel-regulation-rejected-by-court.html>

**CAPP contact: Charlie Peters**

# Bills seek to reduce or remove ethanol from Maine gas

*By Scott Thistle, Sun Journal, January 24, 2013*

AUGUSTA — A pair of bills introduced Thursday by state Rep. Jeff Timberlake, R-Turner, could have a significant impact on what goes into the gas tank of your car, lawnmower or snowblower.

One of Timberlake's bills would cut the percentage of corn-derived ethanol in Maine gasoline from 10 percent to 5 percent. The other measure would allow the state to form a coalition with other New England states to create an ethanol-free gasoline market for Canadian petroleum-vendor Irving.

Timberlake said Irving has offered to deliver ethanol-free gasoline to customers in New England if it has a minimum of three states willing to eliminate ethanol from the gas supply. New Hampshire has passed similar legislation, Timberlake said.

He said he suspects that bill would be amended so gas stations would have the choice of offering either product, with or without ethanol.

A farmer and the owner of a hardware store, Timberlake called ethanol one of the worst "government boondoggles" of his lifetime.

He said the additive wreaks havoc with fuel lines in small engines, especially those that sit unused for any period of time.

"It's really hard on engines and really affects our fuel mileage," Timberlake said. "Ethanol doesn't like small engines; it doesn't like fuel lines, chain saws, weed whackers, anything with fuel lines."

He noted that federal farm subsidies paid to those growing corn for ethanol have contributed to a sharp increase in the price of corn and subsequently, in all products made with corn.

Everything from feed grain for cattle and dairy cows to most of the food products consumed by humans have corn-based ingredients in them, Timberlake said.

He said getting New England to move away from ethanol could be the first step in a national movement to remove the additive from American gasoline and cut the subsidies to Midwestern farmers growing corn for biofuel.

The next stop for Timberlake's bills will be the Legislature's Committee on Labor, Commerce and Economic Development.

[sthistle@sunjournal.com](mailto:sthistle@sunjournal.com)

<http://www.sunjournal.com/news/maine/2013/01/25/bills-seek-reduce-or-remove-ethanol-maine-gas/1311768>

*CAPP contact: Charlie Peters*

# Iowa groups announce formation of Iowa RFS Coalition

*By Iowa RFS Coalition, BBI International, January 22, 2013*

A group of Iowa businesses and organizations have congratulated President Obama on his inauguration and announced the formation of the Iowa RFS Coalition. In a letter to the president, also copied to both Iowa Senators and all four Iowa Congressmen, the Iowa RFS Coalition thanked President Obama for his unwavering support of the federal renewable fuel standard (RFS) and urged his continued strong support for agriculture and renewable fuels throughout his second term.

In part, the letter to President Obama read, "Throughout your first term, you and key members of your Administration—including Secretary of Agriculture and former Iowa Governor, Tom Vilsack—have shown tremendous leadership in supporting policies, such as the RFS, which help crack open the door for renewable fuels to compete against the highly entrenched petroleum industry.

"The Iowa RFS Coalition will stand with your Administration and the Iowa Congressional delegation to defend the RFS from false attacks. With your support, this vital policy will continue to thrive for the next decade unlocking cleaner, cheaper domestic fuel choices for American consumers."

Iowa Renewable Fuels Association Policy Director Grant Menke said, "With efforts to eliminate the RFS at peak intensity, the Iowa RFS Coalition looks forward to working with the President and the Iowa delegation to protect the RFS in 2013. Together, we will move forward for fuel choice."

Current members of the Iowa RFS Coalition are DuPont, Iowa Biodiesel Board, Iowa Biotechnology Association, Iowa Corn Growers Association, Iowa Farm Bureau Federation, Iowa-Nebraska Equipment Dealers Association, Iowa Renewable Fuels Association, Iowa Soybean Association, Monsanto and Syngenta. The Iowa RFS Coalition will continue to welcome new members throughout 2013.

The Iowa RFS Coalition is a group of Iowa businesses and organizations committed to protecting and preserving the federal RFS through cooperative efforts of advocacy, outreach and education. The Iowa RFS Coalition opposes re-opening the federal RFS; recognizes that maintaining the federal RFS is critical to the Iowa and U.S. economies, our nation's energy security and our planet's air quality; and agrees that ethanol and biodiesel production are essential components of an all-of-the-above American energy solution.

