

California Cotton Ginners and Growers Associations
1785 N. Fine Avenue
Fresno, CA 93727

PRESORTED STANDARD
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tion to the Association office by the designed deadline. Look for the notice of elections and the nomination petition in the mail in early to mid October. If you are interested in being nominated or nominating a fellow grower in your county and do not receive a notice and petition by October 15th, please notify our office at (559) 252-0684.

Irrigation Engines Exempt from Cap & Trade

The Associations fought for an agricultural irrigation pump exemption to the Mandatory Reporting Rule (MRR) with regards to greenhouse gases last December. We were successful in getting an ARB board adopted resolution that specifically exempted ag pumps from reporting, which also creates an exemption to the Cap-and-Trade regulation. Recently, staff at ARB released their proposed 15-Day changes to the regulation where they attempted to put the resolution into the actual regulation, but the language only exempted **portable** ag pumps. The Association met with top ARB staff to discuss how the language did not match up with the adopted resolution. As a result of that meeting and staff has proposed clarifying language that will indeed exempt **ALL** ag irrigation engines from

the MRR and Cap & Trade.

Ginners Association Directors Election Upcoming

5 Ginner director terms are expiring this year. They are **John Colbert, Modern Ginning Co., Blythe; Stan Creelman, Mid-Valley Cotton Growers, Tulare; Michael Hooper, Farmers Cooperative Gin, Buttonwillow; Matt Toste, Huron Ginning Co., Huron; Don Van Schuyver, Semi Tropic Cooperative Gin, Wasco.**

Nomination forms will be mailed to all Ginner Association members soon. All members in good standing are eligible to serve. Directors whose terms are expiring are eligible to serve again if nominated and elected by the membership. To qualify for the ballot, a candidate must be nominated and return a Candidate's Statement Form which includes a brief bio and agreement to serve if elected by the designated deadline. Ginner election forms will be mailed to all members during the week of October 11th.



The Cotton Chronicle

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www.ccgga.org

Supima

October 2011

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Industry Calendar

Oct 11—

PhytoGen Field Day—
Tulare Area

Oct 14—

CA Cotton Pest
Control Board –
CCGGA Offices

Nov 11—

Veterans Day—
Office Closed

Nov 24-25—

Thanksgiving Holiday—
Office Closed

Dec 1—

Growers Board Mtg—
CCGGA Offices

Dec 7—

Ginners Board Mtg—
CCGGA Offices

*(Visit web calendar
for details)*

CCGGA Staff

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President / CEO
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Association Fighting New EPA Requirements on Internal Combustion Engines

The Association is working with other agricultural groups to fight recently revealed requirements for internal combustion engines, including those used to drive agricultural irrigation pumps. The requirements are federal requirements, known as 40 CFR 63, ZZZZ – Reciprocating Internal Combustion Engines, and are a National Emissions Standards for Hazardous Air



Pollutants (NESHAPs). EPA never conducted a workshop for the agricultural industry and simply adopted the requirements which require diesel-fired engines above 300 hp and natural gas or gasoline fired engines to install a Carbon Monoxide (CO) catalyst. The catalyst is actually installed to reduce “formaldehyde emissions”. The San Joaquin Valley Air Pollution Control District made the Association aware of the new requirement, which will kick in 2012 with authority to construct application requirements and installation due in 2013. The agricultural industry has already had one meeting with EPA and has also had conversation with the staff of Congressmen Cardoza and Costa on this issue, which will be extremely costly for very little benefit. It is currently estimated that over 600 engines throughout the state could be affected.

Valley Air District's Former Chief Counsel Joins Kahn, Soares & Conway, LLP

Phil Jay to Provide Clients with Vast Expertise in

Environmental Laws & Regulations, Firm Says
In a move that elevates its rapidly growing environmental practice, the law firm of [Kahn, Soares & Conway, LLP](http://www.kahnsoaresconway.com)(KSC) today announced that Phil Jay – former chief counsel for the eight-county San Joaquin Valley Air Pollution Control District from 1993 to 2011 – has become of counsel to the firm.

“We are very pleased that Phil has become part of our team,” said managing partner George Soares. “Phil brings an outstanding reputation and first rate expertise that will greatly enhance our service to clients located in California and nationally.”

In his new role, Phil will assist clients in navigating the legal and governmental complexities associated with air quality, land use, the California Environmental Quality Act (CEQA) and much more, according to Soares.

