



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

September 19, 2024

Joseph Lawlor
Contra Costa County Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

RE: Martinez Refinery Renewable Fuels Project Draft Revised Environmental Impact Report (REIR)

Dear Joseph Lawlor,

Bay Area Air Quality Management District (Air District) staff has reviewed the Martinez Refinery Renewable Fuels Project (Project) Draft Revised Environmental Impact Report (Draft REIR) and prepared the following comments. The Project would discontinue the production of fossil fuels at the Martinez Refinery and switch to production of fuels from renewable sources, including rendered fats, soybean and corn oil, and other cooking or vegetable oils.

Purpose of the REIR

In June 2022, a lawsuit was filed in the Contra Costa County Superior Court challenging the certification of the 2022 Environmental Impact Report (EIR) and the approval of the Project, (*Communities for a Better Environment, et al., v. County of Contra Costa, et al., Contra Costa County Superior Court Case No. N22-1091.*) On July 21, 2023, the Superior Court concluded that the 2022 EIR was adequate on all counts, except in its discussion and deferral of odor mitigation. The Draft REIR responds to the decision by the Court.

Air District's Previous Comment Letters

The Air District has been engaged in and providing guidance in regard to air quality and greenhouse gas emissions since the Project's inception. The Air District previously submitted a comment letter dated March 22, 2021, on the Project's Notice of Preparation for a Draft Environmental Impact Report (DEIR), released on February 17, 2021, and a comment letter dated December 17, 2021, on the Project's DEIR, published on October 14, 2021. These comment letters are available on the Air District's [Comment Letters](#) webpage.

Air District's Comments on the Draft REIR

The Air District has the following comments on the Project's Draft REIR.

1. **Removal Actions.** The Draft REIR must include a measure regarding removal actions related to the transporting and handling of renewable feeds. In particular, the Draft REIR must require that railcar leachate or truck spills that are deemed to be odorous by an inspector or operator be removed immediately or no later than 4 hours after discovery. In addition, the Draft REIR must require removal of railcars and ships within 24 or 48 hours if they are found to be odorous. Highly odorous sources should be removed within 24 hours.
2. **Annual Odor Management and Control Plan (OMCP) Updates.** The OMCP must require the Marathon Petroleum Corporation (Applicant) to submit a revised OMCP to Contra Costa County annually to update, improve, and maintain the plan, or to incorporate any new prevention measure to further reduce organic emissions and odors.
3. **Monitoring and Operations.** The OMCP should require the Applicant to visually observe all material handling equipment daily and during operation at the facility, require the Applicant to maintain a record of corrective measures undertaken if adverse organic emissions and odors are found, and a record of the outcome of the corrective measures.
4. **Potential Odors.** Section 2.1 of the OMCP describes odors and references Section 2.2 for controls. The Air District cannot find any proposed controls for railcars and ships in Section 2.2 (Appendix B, Section 2.1, page 2, 5th bullet). Specific railcar and ship controls should be added to the OMCP.
5. **Complaints and Odor Investigations.** The OMCP states an odor investigation would be triggered if 3 complaints are reported within one hour. This should be revised such that an inspection is required upon receipt of one (1) complaint (Appendix B, Section 3.6, Page 7, 2nd bullet).
6. **Confirmed Complaints.** The Draft REIR states that after 5 confirmed complaints in any 12-month period the Applicant shall propose additional control measures to Contra Costa County (Appendix B, Section 5.1, Page 14). This should be revised such that the Applicant shall propose additional control measures if there are 3 or more confirmed complaints in any 12-month period.
7. **Enclosed Systems.** The current definition of the "Enclosed System" is not adequate (Appendix B, Section 2.1, page 3, 4th bullet). The definition should describe and identify all components of the Enclosed System (e.g., tank #, etc.).

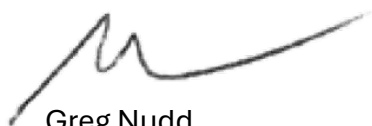
8. **Feedstock Tanks and Carbon Canisters.** Appendix B, Section 2.2, Page 3, 1st bullet states that “*each feedstock tank is equipped with carbon canister.*” This is not the Air District’s understanding of the Project. Our understanding is that not all feedstock tanks are equipped with carbon canisters. Thus, this statement should be revised and the Draft REIR should include the ID, name, and description of the tank(s) that is/ are equipped with carbon canisters.

9. **Vapor Recovery System.** Appendix B, Section 2.2, Page 3, 2nd bullet states “*Hydrocarbon vapors from tanks and vessels are recovered via the Facility’s vapor recovery system.*” This is not the Air District’s understanding of the Project. Our understanding is that not all feed tanks and vessels are equipped with a vapor recovery system. Thus, this statement should be revised and the Draft REIR should include the ID, name, and description of the tank(s) that is/ are equipped with a vapor recovery system.

10. **Wastewater Treatment Plant Cells.** Appendix B, Section 4.4, Page 6, Wastewater Treatment Plant Figure 1 should be labeled to identify where all cells are located. The Surge Pond is divided into five cells using 5-foot-deep curtain booms, and Figure 1 only shows the locations of cells #1, 2 and 3.

If you have any questions regarding these comments, please contact Kelly Malinowski, Senior Environmental Planner, directly at 415-749-8673 or kmalinowski@baaqmd.gov.

Sincerely,



Greg Nudd
Deputy Executive Officer of Science and Policy
Bay Area Air Quality Management District

CC: BAAQMD Director Ken Carlson
BAAQMD Director John Gioia
BAAQMD Director David Hudson
BAAQMD Director Mark Ross