

Suit seeks to halt plans for Richmond oil refinery expansion

Bob Egelko

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Environmental advocates seeking to curb Chevron's plans to modernize and expand its Richmond oil refinery have sued Bay Area air-quality regulators, claiming they approved construction based on outdated reports that understated the plant's greenhouse gas emissions and the pollutants it would spew into surrounding neighborhoods.

The city of Richmond issued a new draft study in March that found the project would emit nearly 1 million tons a year of climate-changing greenhouse gases, and would also release increased amounts of airborne particulate matter into communities already suffering from high rates of asthma and other respiratory illnesses, the advocacy group Communities for a Better Environment said in its lawsuit filed Thursday in San Francisco Superior Court.

The problem, the group said, is that the Bay Area [Air Quality Management District](#) has disregarded those findings while renewing construction authority it first issued to Chevron in 2008.

"This permit, without public disclosure or environmental review, is like a ticking time bomb," said Nile Malloy, the environmental organization's program director. He said the group isn't trying to scuttle the project but wants to make it safer.

The suit asks a judge to order the air district to withdraw its approval of construction and, based on the city's environmental study, reconsider additional public input and federal air standards that have toughened since the project was first proposed in 2005.

In response, Chevron said it is planning to build "a newer, safer, cleaner refinery by replacing some of the oldest processing equipment with modern technology that is inherently safer and meets the nation's toughest air-quality standards," while adding 1,000 local construction jobs.

The air district declined to comment.

The aging refinery was the site of a fire in August 2012 that sent more than 15,000 residents to hospitals with breathing problems. The city and the air district approved Chevron's modernization plan in 2008, but environmentalists sued and won court orders halting construction on the grounds that regulators had failed to consider potential air pollution from new supplies of heavy crude oil, or to require reductions in greenhouse gas emissions.

In Thursday's suit, [Communities for a Better Environment](#) said the air district had relied on the same defective environmental studies when it renewed Chevron's construction authority in 2010 and 2012 and refused to reconsider it after Richmond's recent report.

"The air district's failure to act as a responsible agency and wait for an opportunity to consider the conclusions and findings of a final (environmental study) ... violates its own regulations" as well as federal law and the public's right to take part in the process, the suit said.

Bob Egelko is a [San Francisco Chronicle](#) staff writer. E-mail: beigelko@sfchronicle.com Twitter: [@egelko](#)