“We also expect Phil to benefit clients in government related litigation, labor law, civil rights violations and civil litigation, using experience he gained as legal counsel for Fresno and Madera counties before joining the Valley Air District,” he said.

Jan Kahn, a founding member of the firm, added: “Our clients are increasingly requiring assistance in the evolving world of environmental law. Phil’s addition to the firm complements our existing strengths and commitment to this important area.”

In 2003, KSC, in partnership with Jim Wells, for-



mer director for the California Department of Pesticide Regulation, formed Environmental Solutions Group, LLC to assist clients in addressing pesticide, and air and water quality issues.

About Kahn, Soares & Conway, LLP: KSC is a full-service law firm with an extensive and diverse clientele. Representative clients include numerous private associations, international and publicly traded corporations, state commissions and boards, chemical manufacturers, city government, hospitals, land developers and construction contractors. The firm presently consists of fifteen attorneys, three governmental advocates, and an extensive administrative staff. With offices in Sacramento and Hanford, California, the firm represents clients at both the state and national levels. The firm litigates before state and federal trial and appellate courts in California and other states, and regularly appears before the California State Legislature and numerous state and federal administrative agencies. For more information, please visit <http://www.ksclawyers.com>.

Supima Design Competition A Smash In New York

On September 8 at 1pm, Supima hosted the fourth annual Supima Design Competition in New York during the Mercedes-Benz Fashion Week and crowned Jusil Carroll of the Fashion Institute of Technology in New York, the \$10,000 grand prize winner!

A hotly contested fashion show between eight designers and a total of 40 unique one-of-a-kind designs, all made with Supima fabrics, kept the packed Studio in the Lincoln Center of over 400 attendees completely enthralled.

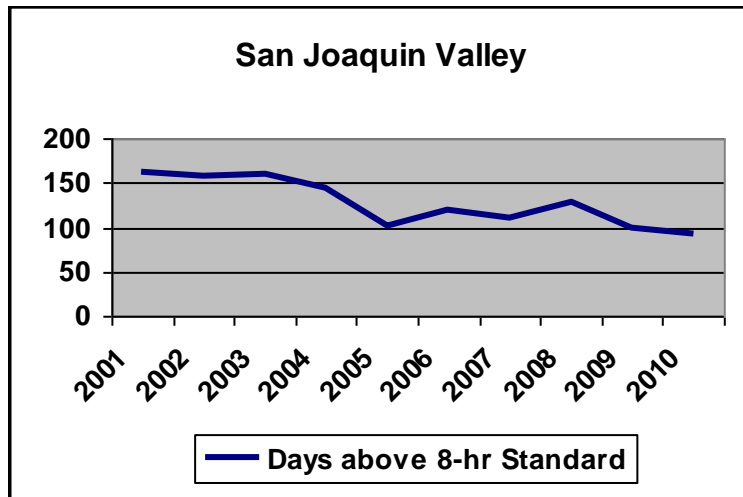
Each design, one after another, impressed the judges with the creative direction taken with Supima fabrics in denim, corduroy, twill, shirting fabric or a knit.

To see firsthand all the excitement around the event, a video of the fashion show is available to be seen on the Supima website at <http://www.supima.com/fashion-week>.

EPA Proposes to Approve San Joaquin Valley Ozone Plan

The U.S. Environmental Protection Agency is proposing to approve the 8-hour ozone air quality plan for the San Joaquin Valley. This plan, known as a State Implementation Plan (SIP), is the roadmap to meeting the Clean Air Act standard of 0.08 parts per million of ozone as measured in 8-hour increments. "California's air quality has improved dramatically since the Clean Air Act was approved by Congress more than forty years ago," said Jared Blu-

menfeld, EPA's Regional Administrator for the Pacific Southwest. The air district is making steady progress toward meeting the 8-hour ozone standard, one of the National Ambient Air Quality Standards, by 2024. In 1997, EPA first established the 8-hour ozone standard, which replaced the older 1-hour ozone standard (0.12 ppm). The 8-hour standard is believed to be more protective of human health because it addresses the impacts of exposure over longer periods of time. EPA is proposing to approve the 8-hour ozone air quality plans for the San Joaquin Valley, which includes their attainment demon-



strations, enforceable commitments and reductions from new technologies. There have been vast improvements in air quality in California over the previous decades. The worst sites in California have demonstrated a 52% improvement in ozone from 1976 to 2010, a 29% improvement in fine particulate matter (PM2.5) from 2001 to 2010, an 84% improvement in carbon monoxide from 1970 to 2009, and a 92% improvement in sulfur dioxide from 1970 to 2009. Statewide measures such as the in-use truck and off-road diesel rules, and smog-check improvements will further reduce air pollution. In the San Joaquin Valley, district rules will reduce pollution from open burning, boilers, composting, and livestock operations.

