

Workshop on Statewide Uniform Penalty Guidelines for Refineries

August 29, 2001

California Environmental Protection Agency



Air Resources Board

Agenda

- ✦ Introductions
- ✦ Discussion Topics
 - Need
 - Available Information
 - Issues
 - Public Process
- ✦ Open Discussion
- ✦ Closing Remarks

Why is there a need for Uniform Penalty Guidelines?

- ✦ At a February 22, 2001 Board Hearing in Richmond, ARB staff committed to develop recommendations for statewide uniform refinery penalties
 - Enforcement practices vary by District
 - Different mutual settlement practices employed
 - Different levels of penalties assessed
- ✦ Will be form of a Guidance Document for Districts to use

What Information is Available

- ✦ Staff has collected NOV settlement information for 4 refiners in the State from 1997-2000
 - 2 refineries each in South Coast and Bay Area
 - Includes settlement of 360 NOVs
- ✦ DTSC has also collected NOV settlement information
- ✦ Staff is also evaluating how the enforcement practices of issuing NOVs varies by District

Issues in Evaluating NOV information

- ✦ District rules vary
 - Different standards and reporting requirements
- ✦ Enforcement practices in each District have changed with time
- ✦ District practices of issuing NOVs varies
 - Multiple rule/regulation violations on single NOV
 - NOV issued for each specific violation
 - Issuing Notice to Comply vs. NOV
- ✦ Ability to assess dollar amount to a specific rule violation is often difficult

What will be the Public Process?

- ✦ Tonight's meeting is to provide background information and solicit public input on project
 - Staff will continue to have stakeholder meetings and conference calls throughout developmental process
- ✦ Staff will have another series of workshops in early October to discuss specific proposal
- ✦ Staff expects to have final draft proposal available for public comment mid-November 2001
- ✦ Scheduled for consideration by Board in December