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## East Bay lawmakers introduce bills aimed at Chevron in aftermath of Richmond refinery fire

By Robert Rogers

Contra Costa Times

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RICHMOND -- Responding to last year's massive refinery fire at Chevron's refinery here, East Bay legislators Loni Hancock and Nancy Skinner introduced two state bills late Friday aimed at strengthening air quality regulators' ability to penalize and compel industry compliance.

State Sen. Hancock's bill, SB 691, aims to increase civil penalties that stationary air pollution facilities must pay for violations of state air quality regulations. Assemblywoman Skinner's bill, AB 1165, would give the state Division of Occupational Safety and Health (Cal/OSHA) new powers to force the correction of unsafe conditions regardless of whether an appeals process is initiated.

Hancock and Skinner are Berkeley Democrats.

"This is a bill you're either for or against," said Larry Levin, Hancock's press secretary. "It's all very clear."

The lawmakers tout their bills as responses to the Aug. 6, 2012, Chevron refinery fire, which was caused when an aging, corroded pipe burst and sent more than 15,000 people to local hospitals. In January, Cal/OSHA slapped Chevron with 25 citations, including failure to follow its own policies to replace the corroded pipe, not implementing its own emergency procedures and pervasive violations in repair procedures.

The fines totaled nearly \$1 million, the largest ever leveled by Cal/OSHA but a tiny amount in comparison with Chevron's billions in annual profits.

"I am introducing this bill because current

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penalties are far too low for polluters who cause thousands of people to suffer," Hancock said in a news release Monday. "Current penalties are simply inadequate to ensure compliance with the law from large polluters."

Hancock's bill is sponsored by the Bay Area Air Quality Management District and Breathe California. The new law would increase the one-day penalty for violations of air quality regulations to \$100,000, and apply to the first day of multiday violations. Under current law, the maximum penalties are \$10,000 to \$25,000, according to Hancock.

In an email Monday, Chevron spokesman Morgan Crinklaw said, "Chevron is committed to operating safely and with respect for the environment. It would be premature to make any comments about this proposed legislation until we have had a chance to review it in detail."

Skinner's bill would end refineries' and other industries' ability to stave off corrective action during the appeals process. Skinner said she hoped her bill would be on the Assembly docket in April.

"The bill allows a company the right to appeal a fine or citation, but if there is a hazardous condition it ensures that it gets corrected while the process is going forward," Skinner said Monday. "If (the law) was in effect today, we would all have peace of mind knowing that hazardous conditions don't linger."

Levin said Hancock's bill should be in committee by April, after the Senate's spring recess.

"(The bill) is a logical outgrowth of what we saw happening at the refinery," Levin said. "The issue is that our air pollution fines become inappropriately small in a one-day event that affects large numbers of people."

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