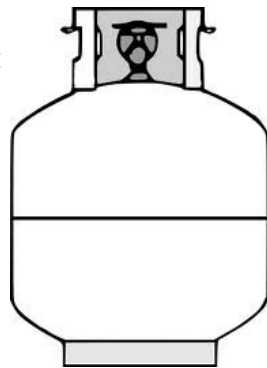
State Water Board Addressing Septic Systems

The State Water Resources Control Board has completed a draft State Policy for Water Quality Control for Siting, Design, Operation, and Management of Onsite Wastewater Treatment Systems (OWTS Policy) and a Substitute Environmental Document (SED) for public review. The adoption of policies for water quality control has been certified as an exempt regulatory program under the California Environmental Quality Act, so the State Water

Board has prepared the SED to analyze the potential environmental impacts of the proposed OWTS Policy. Staff workshops are planned for October 24th in San Luis Obispo, October 28th in Redding, November 2nd in Santa Rosa, and November 7th in Riverside. The workshops will be to gather input from public agencies and interested persons on the content of the OWTS Policy and associated SED. Staff will conduct two separate sessions at each location in order to accommodate different schedules. Each session will have identical content. Times for the workshops are 1:00 p.m. to 4:00 p.m. and 6:00 p.m. to 9:00 p.m. A separate State Water Board adoption hearing will be scheduled in the future, at which the State Water Board will consider adoption of the final OWTS Policy and SED. It is anticipated that the adoption hearing will be sometime in the spring of 2012. In May 2011 the State Water Board held public scoping meetings on the SED to seek input on the range of project actions, alternatives, reasonably foreseeable methods of compliance, significant impacts to be analyzed, cumulative impacts, if any, and mitigation measures that will reduce impacts to a less than significant level; and to eliminate from detailed study issues found not to be important. The OWTS Policy and SED Documents may be viewed and downloaded from the State Water Board's website at: http://www.waterboards.ca.gov/water_issues/programs/owts/.

Propane Refueling – Subject to Air Pollution Rules?

Think everything has been regulated by EPA, the California Air Resources Board (CARB) or your local Air Pollution Control District? Think again! The South Coast Air Quality Management District is now considering adopting a rule that would govern liquid petroleum gas (LPG) transfer. The proposed rule would initially apply to the transfer of LPG to and from stationary storage tanks and cargo tanks, including bob-tails, tanker trucks, and rail tank cars, and into portable refillable cylinders. This includes those found on forklifts. Included in the rule would be the following:



- **Installation of low-emission fixed liquid level gauges on applicable receiving tanks and cylinders**
- **Use of properly installed low-emission connectors**
- **Routine LPG transfer equipment and component leak detection and repair by trained personnel**

• **Recordkeeping and reporting to demonstrate compliance**

At this point, other air districts in the state are not considering such a rule; however, once the precedent has been set, we can expect to see similar requirements in the next couple of years!

Accident Reporting

We often get the call about whether to report an injury to Cal/OSHA. Often it is after the fact, which in recent years has become a very costly mistake, with most reporting violations costing employers \$5,000 each. And that is after settlement! To know whether or not to report an injury, here are the requirements. First, a "serious injury or illness" means any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement. Second, every employer shall report immediately by telephone or fax to the nearest Cal/OSHA office any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment. This shall be done as soon as practically possible, but no longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. Listed are numbers in your area:

- Redding – (530)224-4743**
- Sacramento – (916)263-2800**
- Modesto – (209)545-7310**
- Fresno – (559)445-5302**

Van Nuys – (818)901-5403 (Buttonwillow area use this #)

Grower Association Directors Election Time

Growers Association director elections are upcoming for Kern County and Riverside County. Kern County currently has 3 directors; **Jim Neufeld, Bryan Bone and Tim Thomson** whose 3 year terms are expiring. Riverside County has director **Tim Cox** whose 3 year term is expiring.

Nomination petitions will be mailed to all cotton growers of record in Kern and Riverside Counties. All current cotton growers in these respective counties are eligible to be nominated by having 10 cotton growers from their county sign a petition and returning that complete peti-