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Dear ORANGE COUNTY RESIDENT:
You Are Entitled To Breathe Clean Air – Free Of Wood Smoke
And You Have A Right To Speak Freely.

You are entitled to breathe clean air because the California Health & Safety Cod 41700 provides in part:
"...no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public..."

The effects of woodsmoke are not trivial. Smoke concentrations in many communities are high enough to cause adverse respiratory health effects. Increases in smoke pollution in those communities produce measurable health degradation, including increased illness, absenteeism, hospitalization, and even premature death.

Some smoke particles are so tiny that they can seep into neighboring houses even around closed doors and windows. Studies show that children living in areas affected by wood smoke have lower levels of lung function during and following the woodburing season. Children have lower lung function the day after exposure to high concentrations of wood smoke.

Particles smaller than 10 micrometers in diameter can be inhaled into the lung without being intercepted by the nose or pharynx and these smaller particles pose a threat to the respiratory system. Researchers have found that fine particulate matter lodges in and alters lung tissue, increasing the incidents of respiratory illness, cardiovascular stress and aggravating asthma, particularly for children.

Woodsmoke contains a bewildering array of organic and inorganic compounds, the normal byproducts of wood combustion. It may also contain a variety of proven and suspected carcinogens. Among the compounds are:

*Carbon Monoxide – causes angina in people with heart disease, lethal at high concentrations.

*Nitrogen Oxides (NO_x) – causes bronchial congestion, fluid congestion and fibrotic changes in the lungs.

*Nitrogen Dioxide – breathing high levels of nitrogen dioxide causes irritation of the respiratory tract and causes shortness of breath.

Compared to healthy people, children and individuals with respiratory illnesses such as asthma, may be more susceptible to the effects of nitrogen dioxide. Some studies have shown that children may have more colds and flues when exposed to low levels of nitrogen dioxide., When people with asthma inhale low levels of nitrogen dioxide while exercising, their lung airways can narrow and react more to inhaled materials.

*Sulfur Dioxide – sulfa dioxide at low levels of exposure can cause eye, nose, and respiratory tract irritation. At high exposure levels, it causes the lung airways to narrow. This causes wheezing, chest tightness, or breathing problems. People with asthma are particularly susceptible to the effects of sulfur dioxide. They may have symptoms at levels that are much lower than the rest of the population.

*Acrolein – causes irritation of the eyes and respiratory tract.

*Formaldehyde – causes headaches, respiratory tract irritation. Probably carcinogenic.

*Volatile Organic Compounds (VOCs) – causes respiratory irritation and illnesses; some VOCs (e.g. benzene) are carcinogenic.

*Dioxins and Furans – are probably carcinogenic.

*Harmful Particulates – Fine Particulate Matter – causes increased respiratory illness, cardiovascular stress, aggravation of asthma and other lung diseases, and early mortality.

*Polycyclic Aromatic Hydrocarbons (PAHs) – prolonged exposure is believed to pose a cancer risk.

If you are annoyed by woodsmoke or think you may be injured because of wood smoke inhalation, you are entitled to speak freely because Section 2 of article 1 of the California Constitution provides,

'Every person may freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse of this right. A law may not restrain or abridge liberty of speech or press.'

You are entitled to speak freely because in California the courts have consistently viewed with great solicitude the right to uninhibited comment

on public issues. (Sun Co. of San Bernardino v. Superior Court (1973) 29Cal.App.3d 815 [105 Cal.Rptr.873].

You are entitled to speak freely because The United States Supreme Court has long recognized that the right to distribute pamphlets and leaflets is afforded constitutional protection equivalent to that of freedom of the press:

"The liberty of the press is not confined to newspapers and periodicals. It necessarily embraces pamphlets and leaflets....The press in its historic connotation comprehends every sort of publication which affords a vehicle of information and opinion." (Lovell v. Griffin (1938) 303 U.S.444, 452 [82 L.Ed. 949. 954, 58 S.Ct. 666].)

If you have any other questions about your rights under the law, call me.

Very Truly

yours,

SAHELIAN &
ASSOCIATES, P.C.

Ara Sahelian