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Connect with the
Bay Area Air District:



March 22, 2021

Joseph W. Lawlor Jr.
Contra Costa County
Department of Conservation & Development
30 Muir Road
Martinez, CA 94553

RE: Martinez Refinery Renewable Fuels Project – Notice of Preparation for a Draft Environmental Impact Report (County File Number: CDLP20-02046)

Dear Mr. Lawlor,

Bay Area Air Quality Management District (Air District) staff has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Martinez Refinery Renewable Fuels Project (Project). The Project is located at the existing Martinez Refinery (Refinery) at 150 Solano Way, in unincorporated Contra Costa County. The Project proposes to repurpose the existing Refinery to discontinue the refining of crude oil and switch to production of fuels from renewable feedstock sources including rendered fats, fish oils, soybean and corn oil, and other cooking vegetable oils, but excluding palm oil.

Some existing refinery equipment would be altered or replaced, and additional new equipment units and tanks would be installed, to facilitate production of fuels from renewable feedstock. Modifications to the Avon Marine Oil Terminal would be necessary to accommodate the delivery of renewable feedstocks. In addition, modifications to the Amorco Marine Oil Terminal would be necessary to accommodate higher volumes of smaller marine vessels than those that currently dock there.

Once the Project is complete, the Refinery would receive renewable feedstocks via marine vessel and railcar. The Refinery will process the renewable feeds to produce renewable diesel fuel, renewable propane, renewable naphtha, and potentially, renewable aviation fuel. Product from the Refinery would be distributed by truck to distribution locations within the San Francisco Bay Area and by ship to destinations outside of the Bay Area.

In addition, finished petroleum products also would be received at the Avon Marine Oil Terminal for local distribution but not processing at the Refinery.

Air District staff recognizes that renewable fuels are a component of California's near-term strategy to meet our climate goals, and that conversion of petroleum refining to renewable feedstocks is part of this transition. It is imperative, however, that this conversion not adversely impact air quality and community health. We are concerned about the Project's potential air quality impacts on neighboring communities. Communities neighboring refineries have historically been disproportionately impacted by poor environmental and socioeconomic conditions. The State of California has

identified neighborhoods within and near Martinez as disadvantaged and low-income under Senate Bill 1000 and by CalEPA's CalEnviroScreen tool. The Air District has worked for many years to improve air quality and health in these communities and these efforts continue today. Accordingly, increased emissions in the neighboring communities would be concerning and would make it more challenging to achieve the State's Community Health Protection Program goals and targets.

Air District staff recommends the EIR include the following information and analysis:

- **The EIR should establish a conservative significance threshold to evaluate impacts.** Communities neighboring refineries are currently cumulatively impacted with air pollution, which makes additional air pollution a potentially significant localized impact. We recommend that the EIR use a very conservative significance threshold to evaluate impacts and mitigation requirements for this Project. This includes establishing a baseline of current air pollutant emissions and toxic air contaminants surrounding the facility. The document or the document appendix should include data sources and methodology to explain how the baseline was developed.
- **The EIR should compare the air quality impacts from the Project and the No Project alternative.** In addition to evaluating the Project's air quality impacts, staff recommends that an evaluation be conducted for the No Project alternative. This will provide full disclosure of current versus anticipated impacts from the Project.
- **The EIR should include an analysis of the expected criteria pollutants, toxic air contaminants, and health impacts resulting from marine, rail, or truck traffic modifications.** Air District staff recommends that the EIR include an analysis of the criteria pollutants, toxic air contaminants, and health impacts resulting from increases in marine, rail, or truck traffic due to the production and transport of renewable feeds.
- **The greenhouse gas (GHG) impact analysis should include an evaluation of the Project's consistency with the most recent AB 32 Scoping Plan by the California Air Resources Board (CARB) and with the State's long-term climate goals.** The current recommended GHG thresholds in the Air District's 2017 CEQA Guidelines are based on the State's 2020 GHG targets, which are now superseded by the 2030 GHG targets established in SB 32. The EIR should demonstrate how the Project will be consistent with the Scoping Plan as well as the State's long-term climate goals of reaching carbon neutrality by 2045 and achieving GHG emissions reductions equivalent to 80 percent below 1990 levels by 2050.
- **The EIR should estimate and evaluate the potential health risk to sensitive populations near the Project area from toxic air contaminants (TAC) and fine particulate matter (PM_{2.5}) from the Project's construction and operations.** Air District staff recommends that the EIR evaluate potential cumulative health risk impacts of TAC and PM_{2.5} emissions on sensitive receptors near the Project area.

