

Protect Communities – Not Oil Companies: Local Air Districts must retain the authority to regulate GHGs

Local Air Districts protect public health:

- Localized increases in GHG emissions from refineries mean local increases in harmful emissions such as fine particulate matter.
- Fine particulate matter pollution causes thousands of deaths in California every year.
- Heavy industrial sources such as oil refineries are often located in vulnerable communities already overburdened with pollution.
- Air Districts are the lead agencies for controlling stationary source pollution. They are the only organizations with the decades of experience, and engineering, monitoring, and enforcement resources to address the local and regional pollutants that come from stationary sources and threaten public health.
- Climate pollution must be addressed as part of holistic pollution control policies to effectively protect public health.

Local Air Districts must be able to regulate methane:

- Banning Air Districts from regulating sources covered under Cap-and-Trade could prevent aggressive regulation of methane.
- Every pound of methane in the air has the same global warming potential as 20-30 pounds of CO₂.
- Methane is emitted predominantly from leaks.
- Air Districts have decades of experience in implementing leak prevention regulations. ARB has no experience with leak prevention at industrial sources.
- Implementing leak prevention regulations requires intensive enforcement and regular inspections. ARB does not have the field staff to implement such programs.

Direct measures on refineries are needed to meet state GHG and public health goals:

- California refinery emissions have not significantly decreased under Cap-and-Trade.
- Refineries are 1/3 of statewide industrial GHGs, with no clear path toward reductions.
- Gasoline exports are increasing as California demand decreases; oil refineries are making up for California reductions by shipping more gasoline overseas.
- Prohibiting direct regulation of refineries would drive up Cap-and-Trade costs across the whole economy.

Federal law requires that Air Districts regulate GHGs

- Federal law requires that new permits for major sources limit emissions of GHGs.
- The Title V Operating Permit program requires that the permits include all “applicable requirements,” including GHG regulations.
- Air Districts implement stationary source permitting. ARB does not have the staff, expertise, or legal authority.
- Preventing Air Districts from implementing any rule or regulation on GHGs would be incompatible with federal permitting requirements and would result in significant delays in permit processing and puts the state at risk for loss of federal highway funds.