

RESOLUTION NO. 18-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING A BAN ON THE USE OF HYDROFLUORIC ACID AT THE PBF REFINERY IN THE CITY OF TORRANCE AND THE VALERO REFINERY IN WILMINGTON, REAFFIRMING A SIMILAR BAN FOR THE ANDEAVOR AND PHILLIPS 66 REFINERIES IN THE CITY OF CARSON, AND REQUESTING THE EXPEDITIOUS INSTALLATION OF FENCE LINE AND COMMUNITY AIR QUALITY MONITORING FOR THE ANDEAVOR AND PHILLIPS 66 REFINERIES IN THE CITY OF CARSON JUST LIKE THE SCAQMD IS DOING FOR THE PBF REFINERY IN THE CITY OF TORRANCE – CARSON DESERVES NO LESS THAN THE SAME.

WHEREAS, on February 15, 2015 an explosion and fire at the PBF refinery (formerly known as the Exxon Mobile refinery) in the City of Torrance severely damaged a portion of the refinery and the explosion rocked the neighboring communities; and

WHEREAS, a large piece of debris, over 80,000 pounds in weight, was thrown onto scaffolding around two settling tanks, each containing hydrofluoric acid (HF), a highly toxic chemical that can seriously injure or cause death even in very low concentrations; and

WHEREAS, The U.S. Chemical Safety Board (CSB) investigated the causes and consequences of the explosion and concluded that there was the potential for the release of a toxic cloud that could cause serious injuries and death to many surrounding community members, including Carson residents as the wind pattern maps completed using the wind direction and wind speed information for the day of the explosion demonstrated that the toxic cloud would have travelled as far as the intersection of Avalon Boulevard and Carson Street, i.e., Carson City Hall, covering over one-quarter of the City of Carson; and

WHEREAS, after the explosion, Exxon Mobile sold the refinery to PBF Energy, and ironically two years to the exact day another blast and fire broke out at the refinery. The call to ban HF at the PBF Torrance refinery began soon after the February 15, 2015 explosion, but has met with no success in Congress or the State Legislature, despite the efforts of local legislators, cities, community groups and environmental activists. Fortunately, refineries located in Carson do not use HF and the City Council adopted a ban on HF for the Andeavor refinery (formerly the Tesoro refinery) in the \$45 million Tesoro Community Benefits Agreement adopted in 2017; and

WHEREAS, in April of 2017, the South Coast Air Quality Management District (AQMD) formed a working group to study the consequences of banning HF and is drafting Rule 1410, which has not yet been finalized; and

WHEREAS, the AQMD has been studying the need for improved air quality monitoring at the local refineries, and even though two refineries are located within the City boundaries of Carson and Carson is within the air zone of four refineries, including the PBF refinery in the City of Torrance and the Valero refinery in Wilmington, yet Carson has NO AQMD air quality monitoring equipment, whereas the City of Torrance with only one refinery has AQMD air quality monitoring equipment and the City of Long Beach with NO refineries also has AQMD air quality monitoring equipment .

And the AQMD Board recently adopted Rule 1180 that requires the installation of air quality monitoring equipment at the fence lines of the refineries

and in the respective impacted community so the monitoring equipment could give “real time” readings on air pollution, via smart phone applications or over the internet; and

WHEREAS, the AQMD is requiring that the PBF refinery in the City of Torrance be outfitted with this equipment now and such planning commenced last year in 2017, but the similar outfitting of the Andeavor and Phillips 66 Refineries in Carson as indicated by AQMD may inexplicably and discriminately take another three years before the fence line monitoring equipment will be installed in the for the refineries in the City of Carson. This discriminatory AQMD deployment schedule was adopted despite the repeated communications and efforts by the City of Carson to also fast track the installation of this equipment at the Andeavor and Phillips 66 Refineries in Carson. The equipment would provide an invaluable public safety purpose for the City of Carson and other surrounding communities; and

WHEREAS, the banning of HF is a major regional public safety and public health concern as the CSB report found that over 800,000 persons could be injured or killed if the HF storage units at the PBF refinery had ruptured and it was only by lucky circumstances that the debris did not rupture the HF tanks, and the region is ill prepared to deal with this type of emergency, as there are no unified plans for notifying and evacuating 800,000 residents and the hundreds of businesses and their respective patrons around these refineries should there be a HF rupture or explosion; and

WHEREAS, the County Board of Supervisors and other cities have adopted resolutions calling for the ban on HF, and the PBF and Valero refineries have had repeated safety and environmental issues and paid out millions in fines, and this pattern is likely to continue as the PBF refinery was recently ordered by the State to remove tens of thousands of gallons of toxic waste stored at the refinery for decades.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY RESOLVE AS FOLLOWS:

- Section 1.** That due to the major regional and local public safety issues created by the use of Hydrofluoric Acid at the PBF and Valero refineries in the City of Torrance and Wilmington, respectively, that the use of Hydrofluoric Acid should immediately be curtailed.
- Section 2.** That the City should use all available efforts to implement Rule 1180 for the Andeavor and Phillips 66 refineries in Carson to install and operate the fence line air quality monitoring equipment now without any further delay.
- Section 3.** That the Mayor shall be authorized to contact the surrounding communities to request their support for the immediate implementation of Rule 1180 for all refineries, including the Andeavor and Phillips 66 refineries in the City Carson.
- Section 4.** Based on the aforementioned findings, the City Council hereby approves Resolution No. 18-030

**Section 5.** The City Clerk shall certify to the adoption of this Resolution and shall transmit copies of the same to the AQMD, the surrounding cities, the County Board of Supervisors and Carson's State and Federal elected officials.

**PASSED, APPROVED and ADOPTED** this 3<sup>rd</sup> day of April, 2018.

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Mayor Albert Robles

ATTEST:

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City Clerk Donesia L. Gause Aldana, MMC

APPROVED AS TO FORM:

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City Attorney