

Precedent-setting cap on oil refinery emissions delayed

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SAN FRANCISCO >> Bay Area air regulators on Wednesday postponed adopting the nation's first limits on greenhouse gases from oil refineries because of complaints that the public wasn't given enough time to review 11th-hour changes.

With both environmentalists and oil company workers complaining of insufficient notice, the Bay Area Air Quality Management District board agreed to wait at least two months before limiting overall annual greenhouse gas emissions from the five refineries in the region.

The vote to delay was 13 to 6.

Air board members and their advisers said the rule is needed to prevent oil refineries from switching to dirtier crude oil sources like Canadian tar sands petroleum that could increase greenhouse gas emissions.

"This rule is a backstop for increasing greenhouse gas emissions," said Eric Stevenson, the air pollution district's director of measurement and rules. "This is a cutting-edge rule, the first in the nation."

An audience of 300 people was sharply divided.

Many environmentalists said caps are urgently needed, but they said the air district staff's last-minute amendments dramatically weakened the rule, and did it without adequate time for the public to study or comment on the changes.

"This is not a cap, but a massive increase in refinery emissions," said Jed Holtzman, a leader of Bay Area 350, a climate protection group. "If you can't cap emissions, how are you going to reduce them?"

Oil company workers and representatives opposed the cap as a threat to their jobs and production at the plants.

Bob Brown of the Western States Petroleum Association said the cap would result in refinery production shifting to other states with more lenient environmental rules, hurting the Bay Area economy without reducing pollutants that affect the world's climate. "Greenhouse gases are a global pollutant," he said, "not a local one."

Oil refineries currently have no overall limit on greenhouse gas emissions even though they face many different types of pollution controls and permit limits for various equipment and areas of plants.

Oil refineries collectively account for about 18 percent of the Bay Area's greenhouse gas emissions, making them the largest single industrial source in the Bay Area. Cars, trucks and other vehicles account for about 41 percent

Environmentalists were upset that air district staff last week increased the refinery pollution limits by 24.4 percent to give refineries an allowance for equipment that has been permitted but has either not started up or is operating at less-than-full capacity.

John Gioia, a Contra Costa County supervisor on the air board, said he wants the caps but is concerned that the public and air board members did not have adequate time to learn about recent changes in the proposed rule.

"We want the caps, but the ends don't justify the means," Gioia said. We are being asked to vote on a rule that has had four versions in three weeks."

California Attorney General Xavier Becerra also urged a delay, writing in a letter that the public should get more notice of last-minute changes.

The proposal for the cap was made some five years ago by environmental groups. Air district staff opposed the idea for years, but gradually came around to backing a cap that is not as strict as the version backed by environmentalists.