

## **Benicia deserves better**

By Andrés Soto

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Benicia is the only Bay Area refinery town that does not have the community protection of an Industrial Safety Ordinance, or ISO.

In 1999, the city of Richmond and Contra Costa County adopted their interlocking ISOs. The Richmond ordinance mirrors the Contra Costa ISO, and Contra Costa County Hazardous Materials Division is responsible for enforcement and reporting.

Their experience with repeated refinery and associated hydrogen plant polluting events caused the elected leaders to respond to pressure from the disproportionately impacted communities in Richmond, Rodeo and Martinez for greater protection and information about polluting incidents.

How did Benicia miss out?

Since the adoption of the ISO, there have continued to be dangerous and deadly incidents at these Bay Area refineries, albeit at reduced rates, due to the ISO. Fortunately, the Richmond/Contra Costa ISO allows for corrective provisions that have improved refinery function and provided impacted communities with timely investigative information.

Under the ISOs, a 72-hour post incident report is available to the public. Monthly reports, or more frequently if necessary, follow that report and are publicly posted. To date, neither the Benicia City Council nor the people of Benicia have received any official reports on the nearly monthlong Valero flaring disaster this past May.

Based on the success of the Richmond/Contra Costa ISO, the California legislature adopted some of the process safety management portions of the ISO and made them state law, going into effect in October.

Unfortunately, the legislature did not adopt all elements of the ISOs. Benicia's ability to receive information, publish the results of investigations to the public and to require Valero to take corrective action simply does not exist. Can we wait for the legislature to strengthen the state law?

While Valero and PG&E point the finger at each other over who is at fault for the Valero flaring disaster in May, Benicia remains in the dark. We know Valero was given permits to construct an adequate backup generator system but only one co-generator was built and the permit for the other was allowed to expire after several extensions, probably because of Valero's bureaucrats in Texas.

Do we Benicians think we can count on Texas oil men to put our health and safety ahead of their profits? The lesson we learned from the successful battle to stop Valero's dangerous Crude-By-Rail Project is the company seems to stop at nothing to ensure their profits – even at the expense of Benicians.

Benicia deserves better!

***Andrés Soto,  
Benicia***