

Attachment 3 Copies of All Emails and Comment Letters

From: [Angel Chavarin](#)
To: [Air Quality Planning](#)
Subject: (PTCA) path to clear air
Date: Thursday, January 18, 2024 12:03:06 PM

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I like this plan to address air pollution in our community
-Angel Chavarin

From: [Emily Adamson](#)
To: [Air Quality Planning](#)
Subject: Path To Clean Air
Date: Thursday, December 21, 2023 11:31:17 AM

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To Whom It May Concern,

My name is Dr. Emily Hunter-Adamson and I am a family medicine physician providing primary care to underserved residents of Richmond at Lifelong Medical's William Jenkins clinic. It is well known among healthcare providers in the Richmond area that asthma rates in particular are very high among the community we serve and that this is likely very deeply connected with the levels of air pollution the residents of these areas face on a daily basis. As I raise my own infant daughter, I am grateful for the privilege that I have for her to live in an area free of refineries and other industrial emissions that would increase her risk for poor health outcomes. My heart aches for the kids I see daily in clinic with preventable chronic health conditions that they suffer from simply because they must live in areas that have been deemed acceptable for high levels of air pollution.

On behalf of my patients, I would like to express my extreme support for the Path to Clean Air, and for any plan to dramatically reduce or eliminate fossil fuel emissions and transition of the area to green energy. I believe it is an essential piece for equity and good health for the residents of Richmond and for our planet.

Thank you for your time,
Dr. Hunter-Adamson

From: [Laurie Swiadon](#)
To: [Air Quality Planning](#)
Subject: wood smoke complaints
Date: Thursday, December 14, 2023 12:14:06 PM

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Dear Planners,

In my neighborhood of East Richmond Heights, I dread the onset of cold weather every year because of the fireplace users who don't have EPA filters and are numerous and stubborn. Many people burn really stinking toxic materials as well as wood in my neighborhood, and my lungs and eyes are extremely sensitive. I have offered to buy EPA fireplace filters for these people very nicely, as I want to continue good relationships with my neighbors, and so far, only one family agreed to stop burning the wood (next to my house).

I noticed that the reduction plan contains the following language: "Air quality complaint confirmation rates exclude woodsmoke complaints."

Woodsmoke is toxic not just to sensitive people with reactive lungs, like me, and asthma, but everybody. What can we do to protect our population from these negative effects? I call for a ban on unfiltered fireplace burns. And maybe create a new tax to provide for installation of EPA-certified fireplace inserts for everyone who requests one. PLEASE!!

Sincerely,
Laurie Swiadon

[REDACTED]

From: [Niyi Omotoso](#)
To: [Air Quality Planning](#)
Subject: Public comment for PTCA draft plan
Date: Saturday, January 6, 2024 3:28:53 PM

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I wholly support the PTCA plan. As a physician working with families with multiple generations with asthma and heart disease, and seeing their health impacted by the air pollution, I support the just transition principle set in the plan and strategies on public health to address this health inequity.

From: [Yadira Alvarez](#)
To: [Air Quality Planning](#)
Subject: Clean Air
Date: Monday, January 8, 2024 9:36:16 AM

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I support the intention of this plan!!

[Sent from Yahoo Mail for iPhone](#)

From: [Kanwal Merchant](#)
To: [Air Quality Planning](#)
Subject: Path to Clean Air Plan
Date: Wednesday, January 10, 2024 8:55:22 AM

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Hello,

My name is Kanwal Merchant Waknis. I am a physician working in Richmond. I would like to comment on the "Path to Clean Air Plan". I want to express my support for this plan overall, in order to improve the air quality and health outcomes of my patients, all living in the area. Specifically I appreciate Chapter 7 - Strategy 4 Large Industrial Sources. I believe that reducing particulate matter and toxic air contaminant emissions from large facilities will help to reduce health hazards.

Thank you,
Kanwal Merchant Waknis, MD
[REDACTED]

From: [Jeannette Kortz](#)
To: [Air Quality Planning](#)
Subject: My Comments Regarding the North Richmond-Richmond-San Pablo Community Emissions Reduction Plan
Date: Thursday, January 11, 2024 1:13:15 AM

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Hello,

I have concerns regarding this plan. To me it does not go far enough to protect these communities. Please see my comments below. We need:

1. A full analysis of the emissions and health impacts of major flaring events - like the one we had on Nov 27th (4 flares spewing full bore for 12 hours plus additional flaring for 2 days)
2. A plan to reduce flaring 75% by next year. Get back to pre-Modernization project levels and aim for industry best practice levels.
3. A plan to reduce the top toxic contaminants by 30-40% with milestones between now and 2035 with critical success factors (PM and the top ten toxic contaminants)
4. A plan to force Chevron to participate actively in this emissions reduction process
5. A plan to improve our understanding of individual emission health risks
6. A plan to investigate legislative strategies for reducing pollution such as limits on exports or requirements to process cleaner crude oil with lower sulfur content. (Should Chevron get to pollute our community so that it can export jet fuel to China? Should Chevron get to refine dirtier oil in order to save \$5 or \$10 per barrel?)

Thank you for your time. I hope you will address my concerns.

Kind regards,

Jeannette Kortz



From: [julie Harris](#)
To: [Air Quality Planning](#)
Subject: AB 617; The Path to Clean Air Richmond, North Richmond & San Pablo DRAFT Community Emissions Reduction Plan
Date: Tuesday, January 16, 2024 6:45:39 PM

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AB 617; The Path to Clean Air Richmond, North Richmond & San Pablo DRAFT Community Emissions Reduction Plan

PLEASE PLEASE pass it, do it, make it happen.

I am a retired Registered Nurse in El Sobrante with pollution-related COPD. Also helping to raise three small grandchildren in El Sobrante. Witnessing scary numbers of kindergarteners and preschoolers with asthma in West Contra Costa Unified School District classrooms. Make our air healthier, PLEASE.

Sincerely,
Julie Harris
El Sobrante

From: [Brent Green](#)
To: [Air Quality Planning](#)
Subject: Toxic Air, Public Health, & AB617
Date: Wednesday, January 17, 2024 10:05:47 AM

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The Plan (AB 617) must be strengthened prior to sending it for CARB approval.
Among several urgent needs are:

- Stronger regulation of emissions
- More effective penalties & enforcement
- More accountability for major sources
- More accountability for BAAQMD
- More accountability for CARB
- Better help for major project reviews
- Better monitoring of emission spikes & flaring events with better alerts

Chevron MUST partner in good faith to address urgent public health issues from emissions.

As a public health professional we are ALL affected.

Thank you in advance.

Brent Green, Ph.D., MPH

From: [Floy Andrews](#)
To: [Air Quality Planning](#)
Subject: Richmond-North Richmond-San Pablo Community Emissions Reduction Plan
Date: Wednesday, January 17, 2024 8:46:41 PM

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January 17, 2024

Attn: Planning and Climate Protection Division
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Dear Planning and Climate Protection Division:

After years of effort expended by so many on the AB 617 Community Planning Committee in West Contra Costa County, as well as BAAQMD staff and many others, it's disappointing that even now we cannot articulate the true cost of a refinery like Chevron's on our community members' health.

We know PM2.5 emissions impact the human respiratory system as well as many other biological functions. After years of administrative review, BAAQMD finally set a date certain by when the local refineries, including Chevron, must install wet gas scrubbing technology, after the full-force advocacy of environmental groups, healthcare providers, local community leaders and members, elected officials and so many others. This is, however, only one step on the path to clean air and health in our communities.

At present, we still have no clear understanding of the impacts of so many other toxic contaminants refineries release into the air—the same air we breathe all day and at night as we sleep. Chevron is my neighbor in Richmond. Every year, on many occasions in the dark fall and winter months, I wander outside in the late or early hours of the night and notice a strong and pungent odor. What is the cause? Why only in the dead of night? I have never experienced such odors living anywhere but here, next to Chevron. My suspicions run wild, especially with the lack of information and data. How can I learn what contaminants are present in the air in my garden?

We know refineries exhaust toxins like sulfuric acid, benzene, nickel, manganese, arsenic, hydrogen cyanide, hydrogen chloride, formaldehyde, acrolein and cadmium. But

we haven't demanded adequate investment in research to understand how these chemicals, independently and especially in combination, impact human health. Where is the science?

As an attorney experienced in environmental issues, I have watched as the scientific and industrial hygienist communities have identified health concerns associated with many, many chemicals we had previously assumed were perfectly safe. We know that living next door to the Chevron refinery can result in elevated chronic health problems, even though cancer rates remain close to regional norms. Now we need to know which chemicals or combination of chemicals are the source of our community's health problems. Getting funding from the US EPA for this work is critical. It should be a top priority for BAAQMD, senior management at Cal EPA, CARB and OEHHA. Personally, I believe the polluter should bear a substantial portion of the cost of this effort.

I ask: Is it fair or right that local populations living adjacent to Chevron bear the cost, in terms of poorer health, for the fossil fuel economy Chevron's operations support, while Chevron's investors earn outsized returns on capital in the form of profits?

Sincerely,

Floy Elizabeth Andrews
Attorney (SBN 187375)

[REDACTED]
[REDACTED]
[REDACTED]

From: [Joel Iniguez](#)
To: [Air Quality Planning](#)
Subject: My community
Date: Thursday, January 18, 2024 9:22:19 AM

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Good morning hope this finds you well I'm sending this because I would like this plan to address air pollution in my community
Sent from my iPhone

Comments on AB 617 Draft CERP Plan

Gail Eierweiss

Fri 1/19/2024 3:42 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

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Thank you for the opportunity to comment on the draft plan. I appreciate the hours of work by both staff and community members. I attended the workshop, and I have read the 170 page document and some of the appendices. In particular, I am glad that the plan specifically calls for a 35-50% reduction in exposure for our disproportionately harmed residents over the next 10 years and that it also includes a focus on exposure reduction in our community through urban greening, traffic control, street sweeping, residential ventilation improvements, etc. We need it all.

I have lived in Richmond for 12 years and have followed the Chevron modernization plan from the beginning. I have seen the manifold increase in flaring that has become such a significant issue for our community SINCE the modernization project went online. I appreciate the data provided about individual emissions and their various sources - and the confirmation that our air has gotten significantly worse since 2018. I have also seen the complete lack of progress in either doming the Chevron storage tanks, or bringing shore power to the Chevron tankers. Any issue that has involved Chevron has seemed ignored or adjudicated in the company's favor. As a result of what I have witnessed living here, I put forward the following comments for your consideration:

- 1. Please include a plan for a 75% reduction in flaring at the Chevron facility in Richmond by 2026 at the latest.** This was a request made clearly by the Richmond City Council last May. Flaring has been increasing at an alarming rate ever since the " Modernization Project" went online in late 2018. BAAQMD approved the project in 2014. BAAQMD needs to fix the problem now - its credibility in the community is on the line here. In your document, there are no specific plans or goals.. There must be an aggressive and bullet proof plan to bring flaring down to a level equal to or lower than pre-Modernization project levels. What are the best practice numbers for refinery flaring incidents? What are the standards in Europe and Japan?
- 2. We need more focus on the toxic air contaminants - better data, analysis and milestones.** The plan says that BAAQMD does not know what toxic elements are released in these major flaring events. Or what emission reductions will be delivered by Rule 11-18. These deficiencies are not ok. There was a significant flaring event Nov 27 and there has been no public information describing what the emissions were, their potency, or their dispersal. No counter to Chevron's assertion that there was "no health impact." Nor does there seem to be much focus on the health impacts from the changes in "regular" operational emissions. There is more focus on PM2.5, NOx and DPM than on sulfuric acid, nickel, hydrogen cyanide, etc. Since "Modernization" there have been increases in 8 of the 10 most dangerous TAC emissions for chronic health, and yet the Plan is silent about the possible health impacts. How damaging was a 225% increase in sulfuric acid from 2019 to 2021? Did these emissions go up even more in 2022 and 2023? How long before we know? We need to better understand the sources and health risks of these top ten pollutants so that we can be focused on the most important

emission reductions and on the strategies that will deliver them. Maybe Chevron has to process lower sulfur crude for us to hit our goals. We need more analysis to get to a solid plan for 2027, 2030 and 2035.

3. We need to get the community involved to combat Chevron's delaying tactics. Chevron is battling in court against the Cat Cracker wet scrubber rule that is a top priority. BAAQMD wishes they weren't. Please explain in the plan what we can do to defeat Chevron's tactics. I'm very uncomfortable that such an important legal matter is being handled behind closed doors with little public input or organized pressure for "the system" to do the right thing. There should be buses full of people going to Sacramento to demand that this delay is put to an end. Same thing for the shore power issue.

4. Make the plan more accessible and goal-oriented. It really is overwhelming as well as somewhat fragmented. Few will read 700 pages. We need a clear way of understanding the total plan and how it will deliver our goals. I think we need two things. Firstly, we need a better slide deck that is simpler and more focused on goals, milestones and critical success factors. The City Council would appreciate this as well, and if it was presented at a City Council meeting, many residents would hear it - many Richmond residents tune in to watch City Council meetings. I can think of no better single forum for presenting the plan. Secondly, to make the complete plan more accessible, I strongly suggest that summary tables be added that allow the reader to see all of the emission reduction strategies together (including flaring!) and all of the non-emission reduction strategies in another. Each table would need columns for milestones, critical success factors, responsible agency and funding needs. And the emission reduction strategies table would need milestone reduction goals. Ideally, no more than 5 or 6 pages.

Thanks again for all the effort put into this

Gail Eierweiss
Richmond resident

Draft PTCA Community Emissions Reduction Plan

Jenny [REDACTED]

Fri 1/19/2024 7:06 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

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Hello,

I am writing to express my support for the draft Path to Clean Air Community Emissions Reduction Plan. Thank you for engaging with the community to prepare a thoughtful and detailed report of the air quality issues that affect Richmond and surrounding communities, and identifying strategies to address them. The following are recommendations for an already excellent plan:

1. Strategy Mobile 5: Consider including an action that incentivizes and supports the development of electric vehicle (EV) charging for public use. This could be through shared infrastructure or land use zoning that encourages new multi-family development to include EV charging infrastructure if that development includes vehicular parking spaces.
2. Strategy Mobile 6: consider including actions that would encourage the development of infrastructure that makes walking and biking safer, and therefore a more desirable mode of transportation (for example, high visibility crosswalks , protected bike lanes, etc).
3. Overall, include strategy metrics that track whether implementation of the action led to more equitable outcomes.

Too often good plans, like this one, do not receive the institutional, political, and financial support necessary to implement the strategies identified. I hope that once the implementation plan is complete the decision making bodies of the affected communities within the CERP boundary take up this work with haste and full support.

I know these comments are coming after the 5 pm deadline, but hope you will consider them nevertheless.

Thank you,
Jenny Delumo
Richmond Resident

Comments, Richmond-N. Richmond-San Pablo PTCA CERP

Janet at Sunflower Alliance [REDACTED]

Fri 1/19/2024 1:33 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

📎 1 attachments (315 KB)

SFA AB617 CERP comment 240119.pdf;

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Good afternoon,
Please find Sunflower Alliance's comments on the AB 617 PTCA CERP, attached. I would appreciate an email confirming receipt.
Thank you!
~janet

--
Janet Scoll Johnson
pronouns: she/her

Co-Coordinator, Sunflower Alliance
Co-Chair, Richmond Shoreline Alliance

I actively occupy and benefit from stolen land of the Ohlone Chochenyo people, who looked after this land for centuries and still live here. I advocate and support efforts for Indigenous land to be returned to Indigenous ownership and management. Learn more at <https://sogoreate-landtrust.org>.



