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Port air pollution riles regulators, neighbors

By Denis Cuff

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With the cranes at the port of Oakland, Calif. as his backdrop, a lone board sailor zips across...

Community groups and clean air advocates and regulators were counting on big commitments from the Port of Oakland this fall to slash diesel truck pollution that has contributed to a higher cancer risk in West Oakland.

Now they are fuming, saying the city-owned seaport has pulled back rather than pay out for cleaner air, and public health as well as the port's long term financial health may suffer as a result.

The tensions are ramping up as ports and truckers struggle to meet new California pollution requirements in the midst of hard economic times sweeping over the shipping industry.

Oakland port commissioners voted Nov. 19 to indefinitely postpone a planned \$5 million contribution to a government pool of grants for owners of old trucks to install diesel soot filters required by the state for trucks that want to keep visiting ports after Jan. 1, 2010.

Without enough clean trucks, port business could be severely disrupted, air quality regulators say, because hundreds of the 2,000 trucks that use the port are believed to need pollution upgrades.

Port commissioners also postponed a Dec. 2 vote on a master plan to cut port pollution, and a container fee that would make companies that ship the goods pay millions of dollars annually to finance pollution reduction measures for diesel trucks, ships and trains.

"We see the port as essentially pulling back from their commitments to deliver cleaner air," said Jack Broadbent, chief executive officer of the nine-county Bay Area Air Quality Management District. "We are extremely disappointed that the port did not follow through."

One environmental leader was harsher. "These delays in reducing pollution protect the interests of shipping companies and their customers, like Wal-Mart and Costco, at the expense of public health in Oakland," said Brian Beveridge, co-director of the West Oakland Environmental Indicators Project.

Port officials said the troubled economy is hitting the shipping industry so hard that the port, a landlord for many interrelated maritime businesses, has a fiscal responsibility to reassess how it spends to reduce pollution.

"We haven't any way abandoned our commitments to air quality," said Richard Sinkoff, the port's manager of environmental programs and planning. "The central issue for the port is its financial health and making sure that the benefits from it can accrue."

The port is the region's biggest concentrated source of diesel soot, which can penetrate deep into the lungs and contribute to a variety of health problems, including asthma, cancer and heart disease, regulators say.

In March, the California Air Resources Board released a risk analysis that concluded the 22,000 residents of West Oakland face a cancer risk some three times higher than the rest of the Bay Area because of air pollution, much of it from traffic on local roads and freeways, but some from port traffic. The pollution also escalates cancer risk to a lesser degree in much of western Alameda and Contra Costa counties, officials said. Vowing to cut pollution risks quickly, the California Air Resources Board, the Bay Area air pollution district and the port each planned to chip in \$5 million to create a \$15 million pool for grants to clean up diesel truck models from 1994 to 2003. The maximum grant would be up to \$15,000 per truck for soot filters that can cost up to \$20,000, leaving a large share for truckers to pick up.

The grant program will go ahead, but if the \$5 million in port money is not restored, fewer trucks will receive help to upgrade. When they balked at approving the money last month, port commissioners discussed the dark cloud over port finances, and a dispute arose about who should bear the burden of truck filter costs not covered by grants.

Some of the many independent truckers who do business at the port complained the filter costs are an extreme hardship on their modest incomes. To solve the problem, the truckers and Teamsters union representatives have urged the port commission to require trucking companies to put the independent truckers on their payroll as full-time employees. If that is done, it's up to the trucking companies to absorb the costs.

But other truckers have told the port commission they want to remain contractors to keep their freedom as independent businessmen, even if it means absorbing the cost to clean up trucks. As independent contractors, the truckers cannot legally be organized by labor unions.

The labor issue remains unresolved as the port waits for a study to be issued next year on how to address the truckers' status.

In the meantime, air pollution officials said they are growing more anxious that trucks using the port may not be ready for the 2010 deadline to clean up.

"We need the port to show leadership instead of coming up with more reasons for delays," said Mark Ross, a Martinez city councilman on the Bay Area air pollution board. "They have lagged behind Southern California ports in cleaning up."

Port officials acknowledge they are concerned about the clean truck deadline, but they said that some cargo owners are considering giving financial assistance for truck upgrades or replacements.

"I think we'll hear more about partners that are receptive to helping," said Tim Leong, a port environmental scientist. "They understand that operating green is part of doing business at the port."

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