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- **The EIR should evaluate all feasible measures, both onsite and offsite, to minimize air quality and GHG impacts, including measures recommended by the communities that may be impacted by the Project.** The EIR should prioritize onsite mitigation measures within the Project area, followed by offsite mitigation measures. We urge the County to conduct community outreach and engagement to receive input on mitigation measures, additional controls, and potential community benefits. Examples of potential emission reduction measures that should be evaluated and considered include, but are not limited to:
 - Require zero-emissions trucks for all facility operations, on-site and off-site;
 - Require construction equipment to be zero-emissions when available, operate on renewable fuel, or at a minimum, use the highest tier engines commercially available;
 - Require all ocean-going vessels calling at the refinery to use engines meeting the International Maritime Organization's Tier 3 engine standard;
 - Accelerate compliance with CARB's At-Berth Regulation;
 - Require all ocean-going vessels to comply with the voluntary vessel speed reduction zones established by National Oceanic and Atmospheric Administration;
 - Require the engines in articulated tug-barge combinations and tugboats assisting ocean-going vessels to meet U.S. Environmental Protection Agency (EPA) Tier 3 and 4 engines standards, and be equipped with diesel particulate filters to ensure early compliance with CARB's proposed Air Toxic Control Measure for Commercial Harbor Craft regulation (anticipated to be adopted in 2021);
 - Require locomotives to meet U.S. EPA Tier 4 engine standards; and
 - Require zero-emission switcher locomotives.

 - **The EIR should evaluate the Project's consistency with the Air District's 2017 Clean Air Plan (2017 CAP).** The EIR should discuss 2017 CAP measures relevant to the Project and show the Project's consistency with the measures. The 2017 CAP can be found on the Air District's website: <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

 - **The EIR should evaluate new odor sources resulting from the Project.** Air District staff recommends that the EIR qualitatively evaluate potential odor impacts from the Project to off-site receptors and include a detailed description of an odor control plan.

 - **The EIR should include a discussion of compliance with the following Air District and State regulations as it applies to the Project:**
 - Regulation 11, Rule 2, Asbestos Demolition, Renovation and Manufacturing, which entails, but is not limited to, a thorough asbestos survey by a certified asbestos consultant, removal of all regulated asbestos if present, and post a renovation and/or demolition notification.
 - Regulation 6, Rule 6: Prohibition of Trackout for construction sites where the total land area covered by construction activities and/or disturbed surfaces at the site are one acre or larger.
 - Portable Equipment Registration Program (PERP) Air Toxic Control Measure (ATCM) enforced for CARB by the Air District for all proposed portable equipment to be used for the Project.
 - Off-Road Equipment ATCM enforced for CARB by the Air District for diesel powered equipment greater than 25 horsepower.

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- **The Air District's CEQA website contains tools and resources to assist lead agencies in analyzing air quality and GHG impacts.** These tools include guidance on quantifying local emissions and exposure impacts. The tools can be found on the Air District's website: <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools>.
 - **Certain equipment and operations of the Project will require a permit from the Air District.** Please contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or byoung@baaqmd.gov to discuss permit requirements. Any applicable permit requirements should be discussed in the EIR.

We encourage the City to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions regarding these comments or would like to schedule a meeting, please contact Alison Kirk, Principal Environmental Planner, at akirk@baaqmd.gov or Areana Flores, Environmental Planner, at aflores@baaqmd.gov.

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

cc: BAAQMD Chair Cindy Chavez
BAAQMD Vice Chair Karen Mitchoff
BAAQMD Director John Gioia
BAAQMD Director David Hudson
BAAQMD Director Mark Ross