January 19, 2024

Attn: Planning and Climate Protection Division
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Sent via email to:
aqplanning@baaqmd.gov

Re: Comments on Draft PTCA Community Emissions Reduction Plan (CERP)

Dear BAAQMD staff and AB 617 CERP Steering Committee members,

Sunflower Alliance supports the efforts of the Richmond-North Richmond-San Pablo Path to Clean Air (PTCA) Community Steering Committee (CSC) and the Community Emissions Reduction Plan (CERP). We are especially encouraged by the CERP's focus on transparency and just transition planning.

In the comments that follow, we begin with some important oil refinery emission reduction measures that include those shared by the Wilmington Carson, West Long Beach (WCWLB) CERP. We then address other community concerns, notably air monitoring during remediation of contaminated sites and upgrading the priority of the City of Richmond Wastewater Treatment Plant. Our recommendations are noted in **bold**.

1. Refinery-related recommendations.

1.a) **Since the WCWLB CERP was one of the first developed in California, we recommend that some measures secured in it be considered by the Richmond Steering Committee for inclusion in the Richmond CERP.** We urge the CSC and BAAQMD to advocate with California Air Resources Board (CARB) to require that **measures adopted in one community be replicated in others**, so that each community does not have to reinvent the wheel.¹

The follow-up implementation of the WCWLB CERP has resulted in development of new refinery regulations in the South Coast that will cut substantial oil refinery emissions for a number of primary pollutants. **We recommend that BAAQMD follow SCAQMD's lead, as follows:**²

¹ California Environmental Justice Alliance, May 27, 2020, CARB, "An approach that focuses on reducing pollution in specific sectors and reducing overall cumulative emissions burdens will help ensure that impacted communities not selected for CERPs are not left further behind." and "Statewide, sector-based approaches tied to strong regulatory guidelines can mitigate harms such as these and lead to emissions reductions."

² Table 5b-2: Refinery Emission Reduction Goals by 2030, WCWLB CERP, p. 5b-5, available at <https://ww2.arb.ca.gov/sites/default/files/2020-01/Final%20CERP%20WCWLB.pdf>.² Table 5b-2: Refinery Emission Reduction Goals by 2030, WCWLB CERP, p. 5b-5, available at: <https://ww2.arb.ca.gov/sites/default/files/2020-01/Final%20CERP%20WCWLB.pdf>.

1.a.1) **Adopt a plan to cut refinery emissions by substantial percentages.** The adopted WCWLB CERP included a commitment to cut a minimum of 50% of refinery emissions of Nitrogen Oxides (NOx), Volatile Organic Compounds (VOCs), and Sulfur Oxides (SOx) by 2030, or earlier if feasible.

1.a.2) **A commitment to adopt tightened refinery regulations to accomplish the following emissions reductions:**

1.a.2.1) NOx – South Coast reductions are achieved primarily through an updated Refinery Boilers and Heaters regulation (SCAQMD Rule 1109.1). This rule requires addition of Selective Catalytic Reduction (SCR) on most refinery heaters, boilers, and other combustion units. **We recommend that BAAQMD adopt a similar regulation.**

1.a.2.2) **We recommend that BAAQMD adopt an updated Refinery Storage Tank Regulation to address fugitive VOCs.** In the South Coast, a Fluxsense study published in 2017 found that every oil refinery measured had far higher VOC emissions (including benzene) than were included in the emissions inventory.³ Most reductions in the South Coast will be achieved by updating the Refinery Storage Tanks regulation (Proposed SCAQMD Rule 1178).⁴ The SCAQMD draft Rule 1178 includes the following requirements:

- adding a second roof to external floating roof tanks;
- vapor recovery for fixed roof tanks (cutting 98% of emissions);
- weekly OGI (Optical Gas Imaging) to identify leaks on all tanks.

We recommend that BAAQMD carry out a complete Fluxsense-type study of refineries in the project area and perform OGI imaging to identify storage tank leaks.

1.a.2.3) SOx – This was achieved in the South Coast area primarily through Refinery Flare Rule tightening (SCAQMD Rule 1118). Through this process, the WCWLB CERP CSC received detailed data from specific refinery flaring events and their causes over the previous three years. **We recommend the adoption of refinery flaring prevention measures included in their plan:**

- improve Flare Minimization Plans;
- tighten requirements to carry out root cause analysis;
- impose much higher fines;
- ensure refineries have sufficient compressor capacity;
- slow down planned flaring; and
- provide better public access to flaring data and other measures.

In addition, to further reduce refinery flaring **we recommend that the District provide a list of refinery flaring events and root causes to evaluate what kinds of events are causing flaring and how to prevent them.**

³ "Emission Measurements of VOCs, NO₂ and SO₂ from the Refineries in the South Coast Air Basin Using Solar Occultation Flux and Other Optical Remote Sensing Methods"

<https://www.courthousenews.com/wp-content/uploads/2017/06/FluxSense-Study.pdf>

<https://www.cbecal.org/wp-content/uploads/2017/05/CBE-Decoder-Socal-Refinery-Study-Emissions-Underreported.pdf>

⁴ <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-1178>

1.a.3) The WCWLB CERP also provided the community with a list of all oil refinery combustion sources (boilers, heaters, furnaces, etc.) that included their size, emissions, and whether they were controlled with SCR or not, which helped the community and SCAQMD prepare for the rule-making process. **We recommend that a similar list be provided to the PTCA CSC.**

1.b) **Improved enforcement:** Regulations require a commitment to strong enforcement to ensure emissions reductions from all regulations are achieved. **We recommend the following:**

- Ensure the concerted implementation of the Draft PTCA Plan Fuel Refining Strategy Actions 3.13, 3.14 & 3.15 for more robust fence line and community monitoring of refinery emissions from Chevron and other major industrial sites.
- Most importantly, support Strategy Actions: 3.13, to improve Refinery Air Monitoring and Data Accessibility;
- 3.14, to improve refinery fence line and community air monitoring programs; and
- 3.15, to improve source emissions monitoring and reporting for sources at the Chevron Refinery and fuel refining–related facilities.

1.c) **The Air District should install CCD cameras pointed at refinery flare stacks.** This will provide the community and the Air District with accessible visual documentation of the flaring behind their complaints, and there will be a historical record of each flaring event.

1.d) **The Air District should make sure that all complaints of reported (and possible) particulate matter depositions are followed up with CAM-17 testing.** In the past, there has been inconsistent and arbitrary use of different data analysis methods of heavy metals and particulate matter; at times, no analysis has been performed. This inconsistency can prevent the accurate identification of the specific metal types emitted by the emission source (i.e., its metals signature, or speciation). This inconsistency will then, by default, tend to nullify a complaint's validity or defeat its potential ability to help identify the emission source. When responding to complaints of visible particulate matter depositions in refinery communities, BAAQMD uses “semi-quantitative” and inferior heavy metal detection methods (i.e. EDS/Energy Dispersive X-ray Spectroscopy) that are known to lack the more accurate, regulatory-level metals speciation capabilities of the CAM-17 method (i.e. ICP-MS/Inductively Coupled Plasma Mass Spectrometry). At times, refinery community members have been forced to pay, at considerable expense, for regulatory-level CAM-17 samples testing. Yet at other times, government agencies performed CAM-17 on deposits, as when both BAAQMD and the Contra Costa Health Department responded to the Thanksgiving 2022 Martinez PBF refinery releases.

1.e) **The Air District should adopt more sensitive methane detection methods.** Fugitive methane not only poses explosive risks, it is also an ozone-forming compound and so contributes to respiratory disease. A recent airborne laser flyover study conducted by BAAQMD in collaboration with the Jet Propulsion Laboratory and Stanford researchers found 6 to 23 times higher levels of methane than previously estimated by the US EPA, CARB or BAAQMD.⁵ The airborne laser survey assessment significantly surpassed the findings from traditional methods using EPA Methods 21 (Optical Gas Imaging, or OGI) and 18 (Flame Ionization Detection, or FID).

⁵ Guha et al. Assessment of Regional Methane Emissions Inventories through Airborne Quantification in the San Francisco Bay Area. <https://pubs.acs.org/doi/10.1021/acs.est.0c01212>

The EPA and Aeris Technologies, a company based in the Bay Area, have developed an advanced methane detector known as the MIRA Pico, which potentially enables detection from beyond the refinery fence line in certain scenarios and distinguishes landfill methane from natural gas methane. This ultrasensitive device can identify methane plumes from over 100 yards away at parts per billion concentrations, a significant improvement over the parts per million sensitivity of EPA Methods 21 and 18, which require close proximity to potential leaks. The MIRA Pico is particularly effective in distinguishing natural gas leaks.⁶

The capabilities of the MIRA Pico underscore the limitations of EPA Method 21, which although generally superior to Method 18, is still not designed for both remote and standoff leak detection and cannot map the extensive boundaries of methane plumes effectively.

1.f) Along with the WCWLB CERP Community Steering Committee, **we recommend that the CERP consider adding a measure to begin planning refinery phaseout.** As part of California's Greenhouse Gas (GHG) Scoping Plan, the state will need to begin reviewing the phasedown of oil refining statewide. In 2035, gas-fired vehicles will not be sold in California. Refinery phasedown will result in eliminating harmful local air pollution and global climate-destroying GHGs.

2. Other recommendations.

2.a) Increased monitoring for VOCs. The Richmond-N.Richmond-San Pablo area is highly industrialized. For this reason **we recommend that the CSC request that BAAQMD perform regular and frequent VOC monitoring of all sites that process plastics or use solvents or other petrochemicals in their processes.**

2.b) Shore Power: **Shore power must be available by 2027, and all vessels must use shore power by 2032.**

2.c) Improved air monitoring and reporting at toxic cleanup sites. **We recommend that BAAQMD advocate with the California Department of Toxic Substances Control (DTSC) and/or USEPA to improve air monitoring and reporting at cleanup sites, as follows:**

- air monitoring data be reported in real time and be presented in a form that is understandable and readily accessible to all community members;
- monitor for smaller particle size (PM 2.5 vs the current PM 10);
- timely analysis to determine if dust particles carry contaminants of concern.

We recommend that the Air District and CSC (1) ask the CA Dept of Public Health what improvements in air monitoring they suggest, and (2) how can DPH better follow up with a community for “harm” after a suspected dust release at a contaminated site. In the two-year unsuccessful remediation at Richmond’s Superfund-qualified AstraZeneca site starting in 2004-2005, more than 300 community members in the downwind Harbor Front Tract small business area reported serious, life-threatening illnesses (many thyroid cancers, endocrine-related health issues, etc. including deaths). During the cleanup operation, street lights turned on during the day; visibility was reduced to something seen in the worst CA wildfire areas of 2020. The community was so traumatized that when the CA Dept of Health several years later knocked on doors at the behest of the Richmond Southeast Shoreline Area Community Advisory Group, community members still remaining in the area would not talk to them.

⁶ MIRA Pico Mobile LDS Natural Gas Leak Detection System w/GPS by Aeris Technologies.
https://aerissensors.com/wp-content/uploads/2019/12/MIRA-PicoMobile-LDS_191208_FINAL_quartz.pdf

2.d) Rule 11-18: Reprioritize the City of Richmond Wastewater Treatment Plant. **We recommend that the Air District upgrade the Rule 11-18 priority of this facility from “Medium” to “Top.”**⁷

From December 4 through 6, 2023, sensors recorded hydrogen sulfide (H₂S) concentrations greater than 60 ppb, the limit set by Richmond’s Water Resource Recovery Program; these levels reached a high of 345.6, nearly six times the limit. Nor was this an isolated event: at a special Richmond City Council meeting called to address the problem, a community member noted that the facility exceeded the 60 ppb threshold more than a hundred times in 2023.⁸

Richmond residents have experienced health impacts even at levels below the 60 ppb alert limit. Washington Elementary School is located only 1/3 of a mile from the facility, as is a residential neighborhood.

Thank you for your consideration. If you have questions, please feel free to contact us at action@sunflower-alliance.org

Sincerely,

Janet Scoll Johnson
Co-Coordinator, Sunflower Alliance

7

https://www.baaqmd.gov/~media/files/ab617-community-health/facility-risk-reduction/hra-facilities/20231231_rule_1118_phase_ii_facilities_2023-pdf.pdf?rev=751be65001334e438c8c454b1303070e

⁸ <https://www.ci.richmond.ca.us/ArchiveCenter/ViewFile/Item/13568>

From: [Jan Mignone](#)
To: [Air Quality Planning](#)
Subject: Comments on Path to Clean Air
Date: Friday, January 19, 2024 8:09:20 AM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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BAAQMD Members,

I was born and raised in Richmond and have had contact with this city for over 65 years. I have lived all around the Bay Area when I did not live in Richmond. I returned to Richmond in 2007 and in 2010 was diagnosed with asthma. There are days when it hurts to breathe and I must stay in the house. I enjoy walking my dog and being out in the parks in Richmond. Please make sure you do all you can do to protect our air and make it breathable for all.

Jan Mignone
Richmond, CA

comments on draft PTCA community emissions reduction plan (CERP)

Jan Warren [REDACTED]

Fri 1/19/2024 4:42 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

📎 1 attachments (16 KB)

Comments on Draft Richmond PTCA.docx;

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Attn: Planning and Climate Protection Division of BAAQMD,

Date: January 19, 2024

Attn: Planning and Climate Protection Division BAAQMD,

Comments on Draft Richmond/N.Richmond, San Pablo Path to Clean Air Plan (PTCA)

Plan does a great job of educating the community, showing the history and ongoing harm from pollution that has negatively impacted the health of residents for generations.

The organization of areas of concern, visuals, key concerns, and areas of pollution are easy to follow.

In general, there needs to be more specific timelines for the action suggestions under strategies. As an example, strategy 1 uses the words evaluate, advocate, analyze. Under strategy 2 similar words are used: undertake, conduct, and evaluate. Under strategy 4, only 2 out of 6 strategies have a hint of specificity; implement rule 11-18. Let's add no later than (date?), particularly since BAAQMD has been working on an amendment to this reg for years. Check each action item to make sure it is actionable.

Under strategy 5, please add Veolia wastewater treatment plant since excessive ongoing flaring of hydrogen sulfide continues, with no public notifications to the public, enforcement measures, or assurance that the causal issues have been resolved.

While the flaring rule was originally incorporated as a safety feature, it has become an excuse to hide causes. Add to this plan that within a specific period of time the location, date of flaring, notice when BAAQMD was notified, amount of fine, date and specific action(s) taken to remedy the cause of flaring. This information should be easily available to the public and the incident updated.

In Chapter 5 it is stated that PM 2.5 and certain toxic air contaminants (TACs) have not improved over the past 10 years. The Richmond community has worked on the PTCA for 3 years. Now the plan talks about implementation over the next 10 years.

Under #4 actions on page 100, add/rephrase "during the year after final adoption of PTCA work to put a timeline on the action implementation statements.

Under #5 actions rephrase the objective to reduce the fuel refining section by 30-50%, to breakdown the term fuel refining to VOCs, TACs, GHGs, with each of their own target percentage reductions. Add a baseline to measure the reductions by 2035.

Name the role BAAQMD can play to bring members of the community, labor, and industry together to address how to move to renewable energy, maintain living wage jobs, and

improve the health of the community?

Because Richmond/N Richmond and San Pablo are impacted individually and cumulatively by freeways, port, rails, and large industrial plants, add inspections of these areas to document visible, and odorous sites that need to be documented, addressed, and if needed, referred to other agencies. Implement as part of BAAQMD outreach to engage and give stipends to young adults in the community to engage with the community on what they're experiencing that is affecting their health. Document and share with BAAQMD for follow-up how to address.

Update odor rule to adapt the reporting form to include check off boxes. People can't always describe what they're experiencing; however, they know what they're feeling. Add terms like headaches, nausea, eye irritation, breathing difficulties, metallic taste in mouth, heavy air. Ask those on PTCA to help describe other experiences.

