

MOTION BY SUPERVISOR JANICE HAHN

February 15, 2022

County Initiative to Improve Safety and Advance the Conversion of Modified Hydrofluoric Acid to Safer Alternatives at Local Refineries

As we approach the seventh anniversary of the Torrance refinery explosion, we are reminded of the life-threatening, catastrophic risk that Modified Hydrofluoric Acid (MHF) continues to pose to Los Angeles County residents. MHF is a highly toxic chemical that is used to make high-octane gasoline. Even a small accidental release of MHF from refinery operations, could be catastrophic, resulting in severe health effects and mass casualties according to a South Coast Air Quality Management District (SCAQMD) briefing. There are currently only two refineries in the state of California that continue to use hydrofluoric alkylation, and both are in Los Angeles County.

The County supports common sense steps to reduce the risk and protect our workers and residents. However, current safety measures continue to be insufficient, and the risk is too great. Unfortunately, explosions, fires and leaks at refineries are not uncommon. SCAQMD reported a total of ten MHF leaks in just a two-year period (between 2017 and 2019) at both the Torrance and Valero refineries. On February 18, 2015, a massive

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explosion at the Torrance Refinery launched an 80,000-pound piece of debris that came within five feet of hitting an MHF tank. This near miss injured four refinery workers, caused millions of dollars of damage, and traumatized the local community. The U.S. Chemical Safety Board investigation concluded this was a near miss of a catastrophic MHF release.

Both the Torrance and Valero Refineries are adjacent to underserved communities that already bear a disproportionate pollution burden and have residents who are especially vulnerable to pollution. The Torrance Refinery is adjacent to the Harbor Gateway South neighborhood, which is among the most pollution-burdened communities in the state. The State ranks the Harbor Gateway South neighborhood in the 95th percentile for combined pollution and vulnerability. Also downwind of the Torrance Refinery is the City of Carson, which has a similar ranking for pollution and vulnerability. The Valero Refinery is in a Wilmington neighborhood and is adjacent to the City of Long Beach. The neighborhoods surrounding the Valero refinery are also among the most burdened in the state; they rank in the 90th percentile or higher for overall pollution burden. This raises serious environmental justice concerns, and it is these communities and workers at the refineries that would suffer the most severe impacts from an MHF release.

The use of hydrofluoric acid is regulated by SCAQMD, which conducted an extensive two-year rulemaking process that would have required refineries to convert to safer alternatives. The Board supported the SCAQMD's efforts to phase out this toxic substance and encouraged the SCAQMD to expedite its rulemaking process. Public testimony by hundreds of residents, experts and local elected officials called for the phase out of MHF. Instead, in 2019, SCAQMD accepted a proffer for the refineries to voluntarily

implement its own enhanced safety features. Two years later, installation of these safety features is still underway. In its proffer letter, the Torrance refinery committed to continue to explore alternative technologies every five years.

The possibility of a catastrophic MHF release from refineries can never be eliminated unless refineries convert to a safer commercially available technologies, which several refineries across the country have recently chosen to do. In order to protect residents and public health, it is incumbent upon the regulatory agencies to advance the goal of phasing out the use of MHF in Los Angeles County and prepare a coordinated emergency response effort should an MHF release occur in the interim.

I, THEREFORE MOVE that the Board of Supervisors:

1. Direct the Chief Executive Officer, through the Legislative Affairs and Intergovernmental Relations Division, to write a five-signature letter to Governor Newsom and Attorney General Rob Bonta asking that the State take all possible actions to require refineries in California to convert from MHF to safer alternatives.
2. Direct the Office of Emergency Management, in coordination with the Department of Public Health, Environmental Health Division and Emergency Preparedness and Response Division, Department of Health Services Emergency Medical Services, Fire Department Health HazMat Division, and County Counsel, to meet regularly to review existing health and safety measures relating to MHF, review the risk management, emergency response and notification plans for an unplanned release of MHF, and request an update from SCAQMD Refinery Committee on the status of the proffer and the progress of commercially available alternative technologies.

3. Direct the departments to provide a written report to the Board in 180 days with recommendations on how to enhance risk management and emergency planning and any other steps the County should take to protect the health and safety of communities living near the two refineries until MHF can be phased out.

I, **FURTHER MOVE** that the Board of Supervisors direct the County of Los Angeles to support any new State or Federal legislation that requires refineries to convert from MHF to safer alternatives; and authorize the County's Sacramento and Washington D.C. advocates to take all appropriate legislative advocacy actions to advance this effort.

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VOTES REQUIRED:

3-VOTES 4-VOTES 5-VOTES

CATEGORIES: (Please check those that apply)

- 1. Child Welfare
- 2. Community and Youth Empowerment
- 3. County and Municipal Services
- 4. Economic Justice
- 5. Economic and Workforce Development
- 6. Education
- 7. Environment and Environmental Justice
- 8. Fiscal
- 9. Governance
- 10. Health
- 11. Homelessness and Housing
- 12. Immigration
- 13. Public Safety and Diversion
- 14. Social Justice and Human Rights
- 15. Technology and Data
- 16. Arts, Culture, and the Creative Economy
- 17. Legislation
- 18. Parks and Open Space
- 19. Planning/Land Use
- 20. Transportation
- 21. Veterans
- 22. Delegated Authority