



FOR IMMEDIATE RELEASE WED 6/14/2017

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Environmental Justice Group Sues Air District over Approval of Tesoro Oil Refinery Expansion Project

Facility would connect Los Angeles with N. Dakota Fracked Crude and Canadian Tar Sands, becoming West Coast's largest oil refinery

Los Angeles—Communities for a Better Environment (CBE), representing community members surrounding the massive refinery today filed a lawsuit against the South Coast Air Quality Management District (AQMD) alleging that it unlawfully approved the Tesoro refinery expansion and merger project by failing to conduct necessary environmental review. The lawsuit states that the District failed to disclose significant elements of the project and their health and safety impacts to surrounding communities. The group alleges that the project will allow Tesoro to import and refine North Dakotan fracked crude and Canadian tar sands.

Despite the review deficiencies, the AQMD approved the project's final environmental impact report on May 12, 2017. The approval came despite increased risk of health and safety impacts for neighbors in Wilmington, Carson, and West Long Beach, who already face severe pollution from numerous nearby highways, ports, and refineries. The project also opens the door to increased greenhouse gas emissions that the environmental review did not account for in its analysis, jeopardizing California's globally recognized fight against climate change.

While Tesoro's own corporate statements and investor communications evidence the company's intention to switch crude oils, the Districts' environmental impact report failed to analyze the impacts of the switch. In advancing the project, the AQMD entirely dismissed evidence that the project will allow Tesoro to bring the two extreme crude oils not previously available in large quantities, both which use unconventional extraction, generating high levels of greenhouse gases. Fracked Bakken crudes from North Dakota (with potentially high levels of cancer-causing benzene) is volatile, and has been the subject of Department of Transportation warnings due to a track record of explosions and spills when transported by rail. Canadian tar sands crude oil carries high levels of corrosive sulfur, increasing refinery corrosion dangers that caused the Chevron Richmond explosion of 2012.

The Air District also ignored substantial evidence that smog-forming and toxic emissions at proposed new and expanded refinery sources, including flares, heaters, storage tanks, marine vessels, and others were drastically underestimated.

“The District has a duty to investigate such projects with the utmost scrutiny, and we are very concerned that it dismissed evidence indicating that a core project purpose is to refine extreme, dangerous crudes, and also underestimated the project’s environmental impacts to communities already under siege by refineries and other polluting sources.” said Gladys Limon, staff attorney with CBE. “It is alarming that our air regulators authorized the refinery expansion when local and state polices require significant decreases in fossil fuel reliance,” Limon added.

The area surrounding the project—nestled between Wilmington, Long Beach, and Carson—is 90 percent people of color and already overburdened with five refineries, nearby highways like the 710 and 110, the ports of Los Angeles and Long Beach, and several other major pollution sources. Over the past three years, local residents have raised major concerns about the impacts of current pollution and their apprehension about bringing additional pollution to the community. Despite participating through the AQMD’s public engagement process, their concerns were overlooked.

In April, thousands marched from local communities and all over Los Angeles to the refinery gates, and dozens chanted at the AQMD Board hearing last week in protest that the AQMD had approved the flawed environmental impact report and lacks an appeals process to bring the decision back to its Board.

“It’s a shame that local community voices were dismissed, it appears like many of our air regulators are in the pocket of the oil industry,” said Sylvia Arredondo, a Wilmington community member. “We know the true impacts the refineries have on our health. We see and live through the illnesses. We breathe and smell the polluted air, and we demand our air regulators safeguard our right to live healthy lives.”

In a bombshell report released in full in April 2017, researchers revealed that [pollution at the existing Tesoro refinery is drastically higher](#) than the community has been led to believe. The [FluxSense report](#), conducted in partnership with AQMD, revealed volatile organic compound (VOC) emissions at the existing Tesoro facility are six times higher than reported, and benzene emissions are 43 times higher.

The Tesoro project proposes to link up with a larger West Coast pathway of extreme crude oil that threatens local communities, wildlife areas, and waterways. It would enable high risk transport by rail from North Dakota to the controversial Tesoro Savage terminal proposed for Vancouver, WA, and then to Los Angeles via ship, where Tesoro plans new storage tanks to house 3.4 million barrels of additional crude oil.

As a result of its broader impacts, the project has elicited concerns from leaders up and down the West Coast. See CBE’s [past press release](#) issued following the AQMD’s approval of the Tesoro proposal.

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Founded in 1978, [Communities for a Better Environment](#) (CBE) is one of the preeminent environmental justice organizations in the nation. The mission of CBE is to build people's power in California's communities of color and low-income communities to achieve environmental health and justice by preventing and reducing pollution and building green, healthy and sustainable communities and environments. CBE provides residents in blighted and heavily polluted urban communities in California with organizing skills, leadership training and legal, scientific and technical assistance so that they can successfully confront threats to their health and wellbeing.