Portable H2S monitors could be used in neighborhoods that are consistently reporting these types of experiences. Monitoring in general needs lots of improvements. Seek a grant to get handheld monitoring units for people to borrow for a week or two at a time to use in their kitchen to test the indoor health. Have them document on a created form the results. For those who participate and have asthma, help them fill out forms to get clean air filtering devices, etc.

Find more ways to go to where the people meet. Pay community ambassadors to educate, listen, and find out what people most need and want. Then seek grants and work with the community to implement the programs.

The Mobile 3 strategy actions for goods movement looks like a good start.

The Mobile 4 strategy actions for street sweeping needs some promoting, or incentivizing. I recently heard about a city that had access to some environmental funds and so they bought a street sweeping machine. It's now not being used because people wouldn't move their cars. These machines can go around if it's just a few cars not moved. If it's most of the cars that aren't moved, or the street is too narrow to go around, it won't work.

I believe it was Richmond who got a grant for elderly and/or disabled to access a pick up to ride in a clean, new EV within a central area. The zero emission bus fleets by 2040 is great.

It would have been helpful at the recent January 11 workshop a way could have been allowed to add public comments that were actually kept. I couldn't find my notes.

Thanks for the opportunity to share some comments. Every time I've read through this plan I've seen something else. I trust after it is adopted work will continue to implement the priorities first, while continuing to engage the local community for improvements.

Jan Warren

Walnut Creek, CA 94598

FW: Path to Clean Air public comment

Diana Ruiz [REDACTED]

Fri 1/19/2024 4:58 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

See below.

Diana

From: Maureen Brennan [REDACTED]**Sent:** Friday, January 19, 2024 4:54 PM**To:** Diana Ruiz [REDACTED]**Subject:** Path to Clean Air public comment[Learn why this is important](#)

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1/19, 2024

I hope I am sending my public comment to the right address, for the "Path to Clean Air" draft. Please forward as needed.

I've read through the draft and find it formative and comprehensive. I appreciate the thoughtful work that has gone into this document. I also like that the studies spread the blame around, as it were. It's not just the refinery with toxic emissions, but a variety of sources, that create health harms. I have to remind my colleagues on the Hazmat Commission, that AB617 is state law. It's time we support the law, and stop denying it's existence. I think the study group has done a great job identifying the problem, and have come up with a variety of very workable solutions. Thanks.

Maureen Brennan, Rodeo CA
[REDACTED]

Path to Clean Air comments

Martha Gruelle [REDACTED]

Fri 1/19/2024 3:10 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

[REDACTED] [Learn why this is important](#)

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Friends,

I am a Richmond resident and live within 2 miles of most of the stacks at the Chevron Richmond refinery. I appreciate that under AB 617, serious efforts are underway to reduce the health impacts of air pollution in our community. The unacceptably high levels of asthma among our kids is just one distressing example of these effects.

Yet I am concerned that the BAAQMD is not completely fulfilling the promise of the AB 617 process:

- Flaring at the refinery is quite frequent and has increased. We need a full accounting of the effects of these events, and we need action by Chevron to greatly reduce the number of flaring events to industry-low levels.
- There are high levels of multiple toxics from the refinery. We need a serious plan to reduce the most dangerous rather quickly. Chevron needs to take positive action on this, whether or not they find it convenient.
- Discussions of toxic air contaminants and their health effects get very technical, very fast. The Richmond community has a right to plain-English (and Spanish) explanations of what we are facing when we breathe every day.

Richmond City Council also provided comments, in the form of a council resolution, in May 2023. At the very least, these comments from our elected leaders should be thoroughly addressed in the final report.

Thank you for your work and your attention to these comments.

Martha Gruelle
[REDACTED]

PTCA CERP Comment Letter

Martine Johannessen [REDACTED]

Fri 1/19/2024 12:49 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>
[REDACTED]

 1 attachments (326 KB)

CBE PTCA CERP Comment Letter.pdf;

[REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the BAAQMD network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear BAAQMD team,

Thank you for the opportunity to comment on the draft PTCA CERP. I am submitting the attached letter on behalf of Communities for a Better Environment. Thank you for your consideration!

All the best,
Martine



January 19, 2024

(Submitted via electronic mail to aqplanning@baaqmd.gov)

Re: Draft Path to Clean Air Community Emissions Reduction Plan

Dear BAAQMD and the Community Steering Committee,

Thank you for the opportunity to comment on the draft Path to Clean Air (PTCA) Community Emissions Reduction Plan (CERP). We want to first commend the work that the Community Steering Committee (CSC) has completed in collaboration with BAAQMD since 2018, and the great achievement of publishing this plan. Given the tight turnaround for public comment and the winter recess, Communities for a Better Environment (CBE) is submitting comments focused on the *Fuel Refining, Storage Facilities, Support, and Distribution* section in *Key Issues and Strategies*. In the future, we strongly encourage BAAQMD to present the plan within one week of releasing the draft and expand the public comment window beyond 30 days to ensure the public has time to thoroughly read, digest, and comment on hundreds of pages of dense content.

The following comments are informed by CBE's decades of experience organizing and working alongside community leaders in Richmond to achieve environmental health and justice, as well as technical knowledge of the oil refining process, feasible emissions reductions, and reduction commitments in the South Coast Wilmington-Carson-West Long Beach (WCWLB) and South LA CERPs.

First, we want to celebrate the plan's strengths. We were pleased to see Key Issue #4 in *Fuel Refining, Storage Facilities, Support, and Distribution*: "Move towards a Just Transition." We wholeheartedly agree that a transition away from fossil fuels that centers community health and the impacts of the transition on workers and communities is imperative to the future of Richmond. We support the inclusion of this critical framework in the Richmond-North Richmond-San Pablo Plan.

We also commend BAAQMD and the CSC for including commitments to update specific refinery regulations namely (1) refinery combustion sources (i.e., boilers, heaters, and other combustion sources) and (2) flare regulations. These commitments suggest promising collaboration between Air Districts across the state. Regarding combustion sources, the South Coast Air District demonstrated that these regulatory agreements were achievable through their updated and adopted Boilers & Heaters regulation, which will result in an over 75% reduction in

NOx.¹ Regarding flaring, we appreciate BAAQMD updating its flare regulation as the South Coast rewrites its own regulation, expected for adoption in April or May. The South Coast is also using BAAQMD's flare reporting system as a model to improve its public reporting of flare emissions online, indicating that tools and strategies can move effectively across districts.

There are weaknesses, however, in the *Fuel Refining, Storage Facilities, Support and Distribution Section* that should be updated to strengthen the PTCA CERP. One key refinery regulation in the South Coast CERP for Wilmington, Carson, and West Long Beach is missing from the PTCA CERP – an updated Refinery Storage Tanks regulation, newly adopted by SCAQMD last year.² Storage tanks are major sources of VOCs including toxic benzene emissions, which have been shown in multiple venues to be grossly underestimated. **We urge BAAQMD to add a commitment to update its Refinery Storage Tanks regulation, reviewing the already-adopted South Coast update and others as measures to include in Bay Area rule updates.**

SCAQMD also hosted and published the Fluxsense study in 2017, which corrected historical underestimates of VOC emissions,³ finding that VOCs (including benzene) were drastically underestimated at every single refinery in the jurisdiction.⁴ Similar results were found

¹ SQAQMD staff found an overall 7.7 to 7.9 tons per day reduction out of approximately 10 tons per day, in other words a 77 to 79% reduction. (“Certify the Final Subsequent Environmental Assessment for Proposed Rule 1109.1,” November 5, 2021, <https://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-Nov5-034.pdf?sfvrsn=6>, 1; “Rule 1109.1 - Landing Rule for Refineries Working Group Meeting #1,” <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1109.1/pr1109-1-wgm1-final.pdf?sfvrsn=20>, slide 12).

² South Coast Air Quality Management District, “Rule 1178: Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities,” Proposed Amended Rule 1178 § (September 2023), <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1178/par-1178-draft-rule-language-final.pdf?sfvrsn=6>.

³ Johan Mellqvist et al., “Emission Measurements of VOCs, NO₂ and SO₂ from the Refineries in the South Coast Air Basin Using Solar Occultation Flux and Other Optical Remote Sensing Methods,” April 11, 2017, [https://www.aqmd.gov/docs/default-source/fenceline_monitoring/project_1/fluxsense_scaqmd2015_project1_finalreport\(040717\).pdf](https://www.aqmd.gov/docs/default-source/fenceline_monitoring/project_1/fluxsense_scaqmd2015_project1_finalreport(040717).pdf).

⁴ VOCs were found to be on average six times higher, and benzene on average 34 times higher compared to the District inventory. The Fluxsense study found that the standard EPA emissions assessment (the “TANKS” model) couldn’t account for tank degradation over time. See Johan Mellqvist et al., “Emission Measurements of VOCs, NO₂ and SO₂ from the Refineries in the South Coast Air Basin Using Solar Occultation Flux and Other Optical Remote Sensing Methods,” p. 94-5, which states: “the observed discrepancies between measured emissions and reported inventories (based on the AP-42 standard (US-EPA 2013)) are considerably higher than what can be explained by measurement uncertainties or short-term sampling alone...Refineries and tank farms are complex environments with a large number of installations and numerous potential emission sources (e.g. tank seals, valves, gauges, flares, vapor recovery units, etc.). Many of these components can show degrading performance over time, and to accurately account for the impact of non-ideal performance in emissions inventory reporting is, we believe, an impossible task.”

Also see CBE’s decoder of Fluxsense study: Julia May, “Full Report on Innovative Study Now Available – LA Oil Refineries’ VOC & Benzene Emissions Grossly Underestimated,” April 20, 2017, <https://www.cbecal.org/wp-content/uploads/2017/05/CBE-Decoder-Socal-Refinery-Study-Emissions-Underreported.pdf>.

in Texas⁵ and other regions, and affirmed by many experts.⁶ **The Bay Area would greatly benefit from carrying out the same Fluxsense study for Chevron and other Bay Area refineries to understand and verify the full scope of emissions.** Still, the commitment to update the Refinery Storage Tanks regulation should not wait for the completion of that study. As stated previously, BAAQMD can begin by reviewing measures in other state regulations such as the recently upgraded South Coast Storage Tanks rule.

Another issue in the *Fuel Refining, Storage Facilities, Support, and Distribution* section is the lack of specific emission reduction targets that have been set and achieved in other parts of the state (specifically, the other major refinery region of California – the South Coast District). The Richmond-North Richmond-San Pablo Plan does not include commitments for percentage reductions in emissions for refineries in the area, namely the Chevron Refinery. By contrast, the WCWLB CERP included a measure to cut emissions *50% or more in NO_x, SO_x, and VOC emissions by 2030 or sooner* if feasible for all the refineries in the region.⁷ **We urge adding these targets, and strengthening the PTCA CERP’s existing PM 2.5 reduction goal of “30-50% by 2034” to match the other reduction goals – 50% or more by 2030.** In fact, a 50% emission reduction is likely too low at this juncture, since South Coast rulemaking has shown much higher reductions were achievable.⁸ BAAQMD should consider more ambitious reduction targets of 75% or higher.

⁵ Johansson et al., “Emission Measurements of Alkenes, Alkanes, SO₂, and NO₂ from Stationary Sources in Southeast Texas over a 5 Year Period Using SOF and Mobile DOAS,” *Journal of Geophysical Research: Atmospheres* 119 (January 4, 2014), <https://doi.org/10.1002/2013JD020485>.

⁶ For example, Daniel Hoyt and Loren H. Raun found that emissions factors provided unreliable results, causing consistent underestimation of emissions, particularly at storage tanks. As Hoyt and Raun put it, “*The results of this study indicate estimated emissions were never higher and commonly lower than the measured emissions. At one source location, VOC emissions were found to be largely representative of those measured (i.e., the catalytic reformer), but more often, emissions were significantly underestimated (e.g., up to 448 times greater than estimated at a floating roof tank). The sources with both the largest relative error between the estimate and the measurement and the largest magnitude of emissions in this study were a wastewater treatment process, an aromatics concentration unit and benzene extraction unit process area, and two sets of tanks.*” See Daniel Hoyt and Loren H. Raun, “Measured and Estimated Benzene and Volatile Organic Carbon (VOC) Emissions at a Major U.S. Refinery/Chemical Plant: Comparison and Prioritization,” *Journal of Air & Waste Management* 65, no. 8 (June 11, 2015): 1020–31.

⁷ Refineries include 2 Tesoro, 2 Phillips 66, and 1 Valero refinery. The “Minimum emission reduction goal by 2030 or earlier if feasible” is given at 50% for VOCs, NO_x, and SO_x, in the WCWLB CERP. See South Coast Air Quality Management District, “Community Emissions Reduction Plan,” September 2019, <https://ww2.arb.ca.gov/sites/default/files/2020-01/Final%20CERP%20WCWLB.pdf>, p. 5b-5.

⁸ For example, SCAQMD’s combustion regulation (i.e., Rule 1109.1, the Boilers & Heaters rule) showed a 95% reduction in NO_x was achievable through meeting BARCT (Best Available Retrofit Control Technology) SCR controls, according to SCAQMD, “Rule 1109.1 - Refinery Equipment,” <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1109.1/pr1109-1-wgm4.pdf?sfvrsn=6>. As stated in Footnote 1, SCAQMD staff reported a 77 to 79% reduction in the adopted regulation Governing Board packet. See “Certify the Final Subsequent Environmental Assessment for Proposed Rule 1109.1,” November 5, 2021, <https://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-Nov5-034.pdf?sfvrsn=6>, p. 1 and “Rule 1109.1 - Landing Rule for Refineries Working Group Meeting #1,” <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1109.1/pr1109-1-wgm1-final.pdf?sfvrsn=20>, slide 12).

In addition, we urge BAAQMD to update its refinery regulations to achieve these emission reduction percentages District-wide, not only in the PTCA CERP area, so that all residents in the Air District will be protected by technology and requirements *already demonstrated as achievable in the South Coast*. SCAQMD did not stop at implementing new rulemaking solely for the refineries in the cities covered by the WCWLB CERP; it extended rulemaking to the whole South Coast District, to include the Torrance and Chevron El Segundo refineries.⁹ In the Bay Area, extending BAAQMD rulemaking beyond the cities covered by the PTCA CERP is particularly critical for neighboring communities including Rodeo, Martinez, and Benicia, which are greatly impacted by oil refineries and their emissions, but have not been selected for a similar CERP process.

We want to reinforce this point, as updating refinery rulemaking District-wide is also consistent with CARB's updated AB617 Community Air Protection Blueprint.¹⁰ The Blueprint highlights the importance and urgency of best available retrofit technology for refineries, encouraging “Air District development of expedited schedules to implement best available retrofit pollution controls on certain industrial sources by 2023, including facilities such as oil refineries, cement plants, glass manufacturers, and oil and gas operations” for “communities impacted by stationary sources.” These technology requirements are also mandated by state Health & Safety Code § 40920.6(c). Although the 2023 statutory deadline has already passed, it is still imperative for the PTCA CERP to include best available retrofit control technology for refinery equipment, commit to implementing these technologies quickly, and expand these standards District-wide.

Finally, we want to emphasize that while the majority of this letter has focused on strengthening and clarifying regulations for existing refineries, we support the CERP not only as a way to reduce emissions and exposure to those emissions, but as part of the path towards a larger transition *away from fossil fuels*, and towards a Richmond, North Richmond, and San Pablo beyond Chevron. As such, Just Transition principles – decommissioning the fossil fuel industry while centering community health and the impact on workers and local communities – should guide the implementation of the entire plan, particularly the distribution of economic and technological resources, not just those strategies listed under Key Issue #4, Just Transition. **Language similar to that included in FR 3.9 (Development of a Community Benefits Policy guided by criteria based on Just Transition principles) would be a welcome addition throughout the CERP, and the implementation process, better linking the wide range of goals to a Just Transition.** One example could be in FR 5 (Reduce Exposure to and Health Impacts from PM2.5 and other CAPs Emitted by Refineries). BAAQMD could connect these strategies to FR 3, and the broader Just Transition goal by including a commitment to greater public accountability and input on these reductions (1) making all newly collected data on

⁹ SCAQMD, “Proposed Rule 1109.1: Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations,” <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1109.1/pr1109-1-presentation---community.pdf?sfvrsn=6>, slide 4.