*[ethanolproducer.com/articles/9485/iowa-groups-announce-formation...](http://ethanolproducer.com/articles/9485/iowa-groups-announce-formation...)*

*"Current members of the Iowa RFS Coalition are DuPont, Iowa Biodiesel Board, Iowa Biotechnology Association, Iowa Corn Growers Association, Iowa Farm Bureau Federation, Iowa-Nebraska Equipment Dealers Association, Iowa Renewable Fuels Association, Iowa Soybean Association, Monsanto and Syngenta. The Iowa RFS Coalition will continue to welcome new members throughout 2013."*

*So who is Valero Energy, Sunoco, BP, Shell, & Rothschild, do they want over \$100 per gallon corporate welfare for making renewable fuel for our gas?*

*CAPP contact: Charlie Peters*

# Speech Gives Climate Goals Center Stage

*Richard W. Stevenson & John M. Broder, N.Y. Times, 1.21.13*

"We will respond to the threat of climate change, knowing that failure to do so would betray our children and future generations," Mr. Obama said on Monday at the start of eight sentences on the subject, more than he devoted to any other specific area. "Some may still deny the overwhelming judgment of science, but none can avoid the devastating impact of raging fires, and crippling drought, and more powerful storms."

The central place he gave to the subject seemed to answer the question of whether he considered it a realistic second-term priority. He devoted scant attention to it in the campaign and has delivered a mixed message about its importance since the election.

Mr. Obama is heading into the effort having extensively studied the lessons from his first term, when he failed to win passage of comprehensive legislation to reduce emissions of the gases that cause global warming. This time, the White House plans to avoid such a fight and instead focus on what it can do administratively to reduce emissions from power plants, increase the efficiency of home appliances and have the federal government itself produce less carbon pollution.

Mr. Obama's path on global warming is a case study in his evolving sense of the limits of his power and his increased willingness to work around intense conservative opposition rather than seek compromise. After coming to office four years ago on a pledge to heal the planet and turn back the rise of the seas, he is proceeding cautiously this time, Democrats said, intent on making sure his approach is vetted politically, economically and technologically so as not to risk missing what many environmental advocates say could be the last best chance for years to address the problem.

The centerpiece will be action by the Environmental Protection Agency to clamp down

further on emissions from coal-burning power plants under regulations still being drafted — and likely to draw legal challenges.

The administration plans to supplement that step by adopting new energy efficiency standards for home appliances and buildings, a seemingly small advance that can have a substantial impact by reducing demand for electricity. Those standards would echo the sharp increase in fuel economy that the administration required from automakers in the first term.

The Pentagon, one of the country's largest energy users, is also taking strides toward cutting use and converting to renewable fuels.

Mr. Obama's aides are planning those steps in conjunction with a campaign to build public support and head off political opposition in a way the administration did not the last time around. But the White House has cautioned activists not to expect full-scale engagement while Congress remains occupied by guns, immigration and the budget.

The president's emphasis on climate change drew fire from conservatives. Tim Phillips, president of Americans for Prosperity, a group financed by the Koch brothers, who made a fortune in refining and other oil interests, criticized the speech in a statement. "His address read like a liberal laundry list with global warming at the top," Mr. Phillips said. "Americans have rejected environmental extremism in the past and they will again."

Still, Mr. Obama has signaled that he intends to expand his own role in making a public case for why action is necessary and why, despite the conservative argument that such changes would cost jobs and leave the United States less competitive with rising powers like China, they could have economic benefits by promoting a clean-energy industry. In addition to the prominent mention on Monday, Mr. Obama also

used strong language in his speech on election night, referring to "the destructive power of a warming planet."

Those remarks stood in contrast to Mr. Obama's comments at his first postelection news conference, when he said he planned to convene "a wide-ranging conversation" about climate change and was vague about action. He is also expected to highlight his plans in his State of the Union address next month and in his budget plan soon afterward.

Beyond new policies, the administration is seeking to capitalize on the surge of natural gas production over the past few years. As a cheaper and cleaner alternative to coal, natural gas gives it a chance to argue that coal is less economically attractive.

After the defeat in 2010 of legislation that would have capped carbon emissions and issued tradable permits for emissions, Mr. Obama turned to regulation and financing for alternative energy. Despite the lack of comprehensive legislation, emissions have declined roughly 10 percent since he took office, a result both of the economic slowdown and of energy efficiency moves by government and industry.

The administration is discussing with Congressional Democrats, some of whom are leery of the issue because their states are home to coal businesses, how to head off a Republican counterattack on the new regulations. Democrats are paying particular attention to the likelihood of Republicans employing a little-used procedure to block new regulations with a simple majority vote.

Senate Democrats are also girding for a battle when Mr. Obama nominates a new head of the

E.P.A. The agency, excoriated by Republicans as a job-killing bureaucracy, would take the lead in setting the new regulations.

The approach is a turnabout from the first term, when Mr. Obama's guiding principle in trying to pass the cap-and-trade bill was that a negotiated legislative solution was likely to be more politically palatable than regulation by executive fiat. Now there is a broad expectation that he will follow up his first big use of the E.P.A.'s powers to rein in emissions — proposed rules last year for new power plants — with a plan to crack down on emissions from existing power plants.

