



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

January 5, 2018

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The Honorable Albert Robles
Mayor, City of Carson
701 E. Carson Street
Carson, CA 90745

Dear Mayor Robles:

Thank you for your letter dated December 13, 2017 as follow up to your recent public testimony to the South Coast Air Quality Management District (SCAQMD) Governing Board on Rule 1180 – Refinery Fenceline and Community Air Monitoring. Responses to your main comments are provided below.

Notice of Violations (NOVs)

Staff appreciates your interest in compliance and complaint data. In addition to the number of NOVs or complaints, there are a number of other factors that should be considered. NOVs can vary greatly in severity. Some NOVs result from Title V administrative deficiencies which would not relate to smoke or odors, and may or may not be related to emission releases. There were no public nuisance violations for the two Carson refineries in the last five years, while there were some for the Torrance refinery. NOVs may also contain a single, or multiple counts of violations. Regarding complaints, in the last 5 years, there have been approximately 5 times more air quality complaints for the Torrance Refinery than the 2 Carson refineries combined.

Fenceline Air Monitoring

The City of Carson has requested to be among the first locations to receive fenceline air monitoring equipment. Pursuant to Rule 1180, fenceline air monitoring at refineries will begin according to the installation schedule approved in each facility's fenceline air monitoring plan but not later than January 1, 2020. Also, it should be noted that Rule 1180 requires a 14-day *minimum* public review for each fenceline air monitoring plan prior to approval. This review period is crucial to ensure community input on fenceline air monitoring plans and is one of a variety of factors (e.g., completeness of submitted plans) that can affect the approval and installation schedule for each fenceline air monitoring plan. In light

of these requirements, SCAQMD staff is committed to reviewing refinery fenceline air monitoring plans as expeditiously as possible, but providing sufficient time for community input.

You also requested that results from future fenceline air monitoring activities at nearby refineries be made available to the city's staff. This will occur. Rule 1180 requires dissemination of air quality data collected by fenceline air monitoring equipment to the public, local response agencies, and SCAQMD as expeditiously as possible. Further, the Rule 1180 Refinery Fenceline Air Monitoring Plan Guidelines provide detailed guidance to refineries about the dissemination of data and display of information collected by fenceline air monitoring systems in real-time (e.g., designing effective public outreach programs and website displays).

Community Air Monitoring

The City of Carson also commented on the implementation schedule for community air monitors and inquired about the possibility of securing funds to reimburse the city for community air monitoring efforts that could be done earlier by the city. Assembly Bill (AB) 1647 was approved by the Governor on October 8, 2017 and it requires SCAQMD to design, develop, install, operate, and maintain refinery-related community air monitoring systems that are to be installed near each refinery on or before January 1, 2020. This is already an aggressive schedule, given the need for securing locations, agreements, power, equipment procurement and testing, data systems, quality control, and the public process. Further, AB 1647 requires refineries to be responsible for the cost of implementing the refinery-related community air monitoring system. Therefore, Rule 1180 established fees that will be used to fund refinery-related community air monitoring systems including a provision to ensure adequate long-term air monitoring coverage (e.g., equipment upgrades). These fees are specified in Table 2 – Refinery-Related Community Air Monitoring System Fees of Rule 1180.

Details regarding the siting, implementation schedule and distribution of refinery-related community air monitoring funds will be determined through a public Community Air Monitoring Working Group process. The working group will be formed in early 2018 and SCAQMD staff encourages the City of Carson to participate in this public process. SCAQMD staff will ensure that the City of Carson is placed on the Community Air Monitoring Working Group mailing list and is notified of future Community Air Monitoring Working Group meetings. While we cannot predetermine the outcome of this public process, it is highly likely that community monitoring will occur in the City of Carson given its location relative to refinery operations. It should be noted that the SCAQMD conducted over five years of monitoring at the Del Amo Elementary school in Carson along with funding a project to install high efficiency filtration in the school's classrooms.

Funding

SCAQMD staff is uncertain about the reference to an "...AQMD grant of \$1.25 million dollars as part of a private-public partnership to retrofit and improve air quality..." around the Torrance Refinery. However, the SCAQMD Governing Board approved the establishment of a Special Revenue Fund for monies received pursuant to a settlement agreement with ExxonMobil in the amount of \$2,771,250 related to violations for Torrance Refinery explosion that occurred on February 18, 2015. On July 7, 2017 the SCAQMD Governing Board authorized the execution of two contracts to fund air monitoring and alert systems. Among these contracts the primary air monitoring element that was approved is for up to 3 years with Sonoma Technology at a total

estimated funding level of \$2,171,250. Additionally, the SCAQMD Governing Board approved improvements to an alert and information system in the City of Torrance for up to 3 years at a total estimated funding level of \$600,000. Details concerning the Special Revenue Fund established as a result of the Torrance Refinery explosion mentioned above are available on the SCAQMD website at: <http://www.aqmd.gov/home/regulations/compliance/torrance/sep---exxonmobil>.

SCAQMD staff is currently working on the spreadsheet requested by the Governing Board to evaluate past, current, and potential future funding of monitoring, mitigation, and outreach efforts in the communities near refineries to evaluate and ensure equity but also recognizing the different needs depending on the specific refinery facility. This work should be available in the coming weeks.

The SCAQMD Governing Board appreciates your comments regarding Rule 1180 and concerns related to future community air monitoring activities. The SCAQMD Governing Board encourages your participation in future public processes and is committed to continuing to improve air quality in communities throughout the South Coast Air Basin.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Burke". The signature is fluid and cursive, with the first name "William" and last name "Burke" clearly legible.

William A. Burke, Ed.D.
Chairman of the Board

