

# Cap Refinery Emissions Now

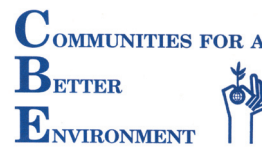
**Problem** Oil companies that want to refine higher-emitting grades of oil have pushed the Air District to delay closing a loophole that has left refinery-wide air pollution unlimited while they try to rebuild for dirtier oil—threatening to increase toxic and climate emissions.

**Solution** Proposed Rule 12-16 would close this loophole by setting numeric emission limits at levels that prevent any significant increase in refinery emissions of particulate and greenhouse gas air pollution.

**Action Needed** The Air District must “cap” refinery air pollution to protect our health and climate by adopting Rule 12-16 now.

**Background** Particulate matter (PM) air pollution kills an estimated 1,700–2,500 people in the Bay Area annually, and greenhouse gas (GHG) air pollution threatens to destroy our climate. Oil refining is the biggest industrial source of PM and GHG emissions in the Bay Area. The oil industry’s push to build projects for refining higher-emitting grades of oil such as “tar sands” oil here threatens to lock into place a region-wide refinery emissions increase of as much as 40–100 percent. The Bay Area Air Quality Management District has the primary responsibility for controlling industrial emissions in the region.

The Air District has done many things to control emissions from various parts of refineries, however, it has not yet set any limit on facility-wide emissions from any Bay Area refinery. This loophole could allow the industry’s plans for higher-emitting oil to get locked into place. Recognizing the need to close this loophole, the Air District Board of Directors directed its staff to develop a backstop against increasing refinery emissions (Rule 12-16) that the District Board can consider adopting by May 2017.



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## Who Supports Rule 12-16

Communities for a Better Environment, the Sierra Club, the Asian Pacific Environmental Network, the Sunflower Alliance, the Richmond Progressive Association, 350 Bay Area, the Interfaith Climate Action Network of Contra Costa County, California Nurses Association, Crockett-Rodeo United to Defend the Environment, Benicians for a Safe and Healthy Community, Rodeo Citizens Association, the Community Science Institute, Greenaction for Health and Environmental Justice, the Pittsburg Defense Council, the Labor Occupational Health Center at UC Berkeley, the Bay Area Refinery Corridor Coalition, Stand.Earth, Good Neighbor Steering Committee—Benicia, Idle No More SF Bay, West Oakland Environmental Indicators Project—and others have supported this preventive health and climate protection measure in formal comments and testimony before the Bay Area Air Quality Management District over the long, five-year course of our collective work for this protection.

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### ***A Needed Protection—Rule 12-16 (Refinery-wide Emission Caps)***

Rule 12-16 sets transparent, enforceable, numeric limits on facility-wide emissions from the biggest industrial polluters in the Air District's jurisdiction.

Rule 12-16 prevents health and climate impacts from a planned switch to higher-emitting grades of oil that threatens to increase region-wide refinery emissions of PM and GHG air pollution by as much as 40–100 percent.

Rule 12-16 allows other measures to reduce emissions by preventing a potentially irreversible increase in emissions from occurring before the other measures take effect.

### ***A Reasonable Protection***

This reasonable measure would not require any refinery to do anything different from what it already is doing now. Rule 12-16 would allow full use of current refinery production capacity. For example, in 2014 each refining facility emitted at levels below the limits in Rule 12-16 while they ran at an astounding 98% of the Bay Area's total maximum calendar-day crude capacity as an annual average.

### ***Take Action!***

**Join refinery communities, independent community and labor and environmental groups and health scientists to ask the Air District to do its job:**

***Adopt proposed Rule 12-16 to cap refinery emissions now!***

March 2017. For more information: [www.CBECAL.org](http://www.CBECAL.org)

### **Polluters' arguments**

Saying “*there is no oil switch problem*” is a bit like climate denial. The oil industry's own reports reveal plans to bring tar sands oil for refining in the Bay Area in huge amounts, and oil projects proposed region-wide prove that refiners are acting on these plans. A full blown switch to tar sands oil could double or triple the average refinery's combustion emissions, according to independent, peer reviewed scientific investigations.

Claims that “*it's not fair to treat refineries differently from other industries*” ignore that our solutions must be tailored to the problems we need to solve. No other industry in the Air District's jurisdiction emits as much PM and GHG, disparately impacts as many people in nearby low-income communities of color, or threatens to irreversibly increase already-harmful air pollution by switching to higher-emitting grades of oil feedstock.

Insisting that “*Rule 12-16 conflicts with better alternatives*” has it dead wrong. No other existing or proposed measure would set transparent and enforceable limits to ensure against huge emission increases from refining dirtier oil that could overwhelm cuts from other measures. Rule 12-16 complements the other measures, helping them reduce emissions.

### **More polluters' arguments**

Claims that “*the caps could lead to shortages and gas price increases*” are only scare tactics. Rule 12-16 allows full use of current refinery capacity, and Bay Area refineries currently export excess fuel overseas. Rule 12-16 would not increase gas prices.

Finally, refiners say “*Rule 12-16 would force production and emissions to shift elsewhere, increasing pollution in other communities without any climate benefit and resulting in job losses.*” Rule 12-16 will not cause refiners to shift production elsewhere because it allows full use of existing production capacity here, so it could not cause pollution to increase elsewhere. Refineries would continue to operate with no job losses.