According to estimates from the Natural Resources Defense Council, emissions from current coal-fired plants could be reduced by more than 25 percent by 2020, yielding large health and environmental benefits at relatively low cost. Such an approach would allow Mr. Obama to fulfill his 2009 pledge to reduce domestic greenhouse gas emissions by about 17 percent from 2005 levels by 2020, the group says.

"There's a really big opportunity, perhaps bigger than most people realize," said Dan Lashof, director of the defense council's climate and clean air program.

The regulatory push will be particularly important because Mr. Obama has little prospect of winning as much money for clean energy as he did in his first term, with Republicans now in control of the House. Despite the renewed attention to climate change following Hurricane Sandy and record-high temperatures in the continental United States last year, there is little sign that the politics of the issue will get any easier for Mr. Obama.

*A version of this article appeared in print on January 22, 2013, on page A1 of the New York edition with the headline: Speech Gives Climate Goal Center Stage,*

[www.nytimes.com/.../climate-change-prominent-in-obamas-in...](http://www.nytimes.com/.../climate-change-prominent-in-obamas-in...)

***Can Mary Nichols and Governor Brown support a Motorcycle, Classic car, Lawn tool engine, Boat, & beef fuel ethanol waiver?***

CAPP contact: Charlie Peters

# Oil industry escalates attacks on biofuel mandate

*By Zack Colman, THE HILL, 01/15/13 12:16 PM ET*

The oil industry on Tuesday escalated its attacks on the federal biofuel mandate as it rolled out a national ad campaign aimed at promoting the nation's refineries.

The ad blitz from the American Petroleum Institute will be an "all hands on deck" effort across TV, print, radio and online, Cindy Schild, the lobby's senior manager, said Tuesday in a call with reporters.

She said getting Congress to axe the biofuel rule is "one place to start" to strengthen the domestic refining industry.

"EPA [Environmental Protection Agency] has been unable and sometimes unwilling to make it workable. That is why we need Congress to scrap" the renewable fuel standard, Schild said.

Schild said also said API plans "to be devoting a lot of resources" to getting the Keystone XL pipeline approved.

"We certainly have been touting those benefits and the job potential," Schild said of the project, which would bring Canadian oil sands to Gulf Coast refineries.

The Obama administration has final say on the pipeline's northern leg because it crosses into Canada.

API CEO Jack Gerard said last week that the Keystone decision would serve as a bellwether for how Obama plans to work with the oil-and-gas industry in his second term.

But environmentalists have kept pressure on Obama to reject the pipeline, saying its approval would be out of step with the president's recent comments about making climate change a priority in his second term.

API declined to release a spending figure for the commercials, which will run nationally for a month, but the group did detail its concerns about the biofuel mandate.

After years of pressing EPA for piecemeal changes, the powerful industry group in November shifted to gunning for an outright repeal. API has said ending the fuel rule is one of its top priorities in 2013.

Patrick Kelly, downstream policy adviser with API, said the lobby group is waiting for the right opportunity to float a repeal bill.

"We are encouraging Congress to take it up this year. We have not seen specific legislation that we are pursuing at this time, but we are open to exploring avenues with congressional staff," Kelly said in a call with reporters.

The rule requires refiners to blend 36 billion gallons of biofuel into traditional transportation fuel by 2022.

So far, the House Energy and Commerce Committee has said it plans to hold a hearing to look into claims that a high-ethanol fuel blend might damage cars.

Fiscally conservative detractors say the rule interferes with energy markets by propping up the biofuels industry. And some lawmakers have argued the domestic oil-and-gas boom makes the mandate unnecessary.

But the odds of getting a total repeal through Congress look long.

Support for the fuel rule is predominantly regional, getting strong backing from rural GOP and Democratic lawmakers who view it as a boon for their economies. Many lawmakers also defend the rule as a way to reduce dependence on foreign oil.

The biofuels industry vehemently defends the rule, and says any modifications would chill investment in "advanced" biofuels from non-edible feedstock. Some of those facilities are just now starting to reach commercial production levels.

Biofuels groups also contend API and its members are gunning for the rule because it cuts into the oil industry's profits by requiring biofuel use.

"We agree that in order for the United States to achieve greater control over fuel and lower prices for consumers, we need to increase domestic production of energy. But what is 'unworkable' is a continued oil monopoly over our nation's transportation fuel: we need not only the energy security that renewable fuel

provides, but fuel diversity and savings that the industry is delivering to consumers," Fuels America, a lobbying effort that includes several biofuels trade groups, said in a statement.

Kelly said API is concerned refiners would hit a "blend wall" this year. Crossing that threshold would require blending higher concentrations of ethanol fuel to meet accelerating targets established by the mandate.

Currently, most gasoline contains 10 percent ethanol. But EPA has approved sale of a 15-percent ethanol blend — known as E15 — for cars made in the model year 2001 or later.