¹⁰ CARB, Community Air Protection Blue Print, October 2018. https://ww2.arb.ca.gov/sites/default/files/2020-03/final_community_air_protection_blueprint_october_2018_acc.pdf.

refinery emissions publicly accessible in multiple languages (e.g., Spanish, Mandarin, Lao) including notices and public records and (2) working with the Just Transition Subcommittee specifically to explore how the outcomes of emissions and related public health studies could legally and politically support a transition away from fossil fuels District-wide.

Given the outsized impact of oil refineries, particularly the Chevron Refinery, on air pollution and community health, we believe that updating the plan to include all of these measures is critical. We celebrate the milestone reached to get to this point of an important public process and thank you for your consideration.

Sincerely,

Martine Johannessen

NorCal Staff Researcher

Communities for a Better Environment

Kerry Guerin

Attorney & Just Transition Fellow

Communities for a Better Environment

Lazuli Trujano

Richmond Community Organizer

Communities for a Better Environment

Comments on Path to Clean Air draft plan

Suzanne Coffee [REDACTED]

Fri 1/19/2024 4:44 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

[REDACTED] [Learn why this is important](#)

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As a member of the CSC I consider it a great honor and privilege to have been part of this process. I believe that the commitment to represent the voice and the needs of the community is its greatest strength of this plan. There are a multitude of strategies laid out in this plan and even with my inside view as a CSC member I know it is going to take time to take it all into consideration. It is a complex problem and there is no direct path, but I believe this plan with its multiple strategies has the potential to have highly effective results long term because it engages with the the problem in so many ways. Not the least of with is the commitment to engaging with the community. Many people living in the project area, myself included, are unaware of the extent and affects of air pollution in our community. I believe in order to continue to improve air quality and hold polluters accountable we will have to have a greater demand for change from the public. I believe the engagement and education of the public as strategy will be a driver of many of the changes that will lead to cleaner air in our future.

Public Comment Submission - AB 617 Community Emissions Reduction Plan

Trina Jackson-Lincoln [REDACTED]

Fri 1/19/2024 2:27 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

📎 2 attachments (567 KB)

Jimenez Martinez BAAQMD List of Improvements Letter - AB617.pdf; List of Requested Improvements to the D...sions Reduction Plan for Richmond.pdf;

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Hello,

On behalf of the City of Richmond, the attached Cover Letter and List of Improvements the Draft AB 617 Community Emissions Reduction Plan for Richmond, San Pablo, and North Richmond from the Richmond City Council is being sent for review and consideration.

Best regards,

Mrs. Trina Jackson-Lincoln
City Council Liaison and Project Coordinator
Richmond City Council Office





Office of the Richmond City Council

January 18, 2024,

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Subject: Public Comments on Path to Clean Air (PTCA) Community Emissions Reduction Plan Submission

To whom it may concern,

At the January 16, 2024, meeting of the Richmond City Council, the City Council approved a list of improvement requests; and directed staff to submit them to Bay Area Air Quality Management District before the deadline for Public Comments on January 19, 2024.

The Community Emissions Reduction Plan (CERP) Steering committee is committed to work in collaboration with Bay Area Air Quality Management District (BAAQMD) to create this draft plan. Due to the community engagement work, this draft plan is the first community plan to name Just Transition of all 19 communities across the state, to bring the local union into regulatory practices, to ask for community benefits policy, and to ask for a 35 percent – 50 percent reduction in exposure for disproportionately harmed residents in 10 years.

While the draft plan is directionally positive and provides much valuable information about our pollution problems and many positive strategy ideas, the Richmond City Council finds it lacking in its distillation of the critical success factors for significant emissions reduction and missing the aggressive milestones expected for its top strategies for public health improvement.

The City of Richmond is hereby submitting public comments to be taken into consideration for the final plan. Please refer to the attached list of improvement requests.

Best regards,

Claudia Jimenez

Claudia Jimenez, Vice Mayor
Elected Council Member, District 6
City of Richmond

Eduardo Martinez

Eduardo Martine, Mayor
City of Richmond

Attachment: List of Requested Improvements to the Draft AB 617 Community Emissions Reduction Plan for Richmond, San Pablo, and North Richmond from the Richmond City Council

CC: Richmond City Council

List of Requested Improvements to the Draft AB 617 Community Emissions Reduction Plan (CERP) for Richmond, San Pablo, and North Richmond from the Richmond City Council

Richmond City Council would like to thank the work that CERP Steering committee in collaboration with BAAQMD has done. Here some major gains in the plan:

1. It is the first community plan to name Just Transition of all 19 communities across the state
2. It is the first plan to bring the local union into regulatory practices
3. It is the only plan to ask for community benefits policy.
4. It is the only plan to ask for a 35%-50% reduction in exposure for disproportionately harmed residents in 10 years

In the spirit of collaboration and the project’s purpose, we are submitting public comments to assist with the discussion on how to strengthen the plan so that the plan gets implemented. First, we would like to request BAAQMD for an extension of public comment period. We deeply appreciate the work of the CERP Steering Committee. However, this draft was not released until Dec 13, 2023, when many organizations were closed or community members were with family for the holidays.

Our comments fall into the following themes:

1. A need for greater focus on the critical success factors for our key emission reduction strategies.
2. More aggressive timelines and milestones for our key strategies.
3. The need to receive critical missing data and better analyzed data.

Concern/Improvement	Current Plan (text or point of view)	Completion Timeframe	Specific Needs & Rationale
Include a complete profile of the November 27 th Flaring Event (4 flares full bore for twelve hours plus periodic flaring afterwards)	No complete profile or analysis of any flaring event	Q2 2024	Produce a model report based on case scenarios on: <ul style="list-style-type: none"> • Total emissions by flare and type of pollutant • Peak 1-hour emissions and dispersion of health impacts • Complete causal analysis • A dispersion model that shows the path and distance release
Faster Development of tougher Flaring Rule amendments with goals	FR 2.6. Air District will initiate a rule development effort, further evaluating potential updates to flaring rules (Rule 12-11 and Rule	2024 Q2 Draft Q3 Public Comment	Amendments are not like new rules. They can be done more quickly. We need:

	12-12), by the end of 2024. Rule development efforts will aim to incorporate health impacts analyses, enhance rule enforceability, and establish new and/or more stringent limits	Q4 Board Approval	<ul style="list-style-type: none"> • An event classification system based on cause and health impacts. • Effective Chevron reporting requirements • New penalties by type of event or total annual events, with multipliers for repeat offenses.
Discuss 75% Reduction in annual flaring events with Chevron senior management.	No suggestion in the plan that this is important. No clear analysis of the causes of the 3-4X overall increase in flaring since 2018. No specific goals, despite the fact that many large refineries keep flaring events to mid-single digits	Q2 2024	When the city council or mayor declares that these events are impacting the community negatively, Chevron should come to talk to the city council after 10 days of the incident
Discuss the health impacts of the significant 2019 to 2021 increases in 8 of 10 of the most dangerous TAC emissions from the refinery and their legal fight against the Cat Cracker wet scrubber rule (6-5) with Chevron senior management.	No analysis of why these changes happened, although we assume it is the higher sulfur content of the crude being processed. No measurement of the increase in health risks. No explanation of Chevron's arguments against Rule 6-5.	Q2 2024	When the city council or mayor declares that these events are impacting the community negatively, Chevron should come to talk to the city council after 10 days of the incident Let's hear them explain, for example, the 275% increase in sulfuric acid and their plans for reduction.
Beef up Rule 11-18. Pass the amendments by the end of 2024. Model the impact of tightening the chronic health & cancer risk thresholds in Rule 11-18 by 20 and 30%. What reductions in which emissions would these changes likely force? Analyze with Chevron and	Currently, the plan says: <ul style="list-style-type: none"> • Rule 11-18 is our key strategy for reducing TAC emissions and lays out a strategy for fixing the implementation delays (no impact in last 5 years). 	Q2-4 2024 Some of this must be in the Plan to show clear direction; further analysis can be added later in	BAAQMD needs to do 2 things to make 11-18 work. One is to make sure Chevron complies with tighter regulations that force faster emission reductions. The 2nd is setting emission reduction goals and modeling the various ways to achieve them,

<p>ChemTrade If these reductions are possible at current production levels and with current feedstock sulfur levels.</p>	<ul style="list-style-type: none"> • BAAQMD doesn't know what emission reductions to expect. • BAAQMD will need to provide better information on how they are planning to achieve any reductions within the next 4 years. (A rule passed in 2018 will have no impact until 2028 and remains highly uncertain) 	<p>annual reports</p>	<p>uncovering the limits of 11-18 and considering all possible ways to achieve the 30-40% reduction goal, including export limits.</p>
<p>Request the California Air Resources Board and OEHHA review the current state of basic health research for our ten highest impact pollutants. Evaluate whether some existing risk factors could underestimate the health impacts. Create a range of risk factors to support sensitivity analysis. Secure funding for more research on our most damaging pollutants (sulfuric acid, nickel, benzene, particulate matter (PM), etc.)</p>	<p>The plan suggests that the Air District and Community Steering Committee (CSC) advocate for basic research, track funding cycles, and make proposals.</p> <p>While it is clearly possible that the health risk factors we currently use could understate certain risks, there is no urgency or priority in the plan to test and improve our knowledge. If the toxicity rating for one TAC such as sulfuric acid was underestimated by 25-50% (very possible!), it would dramatically affect our understanding and priorities.</p>	<p>2025</p>	<p>This is the fundamental research needed by all California refinery communities and US EPA funding should be easy to obtain. We need this to ensure the best possible targeting of our emissions reduction strategies and tactics.</p>
<p>Provide a list of all emission-related penalties of \$5,000 or more over the last 5 years. Include firm, date of violation, and specific violation.</p>	<p>No data and no analysis or commentary in the plan</p>	<p>Q2 2024</p>	<p>This should be a living document that is actively updated with the most current data to provide information to the public. This can be linked to the information provided by the plan.</p>

<p>Provide a list of all permitted facilities whose emissions are included in our current emissions inventory reports.</p>	<p>Not in the plan</p>	<p>Q2 2024</p>	<p>We have the impression that there are some polluting firms or some operations of polluting firms that are not currently included. What's missing?</p>
<p>What were the 841 Title V permit violations in 2019-2022 about? What enforcement actions have been taken? What's the plan for compliance in this area?</p>	<p>Not in plan</p>	<p>Q2 2024</p>	<p>Has BAAQMD spoken with senior management at Chevron about this? How did it go?</p>
<p>Add 2 Strategy Summary tables, one for emission reduction strategies and the other for all other strategies. Target length for both together would be around 8-10 pages.</p> <p>Each row should include a clear one sentence description of the strategy, key implementation milestones, critical success factors, funding requirements if any, and responsible agency</p>	<p>The current plan is overwhelming and fragmented. It is difficult to work with. It often buries the real strategies in the individual actions, and it is difficult to see the whole picture, in part due to the lack of specific goals and firm target dates. There is no place where you can see the whole plan with milestones, responsibilities, and impacts in a few pages.</p> <p>Diving down into a single strategy, look at <u><i>Reduce Exposure and Public Health Impacts from Toxic Air Contaminants Emitted by the Fuel Refining Sector</i></u>. It includes only a general end state goal of 30-50% by 2035. That's great but it lacks crisp, aggressive milestones. We see nothing on what to expect by 2026 or 2030. Or what the critical success factors are. Also note we could have 2 strategies as 4 Actions could</p>	<p>Q2 2024</p>	<p>Maybe this format and this length is helpful to BAAQMD, but it is not good for transparency, community engagement or accountability. Who is this plan for?</p> <p>See previous point about needing to model the impact of health risk threshold reductions on the impact of Rule 11-18. Without doing this, you can't fill out the row in the requested table</p>

	be combined. all related to implementing Rule 11-18.		
What's the budget for all of this?	<p>No description of costs or funding sources in the plan</p> <p>Some of these strategies must require new funding. How and when do we find out which strategies can be funded adequately from which sources? How will we set priorities in a world of limited resources?</p>	2025	The Richmond City Council would like to participate in any discussions about priorities
Schedule a presentation of the final draft Community Emissions Reduction Plan to the Richmond City Council by BAAQMD's CEO with a focus on the critical path and key milestones for goal achievement. Show how we will get to a 30-40% reduction in PM2.5, NOx and toxicity-weighted TAC emissions by 2035 and a 75% reduction in flaring event by 2025. Review the status of the funding picture as well as our legal challenges, current delays, and possibilities.	Not in the plan	Q2 or Q3 2024	There needs to be an in-person meeting with face-to-face discussion and commitments.

Attn: Planning and Climate Protection Division: Comments to Richmond-San Pablo AB617 Draft CERP

Osterberg, Todd [REDACTED]

Fri 1/19/2024 2:46 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

📎 1 attachments (418 KB)

Final Draft Path to Clean Air Plan_CVX comments_20240119 .pdf;

[REDACTED] [Learn why this is important](#)

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Good afternoon,

Chevron appreciates the opportunity to review and comment on the Bay Area Air Quality Management District's December 2023 Path to Clean Air, Draft Community Emissions Reduction Plan. Chevron acknowledges the efforts of the community to engage with stakeholders, including emissions sources, in an effort to work collaboratively to achieve the AB 617 goals. We thank you for the opportunity to comment on these matters. If you have questions regarding our comments, please contact Todd Osterberg at (510) 242-2813. Thank you.

Todd E Osterberg

Advocacy Specialist

Chevron Richmond Refinery

Health, Safety & Environmental

Chevron Manufacturing



Kris Battleson
HSE Manager, Richmond Refinery

January 19, 2024

via email: aqplanning@baaqmd.gov

Planning and Climate Protection Division
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

RE: Comments on Draft AB617 Path to Community Emissions Reduction Plan

Chevron appreciates the opportunity to review and comment on the Bay Area Air Quality Management District's ("BAAQMD") December 2023 Path to Clean Air, Draft Community Emissions Reduction Plan ("the Plan"). Chevron is a major refiner and marketer of petroleum products and renewable fuels in the state of California, and Chevron's Richmond Facility is located in the BAAQMD.

The approximately 3,000 people that work at Chevron Richmond are proud of what we do and how it benefits the community and economy we share. Our business activity empowers our community with good jobs, local spending, community support and affordable, reliable and ever-cleaner energy. Chevron has a long-standing commitment to reduce emissions at our Richmond facility. Our recent major investment in our Modernization Project is a great example of efforts and increase the safety and reliability of the facility. For example, this project enabled an approximate 40 percent reduction of particulate matter emissions facility-wide. Chevron recognizes the value of complete and accurate air quality data to support the AB 617 process. In fact, for nearly 10 years the Chevron Richmond Refinery has supported an independent community air monitoring program within our neighboring communities and has made that data available publicly through the third-party website richmondairmonitoring.org. It is imperative that the Plan's focus areas are grounded by real and up to date air quality measurements and data. Chevron Richmond remains committed to working collaboratively as a member of the steering committee and with the BAAQMD throughout this process. Chevron recommends that BAAQMD consider the below overarching legal comments in addition to technical comments made herein.

Following are Chevron's comments in response to topics discussed in the Plan.

