



Our Children's Earth Foundation | 100 First Street, Suite 100-367, San Francisco, CA 94105

NEWS RELEASE

Date: January 30, 2004

ENVIRONMENTAL GROUP DENIED RIGHT TO INTERVENE IN HEARING ON REFINERIES' VIOLATION OF AIR PERMITS

San Francisco, CA --- The Bay Area Air Quality Management District (BAAQMD or District) denied a San Francisco-based environmental group the right to meaningful participation in proceedings to determine whether the Valero Refinery and Valero Asphalt Plant should be allowed to violate its newly issued federal air permits.

Our Children's Earth, represented by the Environmental Law and Justice Clinic of Golden Gate University School of Law, had filed a request to intervene in the upcoming hearings.

"This ruling makes it clear to Bay Area residents that the Air District is not interested in real participation by people who are forced to breathe the pollution and live with the consequences of a facility's non-compliance," said Tiffany Schauer, Executive Director of Our Children's Earth.

On December 1, 2003, the BAAQMD issued new federal air permits to all five Bay Area refineries. These permits contain all existing air quality requirements and new monitoring and reporting requirements to ensure the facilities' compliance. The monitoring requirements are akin to having speedometers to ensure compliance with speed limits. On December 2, Valero Refinery and the Valero Asphalt Plant, along with several other refineries, applied for variance relief from the BAAQMD Hearing Board, the agency's adjudicative panel. The applications seek permission to violate specified terms of the facilities' newly issued permits, and also seek relief from potentially numerous unspecified conditions. OCE, on behalf of its members who live near the refinery, requested to intervene in the variance proceedings to protect its members' interests in the refinery's compliance with air quality laws.

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