API, along with motor club AAA, has pushed back against EPA's determination — and the biofuels industry's assertions — that E15 is safe for cars.

They say the higher ethanol fuel blend damages cars and gasoline pumps, noting EPA tested E15's impact on only vehicle emissions systems.

Kelly said that API's "concern is [going] beyond 10 percent" ethanol in fuel blends.

When asked whether API could support a change that locked fuel blends in at 10 percent ethanol instead of a full repeal, Kelly said, "I don't think we'd recommend an E10 mandate."

<http://thehill.com/blogs/e2-wire/e2-wire/277243-api-ad-campaign-to-push-for-biofuel-rule-repeal>

*Is CA using Brazil sugar cane ethanol at a premium of \$0.16 per gallon of fuel so Valero is shipping GMO corn ethanol to Brazil? Is SHELL also moving on the CA (natural gas) electric market that folks pay at double the national rate? So is BP Shell supporting export of energy profit?*

CAPP contact: Charlie Peters

# Nissan to Build Lower-Cost Leaf Electric Car in U.S.

By *MIKE RAMSEY, Wall Street Journal, January 9, 2013*

Nissan Motor Co. 7201.TO +0.83% on Thursday began building its Leaf electric cars for the first time at a plant in the U.S., aiming to lift disappointing sales of the \$35,000 vehicle by introducing a less expensive model.

Nissan in February will begin selling Leafs made at its Smyrna, Tenn., plant. The Leaf has been assembled at Japanese plant and exported around the globe.

Sales of the Leaf have been sluggish, in part because a large battery pack, which makes the compact car more expensive than similar-size gasoline-powered vehicles. A limited driving range—the car can go about 80 miles on a charge—and long recharging time have hampered its sales.

Last year Nissan sold 9,819 Leafs in the U.S., just 1.5% more than in 2011. and less than half of the original 20,000 target.

Nissan executives have said they are confident sales of the Leaf will improve once U.S. production began. However, the Leaf faces more competition. Ford Motor Co.,

F +0.90% General Motors Co., GM +2.04% Toyota Motor Corp., 7203.TO +0.96% Chrysler Group LLC and Honda Motor Co. 7267.TO +2.46% will sell electric vehicles by the end of this year.

Nissan has said it could build up to 150,000 Leafs a year in Tennessee. Both projects were financed with \$1.4 billion in U.S. Department of Energy loans designed to promote investment in fuel-efficient vehicles.

Nissan hasn't yet made public the starting price of the new base model Leaf, which will be known as the Leaf S.

After originally starting the vehicle at \$32,800 in its first year on the market in 2010, Nissan raised the price by \$2,400 to \$35,200, mostly because of the stubbornly high yen against the dollar. Building the car in the U.S. should lower Nissan's production costs and give Nissan more flexibility on pricing.

The car is eligible for a \$7,500 federal tax credit and many states also offer tax credits for electric vehicles as well.

Nissan is counting on changes to the 2013 model to extend its range and shorten charging times. The company maintains that the vehicle's range should be longer than the rating of 73 miles that was calculated by the U.S. Environmental Protection Agency. Nissan also says that charging times from a 240-volt outlet should be cut in half, from the 7.5 hours the 2012 model requires to fully charge.

The first plug-in electric vehicles arrived in 2010, and only now are gaining some traction. Consumers purchased 54,000 plug-in models in 2012, out of a total new vehicle market of about 14.5 million, according to Pike Research, a Boulder, Colo., research firm that specializes in alternative energy.

Pike estimates 2013 sales will top 71,000 and rise to around 367,000 by 2020 in the U.S. The figures combine the sales of pure electric vehicles like the Leaf and plug-in hybrids, like the Chevrolet Volt and Prius Plug-in, which have small gas engines on board to recharge their batteries or keep them going when battery power runs down.

Write to Mike Ramsey at [michael.ramsey@wsj.com](mailto:michael.ramsey@wsj.com)

A version of this article appeared January 9, 2013, on page B6 in the U.S. edition of *The Wall Street Journal*, with the headline: *Nissan to Build Lower-Cost Leaf Electric Car in U.S.*