I. Legal Comments

A. There must be underlying legal authority to conduct the actions in the Plan.

The Plan includes myriad strategies and actions for achieving the core vision and principles of the Plan. Regulatory agencies such as BAAQMD and the California Air Resources Board ("CARB"), however, are creatures of statute and only possess the authority granted to them by the



legislature.¹ For example, as described in the Plan, BAAQMD and CARB have varying, and often distinct, authority based on geography and source type.² The mechanism for implementing this authority is often done pursuant to rulemaking. Rulemaking, at either the CARB or BAAQMD level, is required to be done pursuant to specific procedural processes described in the California Administrative Procedure Act (“APA”), the California Environmental Quality Act (“CEQA”) and/or the Health & Safety Code.³ This includes both the initial rulemaking for a given goal and any amendments to that rulemaking. Importantly, any actions taken by BAAQMD or CARB with respect to the Plan’s elements must be authorized either by statute or by a duly promulgated rule adopted by the agencies. Where no such authority exists in existing rules or regulations, CARB or BAAQMD must undergo rulemaking, pursuant to the requirements of the Health & Safety Code or the APA, as applicable, before any such action can be taken.

1) Permitting Activities

The Plan vaguely refers to “permitting actions to address permitted facilities.”⁴ BAAQMD issues permits and permit amendments pursuant to specific permitting regulations (e.g., BAAQMD Rule 2-1 and 2-2). These regulations, and the underlying statutes authorizing the permitting program, are limited to the construction of new sources and the modification of existing sources.⁵ BAAQMD cannot unilaterally open a permit and impose new requirements absent one of these triggering events.⁶ Accordingly, any permitting action, including the imposition of permit conditions, best available control technology, or other limitations is only authorized when triggered pursuant to actions described in the existing rules. To impose any other changes via permit, there must be rulemaking conducted pursuant to the Health & Safety Code.

2) Emissions Monitoring

The Plan discusses using enhanced monitoring and data analysis to help improve emissions modeling, rule development, compliance and enforcement, and public communication.⁷ Additionally, the Plan lists actions BAAQMD proposes to undertake to reduce pollution and negative health impacts associated with stationary sources. One of these actions is to “[i]mprove source emissions monitoring and reporting for the Chevron Refinery and fuel refining-related facilities.”⁸ Changes to monitoring and reporting requirements must be made pursuant to existing regulatory authority or by promulgating new rules. Modifications to existing permits are

¹ See California Health & Saf. Code §§39002, 39003, 40000 et seq.

² See Draft Clean Air Plan. at 58; Health & Saf. Code §§39002, 40000.

³ See Govt. Code §11340-11365; Health & Saf. Code §40725 et seq.

⁴ Draft Clean Air Plan at 86.

⁵ See BAAQMD 2-1-101 (“The purpose of Regulation 2 is to provide an orderly procedure for the review of new sources of air pollution, and of the modification and operation of existing sources, and of associated air pollution control devices, through the issuance of authorities to construct and permits to operate.”)

⁶ The only exception is that a permit can be modified upon annual renewal where a permit is found to omit conditions adequate to ensure compliance with and enforceability of rules which were in effect at the time the permit was issued or modified, or when a rule, subsequently adopted, is made retroactively applicable to the relevant equipment. See Health & Saf. Code §42301(e).

⁷ Draft Clean Air Plan. at 97.

⁸ Id. at 99.



authorized only in specific situations, as described above, and BAAQMD may not modify a permit without an underlying applicable requirement.

3) Flaring Activities

The Plan seeks to reduce flaring activities to “an ultimate goal of zero routine or planned flaring.”⁹ This objective is based on concerns over increased flaring events and emissions associated with such flaring. Flaring is a highly regulated activity within the BAAQMD and is only permitted under specific circumstances. Chevron Richmond remains focused on minimizing and preventing flaring. However, flaring is an important safety mechanism for refineries and is allowed under BAAQMD rules (e.g., BAAQMD Rule 12-11, BAAQMD Rule 12-12). Moreover, in some cases, flaring is the desired abatement for emissions associated with refinery processes (e.g., BAAQMD Rule 13-5). Thus, any action taken pursuant to this objective must be done pursuant to duly promulgated rulemaking pursuant to the Health & Safety Code, and any other applicable law, recognizing the important safety function that flares provide.

4) Out of Scope Activities

The purpose of AB617 is to “reduce emissions of toxic air contaminants and criteria air pollutants in communities affected by a high cumulative exposure burden (overburdened communities) to these forms of air pollution.”¹⁰ The Plan, however, includes action items unrelated to air pollution. For example, the Plan asserts that it is rooted in “Just Transition principles,” but these principles are not included in AB 617, nor the California Air Resources Board’s Blueprint 2.0,¹¹ which is the legal basis for this Plan. The concept of a “just transition” does not relate to emission reductions and is more akin to providing a safety net for workers and residents impacted by the State’s goals of eliminating an entire industry.¹² While certain historical and community needs and goals are important (e.g., addressing redlining, reparations, and food access), they are likewise outside of the scope of AB 617 as they do not address emission reductions and should be removed and addressed through a different process.

B. Enforcement is not a public process.

The Plan also lists as an objective to reduce pollution and negative health impacts associated with stationary sources that BAAQMD “will coordinate on enforcement with federal, state (USEPA, CARB, and the Attorney General’s Office) and local enforcement partners (District Attorneys, City and County Counsel) on fuel refining violations, enforcement, and other legal issues, as appropriate.”¹³ Such extensive coordination and resources should only be used when appropriate. The vast majority of notices of violation, or those with little or no public impact, for

⁹ *Id.* at 95.

¹⁰ CARB, *Community Air Protection Program Blueprint 2.0* at 1, https://ww2.arb.ca.gov/sites/default/files/2023-09/BP2.0_Final_Draft_9.24.2023_FD.pdf (Sept. 2023).

¹¹ *Community Air Protection Program Blueprint 2.0* at https://ww2.arb.ca.gov/sites/default/files/2023-09/BP2.0_Final_Draft_9.24.2023_FD.pdf

¹² See Executive Order N-79-20.

¹³ *Draft Clean Air Plan* at 99.



example, should not be subject to enforcement at multiple government levels because it would create an overly burdensome and inefficient process.

In addition, the Plan requires increased community engagement regarding penalties and enforcement. In particular, the Plan requires coordination with the Community Steering Committee (“CSC”). The Plan states that BAAQMD will “provide quarterly and annual updates to CSC about penalties assessed against fuel refining sector facilities and all other sources in the PTC area.” BAAQMD “will collaboratively develop, with the CSC, and pilot legal enforcement approaches for fuel refining facilities within one year of final approval of the PTCA Plan” to be expanded to cover all PTCA sources.¹⁴ Enforcement is not a public process, and penalty determinations are made pursuant to statutorily prescribed penalty amounts, mitigation factors, and long-held principles of proportionality and parity, the authority of which is bound to the air pollution control officer (and the District) exclusively and provides no authority for public input or participation.¹⁵

II. Technical Comments: Draft Plan

Chevron provides miscellaneous comments below on various aspects of the Plan.

- The below statements about Chevron’s Richmond facility are inaccurate:
 - Table 5-11 lists emissions associated with Chevron Refinery.¹⁶ As previously acknowledged by the District in the 12-15 Emissions Inventory (EI) for Reporting Year (RY) 2019, the emissions value for hexavalent chromium should be 3.17 lbs. Emissions of other TACs in Table 5-11 were inflated above the values reported in the RY2019 12-15 EI as follows: Arsenic (50%), Benzene (42%), Hydrochloric Acid (37%), Manganese (407%), Nickel (3%). These values should be corrected as shown in the table.
 - Key Issue 2 on page 91 states that there is a “*lack of accountability with respect to compliance with Air District Regulations*” because “*86% of Air District Notices of Violations within the PTCA area are associated with Chevron and other fuel-refining related sources.*”¹⁷ Chevron takes compliance with applicable rules and regulations seriously and employs dozens of full-time staff who are focused on implementing programs to ensure compliance, for such requirements such as permit conditions issued by BAAQMD. Unfortunately, the above statement is misleading for several reasons. First, Chevron Richmond is the largest regulated stationary source in the Plan’s area, having approximately 600 sources. Second, the existence of NOV’s does not equate to a “*lack of accountability.*” In fact, 90% of NOV’s for the Refinery are the direct result of Chevron self-reporting permit deviations, many of which are not related to a physical air quality exceedance (i.e., late report submittal). Third,

¹⁴ *Id.*

¹⁵ See Health & Saf. Code §§40752 (duties of APCO), 42400 et seq. (penalty limits and required mitigation factors).

¹⁶ *Draft Clean Air Plan* at 47

¹⁷ *Id.* at 91.



compliance inspections are conducted by BAAQMD enforcement staff one (1) to two (2) times per week. This is more frequent than any other facility in the Plan’s area. The Plan should utilize a more accurate analysis for determining which facilities are characterized as ‘frequent violators’ by normalizing the data to number of NOV’s per source and then examining and comparing the results.

- The number of BAAQMD inspectors assigned to the Refinery is incorrectly stated on page 59¹⁸, BAAQMD has six inspectors dedicated to the Refinery, four full-time and two part-time inspectors.
- The Plan should recognize the significant progress Chevron has made regarding emissions reductions:
 - Page 21 of the Plan states that “air monitoring data shows that levels of some pollutants including fine particulate matter (PM2.5) and certain toxic air contaminants (TACs), have not improved over the past ten years.”¹⁹ The Plan should acknowledge the significant progress Chevron has made regarding emissions reductions. Chevron’s Modernization project, for example, has reduced PM2.5 from the refinery by approximately 40%. Please see below for the PM2.5 emissions reductions from 2018 – 2022 per the 12-15 EI. Additionally, Appendix B states that Chevron “emits more fine particulate matter and sulfur dioxide than all other contribution sources in our community combined[.]”²⁰ This sentence is not supported by the analysis in Chapter 5 and should be deleted. It should also be recognized that Chevron made several commitments, as part of the recent Modernization Project Conditional Use Permit with the City of Richmond, related to air quality. These include no net increase in criteria air pollutants, no net increase in health risk from TACs, and no physical increase in greenhouse gas emissions compared to the Project’s baseline.

Year	PM Emissions (tons/yr)	Reduction compared to 2018
2018	539.567	-
2020	367.704	-32%
2021	348.296	-35%
2022	229.764	-57%

¹⁸ *Id* at 59.

¹⁹ *See also id.* at 57, 91.

²⁰ *Id.* Appendix B at B-1.



- The plan mischaracterizes pollutants in the following places:
 - On page 40, the Plan incorrectly discusses ammonia as a Criteria Air pollutant when it is actually a Toxic Air Contaminant.²¹
 - On page 91, the Plan incorrectly describes PM_{2.5}, NO_x, and SO_x as “toxic emissions.”²²
 - The Plan discusses manganese emissions throughout the document.²³ However, the Plan fails to acknowledge that Health Risk Assessments (“HRA”) show that manganese does not significantly contribute to health risks because it contributes little to chronic toxicity and does not cause cancer or acute toxicity.²⁴ Also, the bioavailability of manganese differs based on whether it is ingested or bound to something and not bioavailable (such as in food, soil, and particulate). The Plan should distinguish between these two kinds of exposure in its discussion of community exposure to manganese.
 - Figure 5-16 shows benzene concentrations for January through March 2022.²⁵ BAAQMD should be wary of drawing conclusions from such a limited data set. Additional data, spanning more than three months, is needed to understand the data and emissions trends. Additional information on Benzene monitoring conducted by all US Refineries can be found on EPA’s fence-line Monitoring Data Collection and Reporting website https://awsedap.epa.gov/public/extensions/Fenceline_Monitoring/Fenceline_Monitoring.html?sheet=MonitoringDashboard.
 - Table 5-10 shows emissions from selected TACs and includes acrolein emissions.²⁶ As pointed out by BAAQMD’s Air Toxics New Source Review Program HRA Guidelines, CARB has identified that there is currently no CARB-approved test method for acrolein from stationary sources. Accordingly, BAAQMD stated that they will “exclude acrolein emissions from the final HRA results on which risk management decisions will be based.”²⁷ Thus, acrolein should not be considered in any Plan activities until such time as an approved

²¹ *Draft Clean Air Plan* at 40.

²² *Id.* at 91.

²³ *Id.* Figure 4-2 at 18, 45, 52, 54.

²⁴ BAAQMD, *Air Toxics Control Program Health Risk Assessment Guidelines* at 7, https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021-amendments/documents/20211215_hraguidelines-pdf.pdf?la=en&rev=eb18ff83f96049fa84d54552b58baee3 (Dec. 2021).

²⁵ *Draft Clean Air Plan* at 39.

²⁶ *Id.* at 46.

²⁷ BAAQMD, *Health Risk Assessment Guidelines*, at 10 (Dec. 2016) https://www.baaqmd.gov/~media/files/planning-and-research/permit-modeling/hra_guidelines_12_7_2016_clean-pdf.pdf?la=en.



test method is available.

- Page 51 discusses combined emissions values for various categories, concluding that “[f]or chronic HI, vehicles and trucks and fuel refining are again important accounting for about 90% of the...value that is attributable to local sources.”²⁸ The Plan should acknowledge that these levels (chronic HI) are 10 times below any benchmark level of concern.²⁹ Additionally, the phrase “chronic risks” is used in this section to describe pollutants. This phrase is usually associated with cancer risk discussions, and the listed chemicals are not all carcinogens (manganese, sulfuric acid). The Plan should use the phrase “health hazard” instead of “health risk.” This same change should also be made on page 54.
- The Plan should include citations for all data used. Below are instances where the Plan presents data without citations.
 - General comment: There are numerous discussions of, and references to Chevron Richmond refinery emissions. All such discussions and references should include citations for all figures and dates for those emissions.
 - Figure 5-19 shows modeled contributions from local sources to chronic hazard index and applies population weighting to the data.³⁰ Any data depiction of hazard index should include source and date of data. No citations are included for this data and the application of population weighting contradicts USEPA guidance. For example, USEPA (2009) guidance for inhalation risk assessment from a point source explains that you may use an exposure concentration to represent various microenvironments, but under USEPA guidance, such calculations do not “weight” findings according to the population of any given site under assessment.³¹
 - Figures 5-22 and 5-25 lack citations.³² Citations are essential to show the source of all data and year of analysis. Citations are also lacking for discussions of this data on page 54.
 - The Plan states that “approximately half of harbor craft and other marine vessel activity in the PTCA area are connected to Chevron and other fuel refining operations.”³³ However, there are no citations for this statement, and it is unclear how this was determined.

²⁸ *Draft Clean Air Plan* at 51.

²⁹ See BAAQMD Rule 11-18-218.

³⁰ *Draft Clean Air Plan* at 51.

³¹ See EPA *Risk Assessment Guidance for Superfund, Vol. I: Human Health Evaluation Manual (Part F, Supplemental Guidance for Inhalation Risk Assessment)* (Jan. 2009).

³² *Draft Clean Air Plan* at 53, 54, 56.

³³ *Id.* at 56.



- The section “Source Attribution Analyses” identifies emissions contributions by sources based on “areas of concern identified by the community.” The Plan should include a citation for documentation of what these areas of concern are and when they were identified by the community.³⁴
- Figures 6-9 and 1-10 are missing legends.³⁵

III. Technical Comments: Appendix C

- Appendix C, Page C-8 states “*For example, in its rulemaking for the current national 1-hour SO₂ standard of 75 parts per billion (ppb), the U.S. Environmental Protection Agency noted that exposure to SO₂ at levels as low as 200 ppb for 5-10 minutes has been experimentally shown to cause moderately or severely decreased lung function in some exercising asthmatics.*”³⁶ There is no 5–10-minute standard for SO₂. The Plan should not rely on unverified experimental results.
- Appendix C, Page C-10 states “*Insights from modeling can sometimes be corroborated by air monitoring if some of the modeled potential scenarios actually occurred. As noted above, model predictions carry a degree of uncertainty, which is generally larger for more specific predictions (like what would happen under a single set of circumstances, rather than across a range of possibilities), so it is unreasonable to expect perfect agreement. Holding this aside, if air monitoring data do not show the same distribution of SO₂ levels that the modeling predicted (in this case, 1-hour averages over 75 ppb), it still does not mean that such impacts could not occur in the future under the right combination of conditions. Predicted impacts could also have occurred in the past, but at a location that did not have an SO₂ monitor.*”³⁷ This statement appears to dismiss monitoring data. Actual monitoring data, where available, should always take precedence over modeling results.
- Appendix C, Page C-10 states “*Numerous occurrences of hourly SO₂ concentrations above typical hourly levels were observed, including some occurrences of hourly concentrations approaching 75 ppb (Figure A- 3). While none appeared to be traceable to a reported flaring event,¹⁰ the possibility still remains of flaring-related impacts at non-monitored locations, as well as the potential for future impacts at any location in the PTCA region.*”³⁸ This conclusion is not scientifically justifiable. Dismissing ambient monitoring data from BAAQMD or Chevron monitors in favor of modelling data is not a sound approach.

