

BY ELECTRONIC MAIL

16 August 2018

Jack Broadbent  
Air Pollution Control Officer  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105

**Attention:**

Air District Board members  
Victor Douglas  
Guy Gimlen

350 Bay Area  
350 Marin  
350 San Francisco  
All Positives Possible  
Asian Pacific Environmental Network  
Benicians for a Safe and Healthy Community  
Center for Biological Diversity  
Citizen Air Monitoring Network  
Communities for a Better Environment  
Community Science Institute  
Crockett-Rodeo United to Defend the Environment  
Fresh Air Vallejo  
Friends of the Earth  
Greenaction for Health and Environmental Justice  
Idle No More SF Bay  
Interfaith Climate Action Network of Contra Costa  
Oakland Climate Action Coalition  
Richmond Progressive Alliance  
Sierra Club – San Francisco Bay Chapter  
Stand.Earth  
Sunflower Alliance  
System Change not Climate Change – Bay Area  
The Climate Mobilization  
West Berkeley Alliance for Clean Air and Safe Jobs  
West Marin Standing Together

**Air District-Oil Refiners Agreement Threatening Maximum Feasible cPM (PM<sub>2.5</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Emission Cuts from Fluid Catalytic Cracking (FCC); Notice of Preparation (NOP) and Initial Study (IS) on Rule 6-5 Amendments**

Air Pollution Control Officer Broadbent,

By this letter our 25 organizations call on you to stop the deadly, unjust and needless pollution from fluid catalytic cracking (FCC) that remains unabated by proven least-emitting technology at the Chevron, Marathon (formerly Tesoro), and Shell refineries. We demand that the District:

**Propose** an amendment to Rule 6-5 that requires FCC emissions of condensable particulate matter (cPM; a type of PM<sub>2.5</sub>) and sulfur dioxide (SO<sub>2</sub>; a PM<sub>2.5</sub> precursor) to be limited consistent with emission reductions that can be achieved by wet scrubbing.

**Schedule** a public hearing of the Board on Rule 6-5 to commence as soon as possible.

The NOP and IS reveal an agreement with three refiners you signed on 28 March 2017, but fail to mention that it commits you to propose and advocate changes to Rule 6-5 that could exempt refiners from using proven, least-emitting FCC wet scrubbing technology.

Fluid catalytic cracking (FCC) emits more PM<sub>2.5</sub> than any other process in oil refining, which emits more PM<sub>2.5</sub> than any other industry in your jurisdiction. Among other serious health impacts, PM<sub>2.5</sub> causes 90% of premature deaths associated with air pollution and kills 2,000–3,000 Bay Area residents each year. This is based on the District's own data and estimates. Peer reviewed research and independent expert opinion confirm that impacts of refinery PM<sub>2.5</sub> emissions are disparately severe in low-income communities of color near refineries.

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Proven technology can cut FCC emissions dramatically. FCC emission wet scrubbing is demonstrated in practice, notably at the Benicia refinery, where a wet scrubbing retrofit has operated for years. Publicly available District data on Benicia, Martinez, and Richmond FCC emissions suggest this proven technology can cut PM<sub>2.5</sub> and SO<sub>2</sub> emissions from the Chevron, Marathon and Shell FCCs by as much as 99%. And by replacing higher-emitting electrostatic precipitators (ESPs), wet scrubbing can eliminate the explosion hazard of ESP sparking, preventing the recurrence of disasters like the 2015 Torrance FCC explosion. This proven, least-emitting, solution is *inherently* safer for refinery workers and communities.

The agreement you signed with oil refiners in March 2017 threatens to gut a requirement that could achieve this solution. It commits you to propose and advocate an approach to amending Rule 6-5 that considers removing any obligation to establish, enforce, or comply with cPM and SO<sub>2</sub> emission limits achievable by the least-emitting proven control technology. Without those limits, FCC wet scrubbing would not be required.

District staff has concealed this threat from the public, and apparently, from the State Air Resources Board. Instead of revealing the substantive amendments to Rule 6-5 your 2017 agreement contemplates, your NOP and IS characterize them as only clarifications of the rule's original intent. Meanwhile, environmental justice groups are informed that the Air District has assured the Air Resources Board it need not include FCC wet scrubbing in its AB 617 Blueprint because District implementation of this measure (supposedly) is on track.

Finally—because your agreement with refiners commits you to advocate a particular set of Rule 6-5 amendments regardless of evidence yet to emerge in any public hearing, and because this is the law—our representatives on the District Board must exercise independent judgement in their decision on this rule. Our requests of you, stated above, seek your cooperation in support of the Board's independent judgment. We believe the agreement does not preclude the actions we request, that its November 1<sup>st</sup> deadline now allows barely enough time for a Board hearing process, and that further delay would be unacceptable. Lives are at stake.

Laura Neish  
350 Bay Area

Richard Gray  
350 Marin

John Anderson  
350 San Francisco

Katherine Black  
Benicians for a Safe and Healthy Community

Hollin Kretzmann  
Center for Biological Diversity

Ken Szutu  
Citizen Air Monitoring Network

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Marcie Keever  
Friends of the Earth

Bradley Angel  
Greenaction for Health and Environmental Justice

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