<http://online.wsj.com/article/SB10001424127887324081704578231700092837198.html>

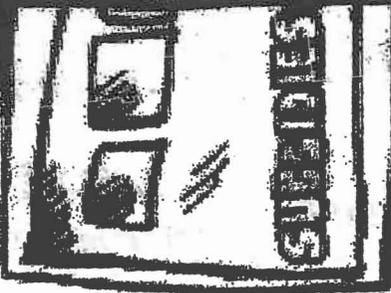
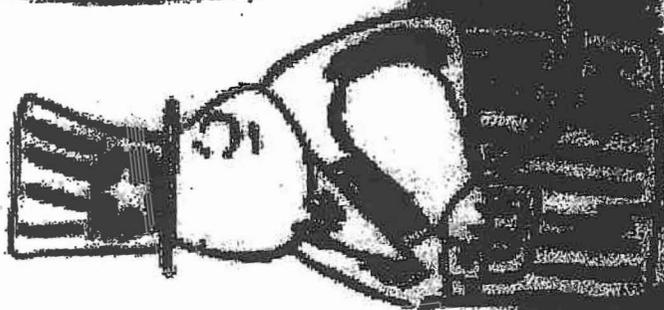
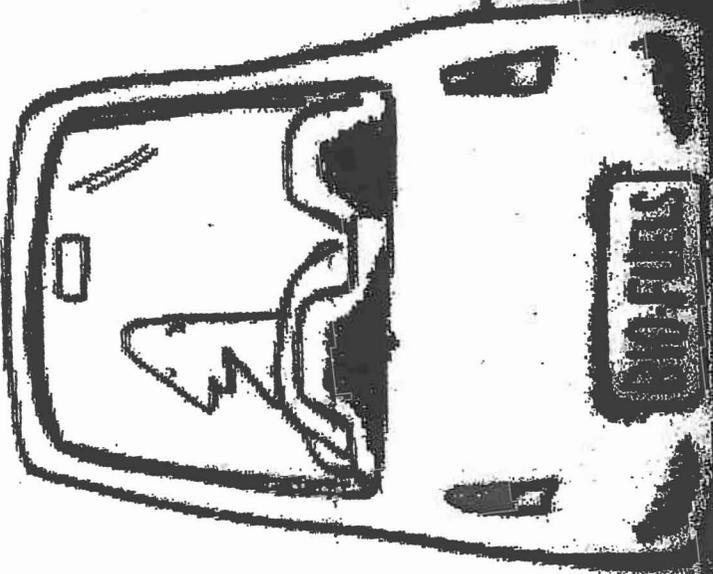
I'm confused, does Nissan PZEV 15 year 150,000 mile Smog Check obligation to California motorist matter? California Air Resources Board (CARB) and Bureau of Automotive Repair (BAR) says yes but Nissan refused to meet the performance of PZEV. Is this just more corporate welfare to support profit export? California Governor Brown just might partner with George Valverde, Director of the Department of Motor Vehicles (DMV), Mary Nichols (CARB) & John Wallauch (BAR) to Support Smog Check compliance agreement with Nissan. 510-537-1796 Attorney General Kamala D. Harris likes environmental issues and might help improve Nissan compliance with California rules

**CAPP contact: Charlie Peters**

**WAIT!**

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

**TOO  
LATE!**



**FULL  
SERVICE**

**DO YOU KNOW - A - GUESS**

**ABOUT THE PROBLEM?**

**NO - GUESS**



## ***Clean Air Performance Professionals***

**Saturday, October 13, 2012**

John Chiang  
California State Controller  
P.O. Box 942850  
Sacramento, California 94250-5872  
(916) 445-2636 / 4404 FAX

Clean Air Performance Professionals (CAPP)

Dear Controller Chiang.

I'm confused, that a graph of ethanol used in our gas and the price we pay for fuel sure paints an interesting picture.

An op-ed from May 1, 2002 warned the Bush legislation requiring ethanol might create a 10% increase in fuel price.

An internet search indicated California fuel ethanol use was very minor and with a pump price of about \$1.37 per gallon of regular CA CARB fuel.

Fed EPA told CARB's board Chair to use 5.6% and the fuel price went up.

More time passed and Mary Nichols crew went for 10% and the price goes up.

We now are at 10% and considering 15% and the price has went from about \$1.37 to \$5.--

The California Government regulators say we use about 14 billion gallons of fuel per year.

So if the price has changed over \$3.-- in a decade the ethanol laced fuel price increase may be about \$40 Billion per year. Is it time for California to request a waiver from EPA? California may have enough energy supply to last a few years.

Received an e-mail rumor today that the US has energy supply to cover decades.

Should California request a waiver of the ethanol mandate so fuel ethanol is voluntary?

***CAPP contact: Charlie Peters***



## **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)

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.

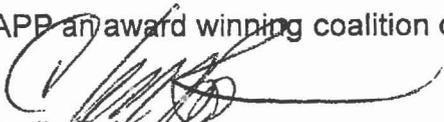
Does Alcohol, Tobacco, & Firearms (ATF) audit for the payment of the \$17 tax of food grade corn ethanol from fuel refiners?

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 7<sup>th</sup> 1941.

Aloha, Thank you for your service.

CAPP an award winning coalition of motorists.