³⁴ *Id.* at 51.

³⁵ *Id.* at 69.

³⁶ *Id.* Appendix C at C-8.

³⁷ *Id.* Appendix C at C-10

³⁸ *Id.* Appendix C at C-10



IV. Technical Comments: Appendix D

- Appendix D, Pages D-1 and D-2, monitors operated by PSE Health Energy are omitted from the 'Background and Resources On Air Monitoring Programs And Projects' section.³⁹
- Appendix D, Page D-2, states “*These air sensors (Groundwork Richmond, Ramboll,), their siting/placement, and the data they provide do not undergo the same rigorous quality control and assurance protocols that are used for the Air District’s fixed-site air monitoring network. However, the data from these networks can still show relatively large differences between locations or times that are helpful in identifying potential sources of fine particulate matter.*”⁴⁰ Given that these low-cost air sensors do not undergo the same siting and QA/QC as Air District’s fixed-site air monitoring network, the Plan should not make assumptions about the data produced from such sensors without verifying that data utilizing trusted scientific methods.
- Appendix D, Page, D-3 states
“*Data from the refinery ground-level monitors are not subject to the NAAQS since they are inside a facility fenceline, but they do show numerous occurrences of SO2 concentrations approaching and exceeding the NAAQS (75 ppb) at the Chevron-Castro monitor.*”⁴¹
“*Data from the refinery ground-level monitors are not subject to the NAAQS since they are inside a facility fenceline, but they do show numerous occurrences of SO2 concentrations approaching and exceeding the NAAQS (75 ppb) at the Chevron-Castro monitor.*”⁴² Data gathered by GLMs cannot be compared to the NAAQS. There are several reasons for that; NAAQS monitors are designed and sited for the purpose of measuring regional air quality. Whereas Refinery GLMs are designed to measure local air quality and are sited inside the Refinery perimeter which is not appropriate for a NAAQS monitor.
- Appendix D, Page D-6, states “*Chevron operates fenceline air monitoring systems for compliance with Air District Regulation 12, Rule 15 (Rule 12-15)18 as well as the U.S. EPA’s Refinery Maximum Achievable Control Technology (MACT) Rules.19,20 These air monitoring systems are intended to provide information about refinery emissions that cross the refinery fenceline into neighboring communities*”⁴³

³⁹ *Id.* Appendix D at D-1 and D-2.

⁴⁰ *Id.* Appendix D at D-2.

⁴¹ *Id.* Appendix D at D-3.

⁴² *Id.* Appendix D at D-3.

⁴³ *Id.* Appendix D at D-6.



These GLMs were installed for compliance with BAAQMD Rules 9-1 and 9-2 prior to the existence of Rule 12-15. While GLMs are intended to provide data on potential refinery emissions, as with any ambient air monitor, GLMs measure emissions from all sources in the area. There are numerous anthropogenic and natural sources of pollution in the PTCA area that may contribute to GLM measurements.

- Appendix D, Page D-6 states *“Under an agreement with the City of Richmond, Chevron also operates three community air monitoring sites that provide measurements for several pollutants...”* This statement should be changed to the following, as Chevron presently funds the third-party operation of these monitors at the Company’s discretion. *“Chevron also funds the third-party operation of three community air monitoring sites that provide measurements for several pollutants, including PM2.5 and selected VOCs.”*

Chevron acknowledges the efforts of the community to engage with stakeholders, including emissions sources, in an effort to work collaboratively to achieve the AB 617 goals. We thank you for the opportunity to comment on these matters. If you have questions regarding our comments, please contact Todd Osterberg at [REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to read "Kris Battleson", with a horizontal line extending to the right.

Kris Battleson

From: [Joseph Puleo](#)
To: [Air Quality Planning](#)
Subject: AB 617. Public comments
Date: Friday, January 19, 2024 11:22:44 AM

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In 2014 BAAQMD approved Chevron's refinery modernization plan. The modernization allowed Chevron to refine feed stock with much higher Sulphur content. This feed stock contains higher amounts of toxic elements such as heavy metals and produces other pollutants such as sulfuric acid, hydrogen cyanide, formaldehyde, and benzene among others.

This is due to both the cheaper grade of crude and the large increase in flaring to over 20 incidents per year.

BAAQMD failed to require Chevron to mitigate the dangerous effects until 2021 when it required Chevron to install wet scrubbers to reduce these pollutants. CBE had requested BAAQMD do so in 2014 but its request to install said scrubbers was ignored.

Chevron filed suit soon thereafter the wet scrubbers were required.

It is now ten years later and the refinery's pollution is much worse than in 2014.

What is BAAQMD's plan to defeat this lawsuit? Has BAAQMD any plan to pursue other avenues such as legislation, regulation or other legal venues?

We demand at least an 80% reduction in flaring and a large reduction in toxic air contaminants.

There must be a hard timeline to achieve this result with periodic goals along the way.

Fining Chevron is useless. Any such fine is just absorbed as a minor cost of doing business.

We know this reduction is eminently possible and that Chevron knows how to achieve it.

A denial of the use of cheaper high Sulphur feed stock, rather than a fine, would pose a serious penalty to Chevron's bottom line.

Respectfully submitted; Joseph Puleo

From: [Susan Wehrle](#)
To: [Air Quality Planning](#)
Subject: AB617
Date: Friday, January 12, 2024 9:51:53 PM

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My family supports the Path to Clean Air Community Emissions Reduction Plan. We are Richmond residents, and we recognize that we all have a right to clean air and good health. Let us make this a reality.

Sincerely,
Susan Wehrle

[REDACTED]

From: [TARNEL ABBOTT](#)
To: [Air Quality Planning](#)
Subject: comments - Draft Community Emissions Reduction Plan
Date: Thursday, January 18, 2024 9:01:24 AM

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The Draft Community Emissions Reduction Plan is a good start, but, as our Richmond City Council asked for, before finalization it needs significant improvement to strengthen it such as more and better analyzed data, tougher strategies, and more milestones with goals. BAAQMD should use this proposed plan to live up to its Mission Statement: "The Air District aims to create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality, and the global climate." Instead, it allows the long-standing practice of protecting Chevron's profits over the health of residents to continue.

It is well documented that Chevron's Richmond refinery is the biggest greenhouse gas/ air polluter in the downwind communities of Richmond, North Richmond and San Pablo. These are environmental justice communities with majority low income and people of color populations, and according to CalEnviroScreen 4.00 these communities rank highest (80-100 percentile) for pollution. The cumulative impacts of toxic air pollutants that burden residents have caused higher rates of asthma, cardiovascular disease and other health problems.

Where is the plan to reduce flaring to a minimum such as 5 to 7 incidents per year instead of 20 plus? If big fines were imposed, would they upgrade their equipment to prevent flaring? There is no analysis of the emissions and health impacts of bad flaring events such as the one in November 2023. Lacking this, the plan is incomplete and unacceptable. What kind of regulations can be imposed on Chevron to "create a healthy breathing environment" ? The draft plan doesn't show how we reduce PM2.5, NOx, and toxic air contaminants by 40%. There are no milestone steps and it just seems too fuzzy and uncertain. Do we need to limit exports or force Chevron to use cleaner feedstocks to get to a 40% reduction?

Chevron is very profitable; maybe they need to pay more to protect the health of the people who live here. When will BAAQMD demand that human and environmental health needs to count for more than industry profit?

Tarnel Abbott, Richmond Resident

From: [Steve Early](#)
To: [Air Quality Planning](#)
Subject: Comments on Path to Clean Air (PTCA) Community Emissions Reduction Plan
Date: Sunday, January 14, 2024 3:48:50 PM

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1. I am a Richmond resident and Chevron refinery neighbor, responding to BAAQMD's request for comment on the draft CERP. Last year, our City Council urged to develop a plan that would reduce flaring by 75% - back to the level before the company's "Modernization Project" was approved by the city in 2014.

Reading this plan, we find that BAAQMD doesn't know what pollutants are being emitted or what the possible health impacts really are. There isn't a clear plan for forcing Chevron to reduce the number of flaring events per year - just some sort of vague commitment to having such a plan in the future. This is unacceptable. The smoke from the last major flaring event in November was worse than the fire of 2012.—I was here for that one too. Until you address this major issue appropriately for real flaring reduction, your CERP isn't ready for approval.

If our state legislature was committed to funding an effort to reduce pollution in our most polluted communities, they should be open to the possibility that completely new regulatory initiatives may be needed. While we work to make the traditional best available technology-based rules succeed and work with the legislature to create tougher penalties, we should, at the same time, look into new ideas - like export limits as a way to reduce the amount of fuel refining we permit and requiring that fuels be made from cleaner feedstocks.

These non-traditional approaches to regulation would, of course, be legally contested by Chevron. But, if implemented, they would certainly help us move faster toward our goal of reducing toxic pollution by 30-50%. And we might not be able to succeed without them. Why should Richmond be badly polluted to help Chevron sell gas and jet fuel to Asia? Or to save \$5-10/barrel on dirtier, higher-sulfur feedstocks?

In 2014 BAAQMD recommended approval of Chevron's Modernization project and said it would have no negative impact on emissions or public health. Now, ten years later in Richmond, 8 of 10 of the top TAC pollutants for chronic health risk have increased significantly, with sulfuric acid up 275% from 2019 to 2021. Chevron clearly misrepresented the impact of its project and BAAQMD accepted its projections and thus did not foresee the actual adverse health impacts.

Given how successful Chevron has been at delaying and obstructing the implementation of past process safety rule making and/or environmental protection enforcement by the state, BAAQMD should be cutting the company no slack now or in the future—on issues like flaring reduction—given this company's long history of misbehavior in our community.

Steve Early

From: [Garry Hurlbut](#)
To: [Air Quality Planning](#)
Subject: Comments on Path to Clean Air (PTCA) Draft Community Emissions Plan
Date: Friday, January 19, 2024 10:17:56 AM

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CHEVRON EMISSIONS – HEALTH RISK AND RECOMMENDATIONS

Perspective and Background: I am fortunate to have been exposed to many large-scale projects in my career and learning from a number of successful large projects as well as some missteps along the way. After serving as a fighter pilot during the Vietnam War, I went back to school to get a master's degree in Mathematics, Technology and Project Management. I was privileged to get hired by Ross Perot from Electronic data Systems (EDS) to lead projects for large companies. I had a chance to observe and learn about the factors that lead to successful implementation of big projects as well as some of the considerations that led to the failure to achieve critical objectives. I then moved to Kaiser Permanente (KP) to serve as the Chief Operations Officer of Information Technology. After the successful implementation of the Electronic Information Project at KP, I retired and moved to Point Richmond.

My wife, Maryn, and I continue to participate and manage volunteer projects within Richmond. In fact, Maryn, who consulted with me on this email, had established and managed an international company, Technology Affiliates International, which completed many successful large projects for manufacturing, airline and utility companies before she retired.

The reason that we are listing this background is to help establish some project management credibility from our experiences in the past and our observations of the shortcomings in past (and recent) 'project management' efforts by Chevron and BAAQMD.

First off: The exhibits produced by Jeff Kilbreth and Marisol Cantu relating to AB 617 that outline the health risk to our community residents (and children) are impressive and well based on the analysis and recommendations that they produced. The exhibits contain many of the critical elements necessary to achieve the success of their proposed strategy and project (actually, much more than a single project, it is a strategy that comprises many sub-projects).

Just a couple examples:

- The need for a complete analysis of the Nov. 17th flares that lasted a full 12 hours that would show the actual extent of emissions and pollutants along with remedial actions proposed and scheduled for their implementation.

- The need for specific goals and timelines and action plans necessary to achieve those goals.

The Resolution No. XX recently passed by the Richmond City Council specifies 4 strategies that need to be fleshed out and addressed:

1. 75% reduction in the number and extent of the flares
2. Aggressive plans for identifying the extent and reduction of dangerous pollutants.
3. Shore power to tankers idling at the wharf.
4. Education and information sharing to residents of plans and progress toward goals.

We hope that BAAQMD will be more assertive in pursuing specific goals, timelines and contingencies for the various initiatives that are required to produce a healthier environment for residents of Richmond and surrounding communities.

--

Garry Hurlbut
President and Executive Director
Richmond Tennis Association (RTA)



Check out "news and events" on <http://www.rta-ca.org>
Like us on <https://facebook.com/richmondtennisca>

From: [Sally Tobin](#)
To: [Air Quality Planning](#)
Cc: [Eduardo Martinez](#); [Gayle McLaughlin](#); [Claudia Jimenez@ci.richmond.ca.us](#); [soheila_bana@ci.richmond.ca.us](#); [doria_robinson@ci.richmond.ca.us](#); [Cesar Zepeda@ci.richmond.ca.us](#); [melvin_willis@ci.richmond.ca.us](#); [John Gioia](#)
Subject: Comments on the Draft PTCA Community Emissions Reduction Plan (CERP)
Date: Thursday, January 18, 2024 12:54:15 PM

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Comments on the Draft PTCA Community Emissions Reduction Plan (CERP)

To the Air District and the PTCA Community Steering Committee:

I was able to attend the first hour of the BAAQMD meeting on January 11; a very collegial, cooperative, and incremental approach was described. From one perspective, such an approach is responsible in committing to gather information and feedback from all parties as the process moves forward. However, this approach also upsets me because more and more children and adults in Richmond and the surrounding communities will be exposed to pollution and develop lifelong medical conditions as the project inches slowly forward. I hope there will be a way to accelerate the process because area residents are already suffering severely.

The Chevron refinery is unquestionably the biggest contributor to the polluted air that Richmond residents breathe. Emissions from the refinery contribute to damaging particulates and toxic emissions. Chevron seems to be using the community as disposable guinea pigs instead of using updated standards for emissions that would lower the burden of hospitalizations and diseases such as asthma for communities that live near (especially downwind from) the refinery. Over the years, Chevron has lost any ability to pretend corporate good will.

If Chevron were really serious about protecting the local community, we would have already seen actions like these:

1. Chevron would have moved to carry out direct measurements (smokestack monitoring) of the particulate matter and toxics given off by all smokestacks, including tankers moored to the Chevron Wharf, tugboats, and all refinery emissions. Fenceline monitors do not reveal the true level of Chevron's lack of responsibility to the region and to the planet because they do not identify the specific source or the magnitude of the pollution.
2. Chevron would have stopped its delaying tactics and would already have installed "shore power" on the Chevron Wharf, so that tankers would no longer need to fire up their diesel engines, some of which emit huge clouds of blue smoke, sometimes as often as every fifteen minutes. Vessels wishing to dock at the Wharf would already be pre-screened for their ability to comply with local clean air standards to protect Richmond residents.
3. Chevron would already have initiated a series of public meetings to explain the reasons for the huge increase in recent flaring activity. They would be open about the effective actions that they are instituting to reduce flares.
4. Chevron would have been proactive about their plans to deal with sea level rise. They would have already engaged an independent and reputable company to assess and characterize toxic sites on the entire Chevron property (not merely the refinery). They would have presented a public plan to protect both San Francisco Bay and San Pablo Bay from being poisoned by mobilization of toxins as sea levels rise and flood contaminated areas. In addition to flooding, sea level rise causes ground water rise, and rising ground water spreads any soil toxins. Chevron would have already presented plans to protect the public and the environment from spread of any toxins.

