The mayors of Richmond and Benicia, home to the Chevron and Valero refineries, say a bill that could triple penalties for oil companies that violate air quality laws needs to be tougher.

Last month, state Sen. Bill Dodd, D-Napa, introduced legislation that would raise penalties local air districts can levy against refinery operators when they violate emissions rules.
Currently, air regulators can slap oil companies with fines up to $10,000 a day for the most common infractions -- essentially any time a refinery releases pollutants that violate existing state or regional air-quality standards or operating permits.

Dodd's bill would increase those penalties to as much as $30,000 a day. For less common violations, including those found to be due to negligence or those due to "willful and intentional" acts by refinery operators, penalties range as high as $250,000 a day.

Dodd has said the release of more than 80,000 pounds of sulfur dioxide from Valero's Benicia refinery last May is one of the main reasons he proposed the bill.

But Benicia Mayor Elizabeth Patterson believes the bill is not strong enough.

"It's weak in many areas," Patterson said in an interview. "I don't think it's an effective measure to prevent these incidents that are public health threats and traumatizing."

"The fines as proposed are still the cost of doing business," Patterson said.

She said air district fines should lead to refinery reforms aimed at preventing repeated malfunctions, and communities affected by incidents that lead to shelter-in-place orders should be compensated.
"Why are we even considering a bill to increase fines that result in absolutely no guarantee of a change of behavior?" Patterson asked.

Patterson says she hopes Dodd includes amendments to the bill that give it more teeth in the coming weeks.

Patterson's comments came hours before the Benicia City Council was scheduled to vote on a resolution endorsing the bill.

However, the council decided Tuesday night to postpone the vote, in part, because of the mayor's concerns.

Richmond Mayor Tom Butt, a longtime critic of the city's Chevron refinery, agrees that the air district fines are currently too small and says the new proposal to increase them does not go far enough.

"What Dodd is proposing might help, but it's still way too small," Butt said in an email.

Malfunctions at the Chevron refinery have led to a number of shelter-in-place orders over the years. Typically, such orders can affect thousands of Richmond residents, according to Butt.

"A shelter-in-place alert is not much different than home detention," Butt said. "It is difficult to place a dollar cost on this."

Dodd's office has yet to respond to the mayors' criticism.
The Western State Petroleum Association, which has lobbied against previous efforts to increase refinery fines, is opposed to the bill.

The state Senate's Environmental Quality Committee is scheduled to consider the legislation on April 4.

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