  
Charlie Peters  
Cc: interested parties

**CAPP contact: Charlie Peters**

*"I received a phone call from Mr... Charlie Peters (no relation to Peters Place where we hold our meetings) who is the President of CAPP (Clean Air Performance Professionals) which is located on the east coast in New Jersey. CAPP is a organization that is proactive in protecting personal property and the environment. Common sense inspection and maintenance programs along with being a advocate for the rights of the collector car hobby are what CAPP is all about. He had some very interesting things to say during our conversation. If you would like to see the information that he has researched you can just Google his phone number which is 510-537-1796 and all the information he has researched will come up. There is some information about "Prop 87" you should look at. Overall you will be amazed what comes up. I recommend that you spend some time looking through this."*

## MESSAGE FROM THE PRESIDENT

*By Chris, "Tri-River Informer", July / August 2012*

Unfortunately the July newsletter appears at the mid-point of the cruise season and although we are usually fighting the weather man for nice days, we find ourselves at the far extreme of our wishes this year. Unusually hot and dry days and nights are taxing us to the limits. Something I think even the most hard-core cruiser does not even wish for. This year though, a new type of activity for the car hobby is happening. "Coffee cruise's". Granted cruises are nothing new to us, but what is new is when they are held. Usually early in the morning before the heat and the rat race of the day can get at us. These cruise's are nothing new to the inhabitants of the west coast, which has been happening now for a couple of years. To us at first glance it may seem a bit strange, but they are slowly and steadily beginning to increase in attendance. You might just want to keep a open mind and attend one just to see for yourself, especially since our extreme weather does not seem to be changing any time soon according to the national weather forecast. There are flyers in this newsletter with more detailed information.

I received a phone call from Mr... Charlie Peters (no relation to Peters Place where we hold our meetings) who is the President of CAPP (Clean Air Performance Professionals) which is located on the east coast in New Jersey. CAPP is a organization that is proactive in protecting

personal property and the environment. Common sense inspection and maintenance programs along with being a advocate for the rights of the collector car hobby are what CAPP is all about. He had some very interesting things to say during our conversation. If you would like to see the information that he has researched you can just Google his phone number which is 510-537-1796 and all the information he has researched will come up. There is some information about "Prop 87" you should look at. Overall you will be amazed what comes up. I recommend that you spend some time looking through this.

With this issue of "Tri-River Informer" out, that leaves just our September/October issue to promote your club activity. Although you could still bring it to the July 16th General Membership meeting to pass them out to the attendee's. Do not forget to give one to Council so we can include it in the Sept/Oct issue. As always we could use some help in the Judging Department. If you get nothing else from it, you will have a better appreciation of the hobby in general, and it would be nice if more people had this. Our next membership meeting is on Monday, July 16th 2012 at Peters Place, 1199 Washington Pike, Bridgeville Pa. 158017, Phone number: 412-221-5000. You call Peter's Place or Chris for information or directions. Hope to see you at the next meeting. (**Chris**)

<http://clubs.hemmings.com/trccc/message%20from%20the%20president.html>

# *Clean Air Performance Professionals*

Sunday, July 17, 2011

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

## **RE: Jobs and food.**

Good afternoon Mr. President,

Thank you for raising the issue of change.

The **genetically modified organism** (GMO) corn fuel ethanol, welfare for Big oil refiners and Government Motors, seems to add more cars on the road.

I also was born in Hawaii and left soon after December 7 1941.

### **Will GMO corn from ethanol production affect the beef?**

*(CAPP is a coalition of motorists)*

Clean Air Performance Professionals

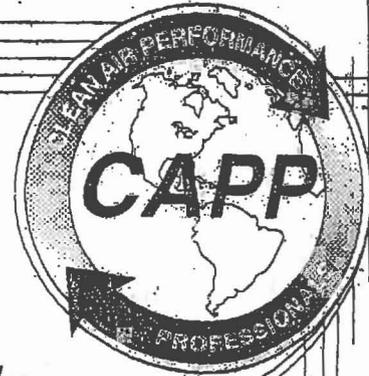


Charlie Peters

(510) 537-1796

cc to interested parties.

CAPP contact: Charlie Peters



***Clean Air Performance Professionals***

Sunday, October 15, 2006

**VOTE NO on Prop. 87**

The \$0.51 per gal. corporate welfare to the oil refiners for adding 5.6% ethanol to California gas is about \$500,000,000.00 per year

The ethanol may add over \$1.00 per gal. to the gas profit in California.

That may be about \$100 billion in oil profit from California motorists.

The science is interesting but so is the money.

A \$4 billion Prop. 87 oil tax may add \$40 billion in oil profit.