But where are these efforts (and others)? Why does Chevron find it so difficult to operate a refinery that takes its community responsibilities seriously? Which brings us to the heart of the problem: Chevron's apparent absence of any sense of ethical corporate behavior that is evident in their delaying tactics. Since it can reasonably be concluded that they are uninterested in the health and well-being of area residents in their pursuit of financial gain, then the only way to ensure responsible behavior in the future would seem to be financial consequences. And such consequences are not present in the draft document. The document needs a major rewrite that includes not only substantial consequences and penalties for future noncompliance, but also project milestones, so that regular progress toward goals will be ensured. Please add some teeth!

For example, you could require Chevron to reduce flaring to pre-modernization levels. I am guessing that the numerous recent flares result from Chevron's switch to cheaper crude with a higher sulphur content. Local people should not be subjected to illness in order to increase Chevron's profits. Perhaps one milestone could be a requirement that if flaring does not decrease to pre-modernization levels over the next six months, then Chevron will be required to purchase only low-sulphur crude oil for 5 calendar years.

Residents of Richmond and the surrounding communities are getting sick while baby steps are taken. How many low birthweight babies and childhood asthma cases and premature deaths does it take for you to stand up to Big Oil?

Sincerely,
Sally Tobin

From: [Janet at Sunflower Alliance](#)
To: [Air Quality Planning](#)
Subject: Comments, Richmond-N. Richmond-San Pablo PTCA CERP
Date: Friday, January 19, 2024 1:33:13 PM
Attachments: [SFA AB617 CERP comment 240119.pdf](#)

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Good afternoon,
Please find Sunflower Alliance's comments on the AB 617 PTCA CERP, attached. I would appreciate an email confirming receipt.
Thank you!
~janet

--

Janet Scoll Johnson
pronouns: she/her
Co-Coordinator, [Sunflower Alliance](#)
Co-Chair, [Richmond Shoreline Alliance](#)

I actively occupy and benefit from stolen land of the Ohlone Chochenyo people, who looked after this land for centuries and still live here. I advocate and support efforts for Indigenous land to be returned to Indigenous ownership and management. Learn more at <https://sogoreate-landtrust.org>.

From: [daniel lanis](#)
To: [Air Quality Planning](#)
Subject: Community Emissions Reduction Plan Support
Date: Thursday, January 18, 2024 4:12:13 PM

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Hello,

I'm a Richmond resident concerned about air pollution. I support the adoption of the Community Emissions Reduction Plan and have a particular interest in viable mobility options for all ages and abilities, especially for pedestrians and bicyclists.

Kind regards,

[Dani Lanis](#)

From: [Priya V.](#)
To: [Air Quality Planning](#)
Subject: Draft PTCA Community Emissions Reduction Plan - Written Comments from Priya V.
Date: Saturday, January 13, 2024 11:21:25 PM

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Hello,

My name is Priya and I am a Richmond community member. This is my written comment for the Draft PTCA Community Emissions Reduction Plan:

Clean air includes clean indoor air. In light of the US going through one of the biggest covid surges in January 2023, it is clear that covid and other airborne viruses (such as RSV and the Flu that are peaking this winter) are still a risk to the public health of Richmond citizens. As a result, Covid and disease prevention/mitigation through clean air must be part of this comprehensive air pollution plan, since these viruses pollute the air we breathe and affect our ability to live, work, and play. Better ventilation in public spaces is critical and must be included in this plan, as well as having seasonal (if not year-round) mask requirements in healthcare settings to keep immunocompromised and disabled citizens safe from these viruses. Covid also predominantly impacts BIPOC, low-income, houseless, and other vulnerable communities who have less access to PPE, so ensuring the availability of masks is critical to keeping the air clean and keeping people safe.

A coordinated effort with the public health sector must be made to bring clean indoor air to stop the spread of these harmful viruses. The plan's Vision Statement itself discusses the "severe health risks" that pollution causes, so covid must be identified as one of these pollutants in the plan explicitly. The best way to keep our community safe and together is by ensuring our indoor air is clean and free of viruses through improving ventilation standards in public spaces and communicating public health practices. If you truly want to remove "barriers to health equity for all residents" and ensure a "significant reduction of pollution-driven respiratory illness rates in children," a plan that includes covid prevention is necessary. Continuing wastewater data is also critical in this endeavor as it can show us the prevalence of covid, flu, RSV, etc. and tell us when we may need to take stricter measures and communicate to the community to take precautions. Holding an invisible virus accountable may seem hard, but is actually quite simple through acknowledgment and inclusion in this plan to ensure a coordinated effort with the public health department that ultimately keeps our indoor air clean too. This is what community care would look like in the Bay Area.

Thank you for your time and consideration.

Sincerely,
Priya V.

From: [Diana Ruiz](#)
To: [Air Quality Planning](#)
Subject: FW: BAAQMD Workshop Confirmation
Date: Wednesday, January 17, 2024 11:06:24 AM

See below
-Diana

From: [REDACTED]
Sent: Thursday, January 11, 2024 5:00 PM
To: [REDACTED]
Subject: Re: BAAQMD Workshop Confirmation

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Hello,
I'm probably going to have to review a recording of this as I have a conflict. Can you however help answer my question about who will fund the Draft Plan actions? [This FAQ document](#) says that "BAAQMD has the primary responsibility for completing, adopting and implementing the Plan. The California Air Resources Board is the State agency responsible for implementing AB 617 and provides support for this work."

However, it seems too good to be true to think that BAAQMD and CARB have the funding in place to carry out all of the identified actions in the plan.
If you don't have the answer, if you are willing to point me to someone who does, that would be wonderful.

Sincerest thanks and appreciation,
Alison

Alison LaBonte
[REDACTED]

On Jan 11, 2024, at 4:45 PM, Bridget Brown | MIG <no-reply@zoom.us> wrote:



Hello Alison LaBonte,

Thank you for registering for BAAQMD Workshop. You can find information about this meeting below.

BAAQMD Workshop

Date & Time	Jan 11, 2024 05:30 PM Pacific Time (US and Canada)
Meeting ID	869 5409 1560

[Add to Calendar\(.ics\)](#) | [Add to Google Calendar](#) | [Add to Yahoo Calendar](#)

To edit or cancel your registration details, [click here](#).

From: [JAIME PEREZ](#)
To: [Air Quality Planning](#)
Subject: Fwd: Great Idea - A few edits
Date: Wednesday, January 17, 2024 4:05:02 PM

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Dear people,

My name is Jaime Perez. I have lived in my home at [REDACTED] since 2015. My phone number is [REDACTED]

Please find below my response as specified in your webpage <https://www.baaqmd.gov/community-health/community-health-protection-program/richmond-area-community-health-protection-program/community-emissions-reduction-work>. I hope that you will give full considerations to these comments and suggestions:

Urgent Action Needed:

Provide a comprehensive analysis of emissions and health impacts from major flaring events, like the recent Nov 27th incident.

Provide a plan to reduce flaring by 75% by 2025 or 2026, aiming for industry best practice levels.

Provide a full plan for a 30-40% reduction in the toxic contaminants causing chronic health problems by 2035, with clear milestones and critical success factors.

Force Chevron senior management to participate.

Enhance understanding of individual emission health risks. How does sulfuric acid compare to PM2.5?

Investigate legislative strategies for pollution reduction, including export limits and cleaner crude oil requirements.

Issues with Current Plan:

Lack of specific target reduction numbers and inadequate discussion of

critical success factors.

Insufficient milestones and clarity on Chevron's obligation to reduce flaring events.

Unanswered questions regarding the feasibility of achieving reduction goals.

Need for a better working relationship with Chevron and creative approaches to ensure cooperation.

No serious plan to improve our understanding of the true impacts of toxic air contaminants.

No exploration of non-traditional regulatory approaches, such as export limits and cleaner feedstocks, to expedite pollution reduction.

No recognition of past failures or the need for new ideas.

BAAQMD could use some humility. BAAQMD missed the impact of the "Modernization" project on public health. And it has struggled to make its "best available control technology" rules actually stick and get implemented. While attempting to improve these rules and strengthen penalties, we should also explore legislative measures that are more resistant to delay.

The comprehensive approach presented here is vital for the well-being of our community and effective pollution reduction.

Thankyou very much in advance for your support and best regards,

Jaime Perez

From: [Jacob Rico](#)
To: [Air Quality Planning](#)
Date: Thursday, January 18, 2024 11:59:39 AM

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“ I grew up in Richmond and I like this plan to address air pollution in my community.

From: [Suzanne Gordon](#)
To: [Air Quality Planning](#)
Cc: [REDACTED]
Subject: My comments on Path to Clean Air plan...
Date: Saturday, January 13, 2024 5:04:19 PM
Attachments: [SGsiq4.png](#)

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Dear BAAQMD Board & Staff-

I writing to comment on your AB 617 CERP draft.

I have been a close Point Richmond neighbor of the Chevron refinery for the last 12 years. I have been directly impacted by its frequent lapses and mishaps, which adversely affect workplace safety and community health, not to mention the future of the planet.

So I have a strong interest in more effective regulation of its corporate behavior, particularly in the area of pollution reduction. And, after reading it, I found your draft "Path to Clean Air" plan to be deficient in several areas:

1) Your document pretty much ignores the fact that Chevron neighbors are exposed to toxic pollutants at a level not found in other places—and I'm referring here to sulfuric acid, nickel, manganese, hydrogen cyanide, hydrochloric acid, formaldehyde, arsenic, benzene and cadmium. We need a Rule 11-18 with stronger annual benchmarks and special focus on these hazardous Richmond refinery by-products. From a regulatory standpoint, this part of the proposed plan—if implemented as is—will take much too long to have the desired impact and is overly vague in its details, goals, and milestones.

2) As someone who has taken several Chevron neighbor refinery tours and followed the company's 2014 "modernization plan" approval process, and related community benefits agreement negotiations, I am angered, but not surprised, to learn that management is now trying to avoid installing wet scrubber technology on its "Cat Cracker" equipment. The whole plan for PM2.5 reduction depends on this process change improvement—and the BAAQMD needs to be on the side of getting this done—and soon.

3) Every day, I look out my front window and see three or four tankers, docked at the Chevron wharf, burning diesel fuel, while their holds are pumped out—a daily routine that is one source of the above mentioned arsenic exposure risk for refinery neighbors (not too much fuel spills like we had not long ago).

When is the BAAQMD and its parent organization, CARB, going to do something about that? Why should a company as rich as Chevron be given many additional years to convert to shore power, when the Port of Oakland required this long ago to improve air quality and reduce toxic exposure in that city. This shore power conversion needs to happen by 2027, if not before—and definitely not ten years later! Why should one important path to cleaner air be allowed to become such a long, winding road????


I don't think allowing endless Big Oil foot-dragging is a great "alternative, innovative concept"—we need regulatory action sooner, rather than later, with no loop-holes for Chevron.

4). I've lived in Richmond long enough to know that too many residents suffer from chronic health conditions that are refinery related. I'm talking the many thousands of people, who live in downtown Richmond, North Richmond, and other neighborhoods, which are down-wind of its basic operations, not the few thousand more well-off folks, like myself, who live on the Bay side of Point Richmond and just downwind from the wharf (although hardly immune from other sources of toxicity cited in #1 above, particularly in the form of endless flaring "accidents.")

I'm no scientist, just a concerned citizen and tax-payer. As such, it seems to me that the BAAQMD should be partnering with other state and federal agencies on further research on the specific health impacts of the worst TACs - sulfuric acid, nickel, manganese, hydrogen cyanide, etc. The AB 617 effort requires this. All of our Contra Costa and Solano County refinery towns would benefit from it. And future BAAQMD community planning and advisory processes like the current one would be better informed as a result.

Best wishes, many thanks for the hard work you do, and your consideration of my in-put,

Suzanne Gordon

 *Suzanne Gordon*

Author, *Our Veterans, Wounds of War*
Senior Policy Fellow, Veterans Healthcare Policy Institute



From: [Diana Martinez](#)
To: [Air Quality Planning](#)
Subject: Path to Clean Air draft plan
Date: Thursday, January 18, 2024 5:45:42 PM

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Hello I'd like to support the intention of this plan. Thank you.

Sincerely, Diana Martinez

From: [Y'Anad Burrell](#)
To: [Air Quality Planning](#)
Subject: PTCA Draft Plan Comments
Date: Thursday, January 18, 2024 8:45:45 PM

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Here are my comments. Thank you.

Fuel Refining

Strategy 3/FR3.9 (pg. 99): Investing 'up to 100%' of the penalty money could mean as little as 2% of those funds would be invested back to the PTCA. Recommendation: 50% - 100% of the penalty money will be invested back. Additionally, there is no clarity on what 'body' will be the oversight group for the Community Benefits Policy. Members should be majority community members.

Strategy 4 (pg. 99): First line of paragraph, delete the words 'Click here to enter text.'

Marine and Rail

Strategy 1/M&R 1.3 (pg. 104): What is 'find and fund'?

Public Health

Strategy 1/H1.1 (pg. 112) - Promote and advocate to 'who' for a guaranteed income pilot?

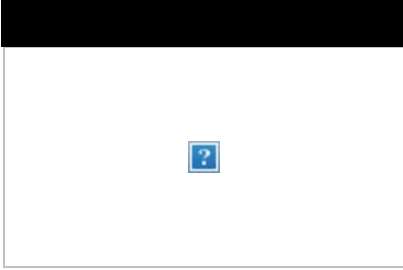
Strategy 1/H1.3 (pg. 112) - The plan is asking a county health system to move the dial on a state-wide (California) healthcare program. This is worded in a way to 'assume' if there is no movement, then CCHS did not make an effort to support this strategy.

Strategy 2/H2.1 & 2.2 - 'Support' meaning?

Strategy 4: Table/Narrative on how section: When the word 'government' is mentioned, in most contexts, there is an immediate connotation that nothing will get done. To have this wording as part of the 'success' of this strategy does not give hope to the community that it will happen. Additionally, to say that 'depending on Air District staff capacity' further discourages that this strategy has hope of even happening. Community and community partners are always willing so more emphasis should be put on their involvement in the success of this strategy. FYI/Note: There are a ton of churches in the CERP area and their buildings are large and often empty Monday - Saturday. There is an opportunity to partner with them to enhance/remodel parts of their building to become resilience centers.

--

Y'Anad Burrell, MPA/MHA
Glass House Communications
*(Public Relations, Media Relations, Public Affairs
Event Planning and Strategic Communications)*
WBE/MBE/SBE Certified
Freelance Journalist - Post News Group



From: [Jennifer Mourelatos](#)
To: [Air Quality Planning](#)
Subject: PTCA Public Comment on Draft
Date: Thursday, January 18, 2024 9:41:57 AM
Attachments: [lmclogo_color_46997572-635c-4c1e-9c0e-903bdaad7a80.png](#)
[facebook_32x32_1030a511-e287-423f-89dd-151861571b1f.png](#)
[twitter_32x32_9dc45865-07d6-4c2d-b78d-7e36cd38f7c4.png](#)
[instagram_32x32_f8a89d55-82d2-49d1-a7e2-4921ef66166a.png](#)
[linkedin_32x32_70734617-5bc5-44ef-88e7-45adffa53bee.png](#)
[youtube_32x32_7f9e5413-1642-4f01-87ad-438ca71fb273.png](#)

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Good morning,

As someone who works full-time in the area, I see the effects of air pollution, and the increased asthma rates in the children; I completely support the draft plan to improve the air quality and health of our community.

