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Assembly
California Legislature
AL MURATSUCHI
ASSEMBLYMEMBER, SIXTY-SIXTH DISTRICT

DISTRICT OFFICE
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January 31, 2019

William A. Burke, Ed.D., Chair
Governing Board
South Coast Air Quality Management District
Diamond Bar, CA

Re: Proposed Rule 1410 – Hydrogen Fluoride Storage and Use at Petroleum Refineries

Dear Dr. Burke and Members of the Governing Board:

I am writing to urge you to adopt Rule 1410 to phase out the use of modified hydrogen fluoride (MHF) at the Torrance Refining Company Refinery and Valero Wilmington Refinery. I further urge you to craft and adopt Memorandums of Understanding (MOU) with each refinery to allow them to accomplish this MHF phase out without any permanent refinery shutdown or loss of refinery jobs.

As the State Assemblymember representing Torrance and the South Bay, I introduced Assembly Bill 1645 in January 2017 to phase out the use of hydrogen fluoride, including MHF, by any refinery operating in the State of California. I introduced this bill in response to strong public opposition in Torrance and neighboring communities over the Torrance refinery's continued use of MHF.

Shortly after I introduced AB 1645, the SCAQMD initiated a series of public hearings and consideration of a proposed rule to phase out MHF at the Torrance and Wilmington refineries, the only two refineries in the State of California that continue to use this highly toxic chemical in their alkylation operations. Deferring to SCAQMD deliberations, I decided not to move AB 1645 forward in the legislative process.

Ever since February 18, 2015, when a major explosion at the Torrance Refinery triggered public demands for an MHF ban, my goal has been consistent and remains the same: to make the refineries safer, not to shut them down. The SCAQMD, rather than the Legislature, has the necessary technical resources and deliberative timeline to accomplish this balancing act of phasing out MHF while giving the refineries the opportunity to retool and potentially create new jobs.

The SCAQMD has a historic opportunity to do the right thing: to protect not only thousands of people living in densely populated neighborhoods surrounding the refineries, but also over a thousand refinery workers. According to a 2013 report by the United Steel Workers entitled, "A Risk Too Great":

The long term solution is to replace HF (hydrogen fluoride) alkylation with safer systems not requiring the use of so toxic a chemical. The industry should commit to ending the use of HF alkylation and replacing it with safer alternatives as soon as possible.

Public opposition in the South Bay to hydrogen fluoride dates back at least to 1990, when Assemblymember Curtis Tucker made the first legislative attempt to ban refinery use of hydrogen fluoride by introducing Assembly Bill 2857. Following the introduction of Assemblymember Tucker's bill, the SCAQMD in 1991 adopted Rule 1410 to phase out refinery use of hydrogen fluoride. However, this rule was subsequently rejected by the Los Angeles County Superior Court on a legal technicality.

I urge the SCAQMD to finish what it started in 1991, by adopting a regulatory rule to phase out the use of MHF at the Torrance and Wilmington refineries, while allowing the refineries to continue to operate so that refinery jobs are protected.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Muratsuchi". The signature is written in a cursive, flowing style with a large initial "A" and "M".

AL MURATSUCHI
ASSEMBLYMEMBER, 66TH DISTRICT