Charlie Peters

Clean Air Performance Professionals

**CAPP contact: Charlie Peters**



*Clean Air Performance Professionals*

# What They Didn't Say

*Stella, Hemmings Motor News, MARCH 2001*

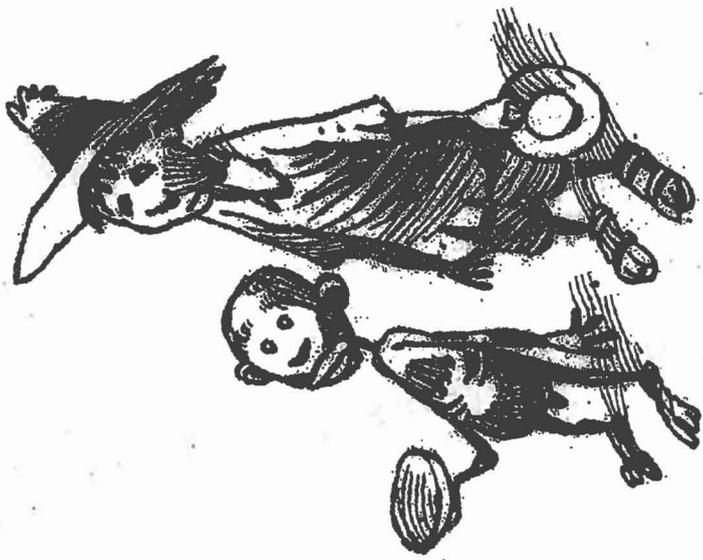
*(Gary Condit, Dick Cheney, Chandra Levy, ENRON, Arnold, Gray Davis, MTBE, ethanol & Alex Farrell)*

(snip)

“Rep. Gary A. Condit (D-Calif.) has introduced legislation, in the opening days of the 107th Congress, to help drive gasoline prices down while protecting the environment. HR 52 seeks to relieve California from federally mandated year-round gasoline oxygenate requirements while preserving the full benefits of California’s reformulated gasoline program. Condit introduced the bipartisan legislation with another member of the California delegation, Rep. Chris Cox. ‘California already meets Environmental Protection Agency requirements for reducing emissions of toxic air pollutants and ozone-forming compounds,’ Condit said. ‘When a state meets these requirements, under this legislation, they would not be required to add oxygenates to gasoline.’”

<http://clubs.hemmings.com/clubsites/capp/mar01.html>

**CAPP contact: Charlie Peters**



YOU'LL  
HAVE TO  
REDUCE YOUR  
CONSUMPTION

*Chapattie*

PATRICK CHAPATTIELE TEMPS, SWITZERLAND

# "THE FIGHT OVER MANDATES"

*Stella Sez, Hemmings Motor News, JULY 2000*

In a letter sent to the Assistant Administrator of the Environmental Protection Agency, Robert Perciasepe, the Renewable Fuels Association (RFA) urged the EPA to deny California's request for a waiver from the federal reformulated gasoline (RFG) oxygen standard, "because their request fails to demonstrate that fuels without oxygenates, like ethanol, improve air quality."

Meanwhile, US Senator Peter G. Fitzgerald (R-Illinois) is urging that lawmakers designate \$14 million for a Southern Illinois University (SIU) ethanol facility. After more than a decade of pleas by the farm community and unsuccessful appropriations battles in Congress, the national ethanol research plant at SIU may become a reality. (Does Colorado already have a federally funded ethanol facility?) The final version of this year's crop of insurance reform bills will provide full federal funding for the project, if it is approved by Congress.

However, it has been reported by the Lake Tahoe "Daily Tribune" that ethanol is polluting Lake Tahoe's groundwater. Earlier this year, ethanol replaced MTBE in all reformulated gasoline sold in and around Lake Tahoe. Ethanol has been detected in Lake Tahoe's groundwater at concentrations as high as 130,000 parts per billion (ppb).

## Is Ethanol A Cancer Risk?

Unlike MTBE, 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%. In addition, ethanol is less effective than MTBE at fighting air pollution, and due to transportation and supply problems, will likely increase gasoline prices.

Additional reports are concerned about the high sulfur content of gasoline. The auto industry is calling on CARB and EPA to lower sulfur levels. The sulfur content of denatured ethanol is receiving increased attention as politicians and refiners simultaneously attempt to lower MTBE and sulfur levels in the gasoline pool. The topic received considerable attention during a California Air Resources Board (CARB) workshop in April on CaRFG3. CAPP President Charlie Peters attended the workshop and according to a presentation given there, sulfur levels in ethanol, once denatured, are being called into question. CaRFG3 calls for 20 ppm of sulfur. CARB requested samples because reports are that ethanol may contain between 60-160 ppm of sulfur.

Recently, the National Institute for Environmental Health Sciences (NIEHS) released its congressionally mandated report on cancer-causing substances. The report declined to list MTBE as a cancer-causing agent or as an agent likely to cause cancer, however, but did add ethanol-based

beverage alcohol to the list of known carcinogens.