Thanks for your work in this area,
Jennifer



**Care.
Compassion.
Community.**



Jennifer Mourelatos

Center Director

LifeLong William Jenkins Health Center
P.O. Box 11247
Berkeley, CA 94712



510.981.4100 | Main



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From: [Karen De la cruz](#)
To: [Air Quality Planning](#)
Subject: PTCA
Date: Thursday, January 18, 2024 6:21:02 PM

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Hello, this is Luz from youth council and I wanted to stated that I support the intention of this plan. Thank you.
Sent from my iPhone

From: [Brenda Illescas](#)
To: [Air Quality Planning](#)
Subject: Public Comment
Date: Thursday, January 18, 2024 4:10:07 PM

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I'm a Richmond resident who suffers from asthma. I have two young children and am concerned about exposure to harmful air quality caused by Chevron and car traffic in my community. I support the Community Emissions Reduction Plan and encourage the Air District to adopt it.

Thank you,
Brenda Illescas

From: [Catalin Kaser](#)
To: [Air Quality Planning](#)
Subject: Public Comments on Community Emissions Reduction Plan
Date: Friday, January 19, 2024 1:09:06 PM

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Hello,

I'm writing to you as a Richmond resident since 2009. I love this community, which has many wonderful qualities and also much room for improvement. I am particularly interested in moving our city into a post-fossil-fuel future to remediate and reduce the current health problems in our area due to multiple sources of pollution and car-dependent infrastructure.

I write today to urge you to adopt the recommendations made in the Community Emissions Reduction Plan for Richmond/San Pablo.

I am especially eager to see better bike and pedestrian infrastructure put into place, including traffic calming measures to reduce pollution AND make it safer for more people to get around by foot and bicycle. The fewer people in cars and the more people walking and biking, the safer and more resilient our community becomes.

Thank you for your consideration and your work to improve our shared air,
Catalin Kaser

[REDACTED]

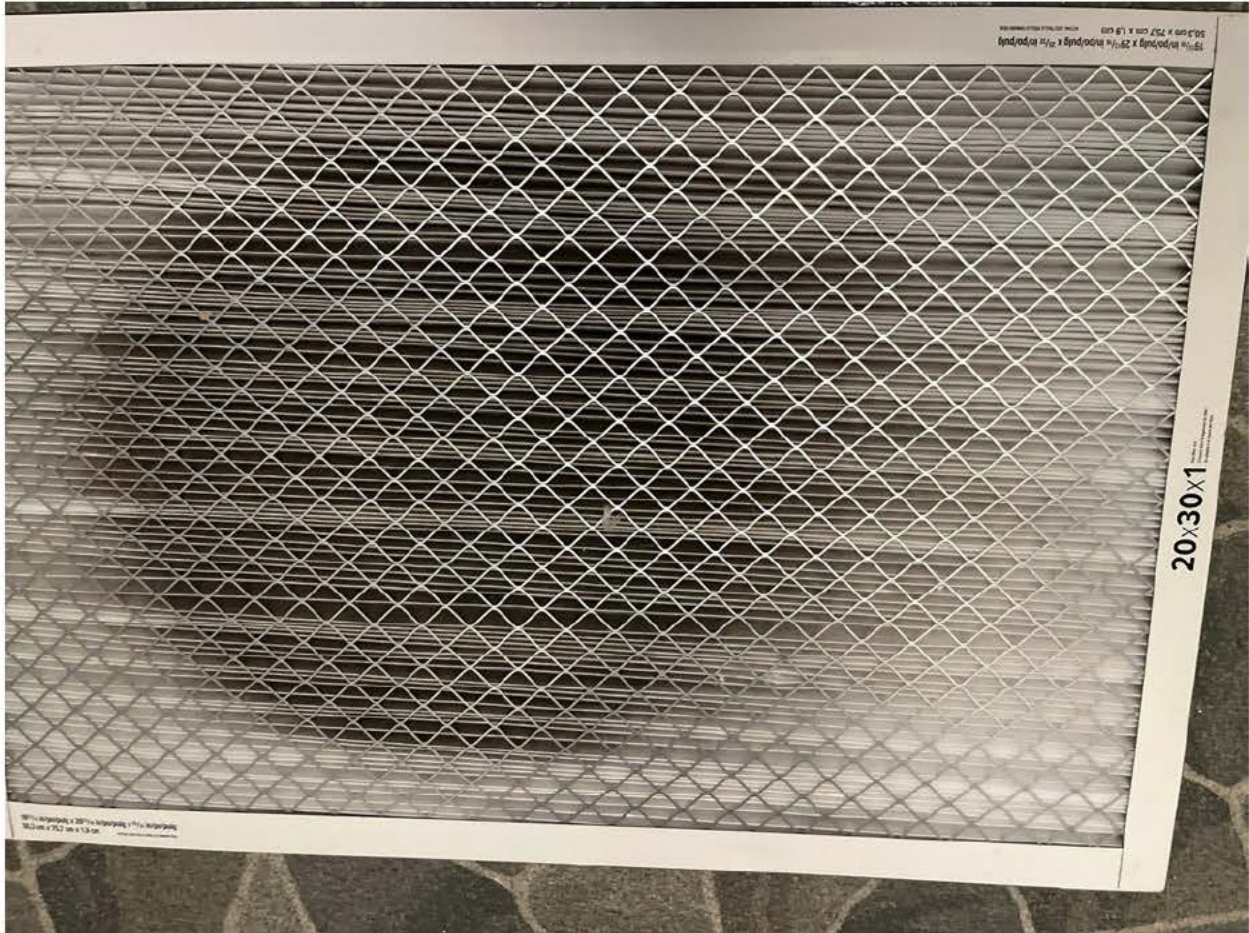
From: [redacted]
To: [Catherine, Andrea, Chris, & David H. Johnson, LLC](#)
Subject: Question re: zoom meeting, questions re: email re: selection plan
Date: Wednesday, January 20, 2021 9:52:52 AM

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The report lists a plethora of air monitoring data and aggregated compounding factors. However, it seems to lack actual evidence based chemical analysis of accumulated substances in residential homes' furnace filters. Attached is a photo of mine, installed on 12.01.23, replaced on 01.01.24. The 1,000sqft home (North East Richmond near Garvin/24th) has an energy efficient forced air unit which runs 4x daily for 30 minutes. Any Chevron flaring, depending on wind direction, directly impacts my health (painfully burning and swollen eyes, persistent respiratory coughing and headaches). Considering the sheer number of recent Chevron incidents, it's not surprising that the high allergy HVAC filter turned pitch black.

My question: will you be willing to expand data collection and include analyzing hvac filters. I gladly offer mine, I am concerned! The filter usually lasts 3 months and isn't that black, one exception was the aftermath of the 2012 Chevron fire. Please ensure participating zoom audience can see the filter!



Best,
Claudia Citroon

"Be useful. Be mindful. Be kind. Be bold."
Antonio Guterres

From: [Leticia Chavez](#)
To: [Air Quality Planning](#)
Subject: Richmond North Richmond San Pablo comm Path to clean air workshop
Date: Saturday, January 13, 2024 11:09:08 AM

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Hello, I attended to the presentation about the Richmond, North Richmond and San Pablo path to clean air thank you very much for it, and I just would like to share with you some thoughts of mine, I live in North Richmond for almost 20 years now, lately there is an increased times of a really bad smell like manure and sometimes like burned plastics in the air, I tried to reported to baaqmd but it's hard when trying to do it online because it request the adres where it's happening, about this smell I always thought it came from the dump but to my surprise I passed by the refinery and the same odor was there, so it's hard to identify and address for odors, but very necessary to get it investigated so would b nice to figure a way to make it easier. And would be nice to see or hear about progress on the complaints.

Another thing is North Richmond is already affected by pollution from refinery and dump and now to add to the problem there is a bloom of warehouses and businesses with big trucks which I I fear will make the air worst for us who live here and have no choice to move to other places. Even with the request of the business having electric vehicles in the future might help the problem it's now, for kids and people living here and being affected right now. I may help having someone who is checking the business to comply with what they are only allowed to do and not over using or abusing what they are doing could help, I see many trucks in some places parked like using every little space they have and looks overcrowded to me, to be specific about one site that I could think of and pass by every day is on the corner of Pittsburg av and Fred Jackson (North Richmond), not forgetting that close by is Verde school. Adding to that we have a lot of cars who try to avoid the Richmond Prkway traffic and use ours neighborhood streets like Fred Jackson and some big trucks still use our streets even when they are not supposed to do so

I know there is a lot of work to do about environmental impacted communities and getting a clean air to breath but I'm thankful to see the work in progress, I'm just sharing trying to see if I could help a little sharing the experience of living here and thank you for your work and help to our communities.

Leticia Chavez.

From: [Carla Morales](#)
To: [Air Quality Planning](#)
Subject: Support for PTCA plan
Date: Thursday, January 18, 2024 4:59:36 PM

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I like this plan to address air pollution in my community.

From: [Megan Goetz](#)
To: [Air Quality Planning](#)
Subject: Support for the CERP & PTCA
Date: Thursday, January 18, 2024 10:05:55 AM
Attachments: [lmclogo_color_46997572-635c-4c1e-9c0e-903bdaad7a80.png](#)
[facebook_32x32_1030a511-e287-423f-89dd-151861571b1f.png](#)
[twitter_32x32_9dc45865-07d6-4c2d-b78d-7e36cd38f7c4.png](#)
[instagram_32x32_f8a89d55-82d2-49d1-a7e2-4921ef66166a.png](#)
[linkedin_32x32_70734617-5bc5-44ef-88e7-45adffa53bee.png](#)
[youtube_32x32_7f9e5413-1642-4f01-87ad-438ca71fb273.png](#)

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Hi!

I'm writing today to voice my support for the Community Emissions Reduction Plan for the Path to Clean Air. I live in North Richmond and work at LifeLong William Jenkins as a health educator. We see the effects of air pollution in our patients, with increased incidence of childhood asthma and respiratory illnesses in adults. It would be amazing if this plan passed and we were able to improve the air quality and health of our community.

Thank you for your time,
Megan Goetz



**Care.
Compassion.
Community.**



Megan Goetz

AmeriCorps Health Fellow

LifeLong William Jenkins Health Center
P.O. Box 11247
Berkeley, CA 94712

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From: [Janis Hashe](#)
To: [Air Quality Planning](#)
Subject: Support for the Path to Clean Air Community Emissions Reduction Plan
Date: Thursday, January 11, 2024 4:03:33 PM

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As a Richmond resident, who lives in the frontline community of Atchison Village, I fully support the PTCA and urge all entities to implement it.

Sincerely yours,

Janis Hashe

[REDACTED]

From: [Jackelyn Ledesma](#)
To: [Air Quality Planning](#)
Subject: Support of PTCA plan
Date: Thursday, January 18, 2024 8:54:01 AM

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I like this plan to address air pollution in our community.

From: [Steve Early](#)
To: [REDACTED]
Subject: Why I don't support the plan!
Date: Friday, January 12, 2024 8 53 53 PM

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Hi Nancy and Lazuli-

Thanks for email reminder below about your briefing last night and deadline for formal comment, which I will send in this weekend.

In the meantime, since you asked for feedback, this draft plan looks, to me, like it's taking "pragmatism" much too far, while not being "aspirational" enough about much needed improvements long opposed by the our Richmond Chevron refinery, whose property line is three houses away and whose mile-long wharf extends out into the Bay, just in front of our house.

In the 12 years we've lived in this spot, we were driven indoors by a disastrous fire in the summer of 2012, have experienced endless flaring incidents and other dangerous mis-haps over the years, a diesel spill that fouled beaches in this neighborhood, and the company's refusal to do what the the Port of Oakland has long required of its container ships to do—which is shift from burning diesel fuel to using electric power while its vessels are docked and unloading their fossil fuel cargo.

As someone downwind from that daily process, I find it shocking that this proposed change is not among your recommended "strategies" for pollution reduction? Hopefully, that and other shortcomings of the draft document will be addressed by Richmond residents during the public comment period and what I know is a very concerned Richmond City Council, at its meeting this week.

If you want to better distinguish BAAQMD Community Engagement Department messaging about "clean air" efforts from that of the Chevron Public Affairs Dept. on the other side of the hill (and I have some personal experience dealing with them), the Air Quality Board and staff might want to start by putting themselves in the place of near refinery neighbors, who have seen nothing but corporate obfuscation and foot-dragging for years.

Best wishes,

Steve Early

[REDACTED]

Author of *Refinery Town: Big Oil, Big Money, and the Remaking of an American City* (Beacon Press, 2017);

For book ordering or speaking event information, visit: <http://steveearly.org/>

Hello Richmond Community,

I am forwarding this message from our community member, Nancy, who has helped develop the Path to Clean Air (PTCA) Community Emissions Reduction Plan. Join TONIGHT, **Thursday, January 11, at 5:30 PM to learn more about this plan.** The [project web page](#) will have meeting details including the Zoom link. More information is below.

Best,
Lazuli

From: Nancy Peace <>
Sent: Thursday, January 11, 2024 1:22 PM
To: Lazuli Trujano [REDACTED]
Subject: AB 617 CERP Public Comment Open

Hi Lazuli, Happy New Year!

I'm happy to share that the Path to Clean Air (PTCA) Community Emissions Reduction Plan that I've been working with fellow residents of Richmond, North Richmond, and San Pablo is now available for review and public comment. The plan includes a lot of both pragmatic and aspirational steps that our governments can take to improve the air we breathe and the health of our communities. The full plan is [here](#), and while I don't expect you to read all 160 pages, take a minute to read the executive summary, which tells the story of how this plan came about.

Most importantly, please send an email to aqplanning@baaqmd.gov saying that you support the plan. It can be one or two sentences, and feel free to personalize it with an aspect of the plan that matters to you. The public comment period closes at **5pm on January 19th**, so please send your email before then.

Lastly, mark your calendar for **Thursday, January 11, at 5:30 PM.** The Air District will host a virtual public workshop on the draft plan. The [project web page](#) will have meeting details including the Zoom link. Objectives of the public workshop are that participants will:

- Understand the AB 617 program and the activities in the PTCA

Acquire knowledge of air quality concerns in the PTCA area

- Learn about the core elements of the draft PTCA Plan

Please feel free to forward and share with our membership and networks.

Thank you so much!

Nancy

Community Emissions Reduction Plan

scott gelfand [REDACTED]

Thu 1/11/2024 4:06 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

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To whom it may concern,

[REDACTED] wanted to voice my concern and encouragement regarding this plan, and I will vote accordingly to have leaders in our community who prioritize health and air quality over business needs and lack of accountability.

The plan as is doesn't do enough to ensure success.

PLEASE consider these changes and upgrades to the plan to address insufficiencies..

1. A true analysis of the emissions and health impacts of major flaring events. They happen too often these days. It's not enough to just say it'll be fine.
2. Reduce flaring - to health rules in 2024 -or bring accountable punishments/fines.
3. Reduce toxic contaminants all together! You can't poison children and older adults and think it's their fault for living there. The business must be held accountable for their emissions
4. Force Chevron to participate actively in this planning process, or be fined
5. Educate Richmond residents on individual emission health risks
6. Legislative strategies for reducing pollution such as limits on exports or requirements to process cleaner crude oil with lower sulfur content. Again - the business must adhere to the community health around it. It cannot do business as usual.

Thank you for allowing me to comment,

Scott Gelfand
[REDACTED]

Path to Clean Air Draft Plan

Manuel Gomez [REDACTED]

Thu 1/18/2024 9:29 AM

To: Air Quality Planning <aqplanning@baaqmd.gov>

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I support this plan for the clean goals it sets to achieve in my community.
Sent from my iPhone

PTCA

Hazel Padilla [REDACTED]

Thu 1/18/2024 12:21 PM

To: Air Quality Planning <aqplanning@baaqmd.gov>

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Hello,

I strongly support this draft plan and believe it will help bring awareness to air pollution in our community.

Best,
Karely