

No greenhouse-gas caps on Bay Area oil refineries, for now

By [David R. Baker](#)

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The Shell refinery in Martinez as seen on Tuesday. The Bay Area Air Quality Management District delayed a vote Wednesday to approve the nation's first limits on greenhouse gas emissions from oil refineries.

Board members of the Bay Area Air Quality Management District on Wednesday delayed voting on a plan to create the nation's first greenhouse-gas **limits for oil refineries**, saying the proposal had changed so many times in recent weeks that they couldn't fairly evaluate it.

One member of the board of directors even complained that she hadn't seen the final revisions, issued Tuesday afternoon, until she showed up for Wednesday's meeting. The move marks the latest delay for a rule that the district has spent years developing, and it left many of the directors visibly frustrated. But Director John Gioia, a Contra Costa County supervisor, said rushing a vote could leave the regulation more vulnerable to legal attack from the oil industry.

“I think everybody here who wants to vote for this motion, it’s all for the same reason — we want enforceable caps,” Gioia said. “But the ends don’t justify the means.”

The proposal calls for establishing firm limits on the amount of greenhouse gases each of the Bay Area’s five refineries can emit in a year. That basic principle won approval from the board in May.

But since then, the district’s staff has added a substantial twist, proposing that the caps be raised to account for emissions from refinery expansion or upgrade projects that the district has already approved but that haven’t been built or haven’t fully come online.

That change angered environmentalists, who said it would allow greenhouse gas emissions from the refineries to rise as much as if the Bay Area added another refinery. District staff countered that the change was necessary to protect the rule from an expected legal challenge.

That wasn’t the only change, and Gioia complained that he had seen four versions of the proposal in the last three weeks. Oil industry representatives as well as environmentalists speaking before the board on Wednesday criticized what they characterized as a rushed process.

Some directors pushed for a vote anyway, arguing against further delay on a rule they have long sought.

“We don’t need to be perfect — we do need to be bold and courageous politically,” said Shirlee Zane, a Sonoma County supervisor. “Striving for perfection is going to kill our attempt to do something wonderfully historic today, which is to say to these refineries, ‘You’ve got to cap your emissions.’”

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