



Asian Pacific Environmental Network (APEN)

Communities for a Better Environment (CBE)

West County Toxics Coalition (WCTC)

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ENVIRONMENTAL JUSTICE GROUPS SUE CITY OF RICHMOND OVER APPROVAL OF CHEVRON REFINERY EXPANSION

Flawed Environmental Review Endangers Public Health and Environment

(Richmond, CA) Environmental justice groups filed a lawsuit challenging the Richmond City Council's approval of Chevron's refinery expansion project today.

At issue is an environmental review that concealed that the project would result in much higher pollution. Communities in Richmond, particularly low-income and communities of color, are severely overburdened with industrial pollution-related health problems, including high rates of asthma and cancer. Chevron's refinery is the largest industrial polluter in the region.

The expansion would allow heavier and dirtier crude oil to be processed at the Richmond refinery, which would increase releases of mercury, selenium, toxic sulfur compounds, and greenhouse gases. The City Council approved the Environmental Impact Report (EIR) and Conditional Use Permit for Chevron's expansion project despite the fact that the impacts of refining dirtier and more polluting oil were not disclosed, analyzed, or mitigated by the EIR.

"Chevron's project would lock in a fundamental switch to dirtier oil refining that increases toxic and climate-poisoning pollution drastically when avoiding these impacts is feasible," said Greg Karras, a senior scientist with Communities for a Better Environment (CBE). "The City violated the community's right to know about and act on this information," he said.

"The City Council failed its legal and moral obligation to protect our health," said Richmond resident, Torm Nompraseurt, of the Asian Pacific Environmental Network. "Those dangerous chemicals are going to affect me, my family, and my neighbors but the City didn't even look at what Chevron is really going to be doing."

(more)

Hundreds of residents jammed the City Council hearings in July demanding the City Council limit the refinery from processing dirtier crude oils and re-do the Environmental Impact Report that failed to analyze the project Chevron actually plans to build. Community groups also advocated for Chevron to pay into a “Fund for Richmond’s Future” – a community-controlled fund to support the development of a cleaner and greener economy in Richmond.

Instead, Chevron made a multi-million dollar offer in exchange for project approval with weakened environmental protections and less public review of future refinery projects. Chevron valued its offer at about \$61 million. City and Chevron officials negotiated a proposed contract to execute the deal without public input, and presented it at the City Council’s hearing on the project without public notice. The Council accepted the deal and approved the project without completing the environmental review needed to identify, analyze, and lessen or avoid its significant environmental impacts.

“Chevron must stop its toxic assault on poor people of color in Richmond. The City Council is selling out our community, but our health is not for sale,” said Henry Clark, executive director of the West County Toxics Coalition. “We will fight this until we achieve environmental justice.”

“The California Environmental Quality Act requires government agencies to look before they leap by analyzing and mitigating all significant environmental impacts” said Will Rostov, an attorney for Earthjustice, who represents the environmental justice groups in court. “The City’s environmental review fails in its most basic purpose.”

A poll conducted by David Binder Research indicated that an overwhelming majority (73 percent) of Richmond voters supported the City Council delaying a decision on the Chevron expansion until the environmental and health impacts of refining heavier crude oil were fully reviewed. In addition, 75 percent of Richmond voters said it was very or extremely important that any projects or funding between Chevron and the City Council be determined in an open public process.

The lawsuit was filed today in Contra Costa County Superior Court on behalf of the Asian Pacific Environmental Network (APEN), Communities for a Better Environment (CBE), and the West County Toxics Coalition by attorneys from Earthjustice and CBE.

Read the poll results on the Chevron refinery expansion by David Binder Research (PDF):
<http://www.apen4ej.org/download/BinderRichmondChevronPollAPEN.pdf>

Link to Petition (PDF):
http://www.earthjustice.org/library/legal_docs/richmond-complaint.pdf

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