## "Super Clean Gasoline"

"Super Clean Gasoline" is on it's way to many gas stations. This month, a new type of reformulated, smog-reducing gas will be required in Boston, New York, Washington, Philadelphia, Houston, Dallas, Chicago and other major cities. The EPA predicts that the new fuel will cost up to two cents a gallon more than conventional gas to produce, and the costs will be passed on at the pump. But even before this new gasoline is introduced, the battle to delay it's introduction has been waged. The EPA has rejected requests for a temporary waiver from Illinois and Wisconsin. The EPA recently awarded a temporary waiver to St. Louis as pipeline problems restricted supply of the new grade to the area. Does the "new" RFG 2 have MTBE in it, or ethanol? I asked that question of Mr. Donald Bea of the Inspection and Maintenance Review Committee (IMRC). He told me the 2% oxygenate mandate is still in place. He also said the RFG 2 has lower sulfur and lower Reid Vapor Pressure (RVP). Mr. Bea also mentioned that because of the lower RVP required in the Northeast, ethanol may not be used.

In New York, Governor George Pataki signed two major environmental initiatives into law, including a ban on MTBE that has polluted underground water supplies. According to the "New York Times" article, "Mr. Pataki also signed legislation that tries to limit the amount of pollutants that now drift into New York from coal-

burning power plants in Midwestern and Southern states, causing acid rain. The measure seeks to stop New York companies from selling pollution allowances. The credits, essentially the right to pollute, are awarded to companies that cut their own emissions below a federal standard. The credits are now sold on the open market, usually to utilities with older power plants that find it cheaper to buy such credits instead of modernizing their plants and cutting their emissions.

"The new law calls for the state to seize all proceeds that a New York utility makes from selling its credits to polluters in the Midwest and the South. The law allows state regulators to impose a fine equal to the amount of such a sale; the fine would be used to promote development and the use of nonpolluting energy sources like solar power. The law limiting pollution credits goes into effect immediately, and the ban on MTBE is to take effect in January 2004."

### **Beware Of The Texas Emission Patrol**

The first wave of Houston-area vehicle owners is scheduled to appear in justice-of-the-peace courts to explain why they didn't obey letters ordering them to have their vehicles tested for excessive emissions. Commuters in the Dallas-Fort Worth area also have been summoned to court. The citations were issued in May after random roadway tests, conducted since the end of 1998, detected vehicles that emitted excessive pollutants. The owners, identified by their license plate numbers, were sent letters directing them to have their vehicles inspected at an emission-testing station. Thus far, 125 people have received citations for failing to heed the letters, a

criminal violation that carries a fine of up to \$350.

The Texas Legislature ordered random roadway testing of cars in 1995 after lawmakers abandoned a plan that would have required regular emissions testing for vehicles in Harris and its surrounding counties. The 1995 decision was viewed as a compromise to spare commuters who live outside Harris County the burden of having their vehicles undergo annual emissions testing. The remote testing, done from a van at random locations that commuters use, is conducted by a contractor who uses a sensing unit, a camera and a device that measures a vehicle's speed and acceleration.

Charlie Peters and I attended the IMRC meeting at the California Air Resources Board hearing room in Sacramento on May 31. This meeting was of special interest, as the subject was Smog Check evaluation report to the Governor and Legislature. The reports done by the IMRC and CARB/BAR were reported to be based on many assumptions as well as computer models. The perception created appeared to be an attempt to resolve differences between the reports. CARB seems to support separation of test and repair and the IMRC supports remote sensing, creating a debate between A and B: remote sensing and separation of test and repair. Some options under consideration CARB mentioned (to comply with the perceived shortfall of meeting the State Implementation Plan [SIP]), were: putting 1966 to 1973 cars back into the program (goodbye SB-42); more stringent cut points to increase effectiveness; increasing the cut points halfway between current cut points and what is

required in the SIP. A chart showing SIP hydrocarbon cut points are more stringent for older cars than newer cars. I will report more on this next month.

### **HALT In The Name Of The Law**

No more high-speed police pursuits, ever. That is the goal of a new technology demonstrated during the California Peace Officers Association's annual conference. The device is cunningly dubbed "High speed Avoidance using Laser Technology," or HALT. If implanted in cars, the small microsensor would allow police with a remote control laser gun to force motorists to a slow, safe stop from up to half a mile away.

The sensor would be embedded near the license plate, giving officers something to aim at. Implanting the device into a new car would cost about \$20. Retrofitting cars already on the streets with the sensors would cost about \$100. California sources reported that it was mentioned on the evening news that you would not be able to re-register your vehicle unless you had this installed!

Last but not least, the Pennsylvania Newspaper Association, a non-profit organization representing 300 publications, filed a "friend of the court" brief supporting the contention that Commonwealth Court erred in concluding that documents concerning the state's \$145 million settlement with Envirotech Inc. did not constitute "public records." The California company had been contracted to build and operate auto emissions-testing centers throughout Pennsylvania; the Ridge administration agreed to the buyout after canceling the contract. The case is scheduled for September.

<http://clubs.hemmings.com/capp/july.html>

**CAPP contact: Charlie Peters**