

Richmond Refinery Expansion Update, July 2009

Asian Pacific Environmental Network (APEN), Communities for a Better Environment (CBE)
and West County Toxics Coalition (WCTC)

What does the community want?

Chevron should protect the community's and worker's health and provide jobs. Chevron has proposed a project that would expand the refinery to process dirtier oil which would cause more pollution. The judge agreed with us that the environmental review was flawed. No expansion of Chevron facilities should be allowed without a thorough analysis of what the effects of processing lower quality oil will be on the community. Children are already hospitalized for asthma at almost twice the rate of children in the rest of the county.

What did the court decide?

The court decided that the City's Environmental Impact Report for Chevron's Expansion Project was inadequate. First, it was unclear whether the project would allow Chevron to process heavier crude. Second, the City illegally delayed its plan to reduce greenhouse gases. Specifically, the City improperly decided to wait a year after Chevron started construction to create a plan to mitigate significant impacts from the project, or analyze whether those impacts could be mitigated. This project would emit upwards of roughly a million tons of additional CO2 each year. Third, the expansion project failed to disclose that it included a major, additional component: a pipeline that would travel from the new hydrogen plant at Chevron to ConocoPhillips and Shell oil refineries. And it failed to analyze the impacts of that part of the project. The court decided that the City has to redo its EIR to disclose the impacts of the project to address the issues above, and only then reissue the permits.

What does the court's order mean for workers and jobs?

Chevron makes its own hiring and firing decisions and is trying to make the community choose between jobs and our health. We know this is a false choice. We must have both. Short-term, Chevron can and should reassign work instead of laying people off. Chevron should guarantee the community that the project will not refine dirtier oil that will result in more pollution so that the project can move forward and the workers can get back to work.

Are CBE, APEN, and West County Toxics Coalition still open to settling the case, since we've won now?

Yes. We made a detailed proposal to Chevron and the city before we filed the lawsuit and we are still open to and still awaiting Chevron's detailed public response.

Background

On June 4, Contra Costa Superior Court Judge Barbara Zuniga ruled that the Environmental Impact Report supported by Chevron and approved by the City of Richmond was illegal because it did not disclose whether the project will allow Chevron to process dirtier oil or disclose the harm that pollution on Richmond residents. On July 1, Judge Zuniga ordered that the expansion project be put on hold until a new, valid EIR is prepared and approved.

Chevron, while knowing that the EIR was being challenged in court, rushed ahead with its project. After the court decision, Chevron launched a PR campaign in conjunction with layoffs in an attempt to drive a wedge between the community interests of jobs and health.

Today, residents of Richmond who have been the victims of industrial pollution from the Chevron Refinery for decades are speaking up to say "enough is enough." We need to retool the refinery to replace dangerous and aging equipment but we need to have guarantees that heavier, dirtier crude will not lead to worse air pollution.

What Chevron Needs

To Do:

- Prevent any increase in pollution from the project and implement the maximum feasible reductions in pollution through equipment replacements at the refinery.
- Reduce annual GHG emissions from the refinery by a million tons concurrent with the startup of the proposed new hydrogen plant.
- Reinstate Chevron's "Community Benefits Agreement" with the City without strings attached and drop Chevron's lawsuit against Measure T, which Richmond voters approved last year.