

Coalition For A Safe Environment

P.O. Box 1918, Wilmington, California 90748
wilmingtoncoalition @ prodigy.net 310-834-1128

December 29, 2008

Administrator Stephen L. Johnson
U.S. Environmental Protection Agency
Ariel Rios Building, Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
johnson.stephen@epa.gov
202-564-4700
202-501-1450 fax

Re: California South Coast Air Quality Management District
ConocoPhillips Wilmington Refinery Facility ID 800363 - Title V Permit
Su: Petition For Objection To Proposed ConocoPhillips Wilmington Refinery Title V Permit
& Request For Denial Of Approval

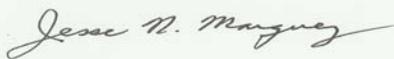
Dear US EPA Administrator:

The Coalition For A Safe Environment (CFASE) wishes to submit the attached "Petition" requesting that the Administrator for the U.S. Environmental Protection Agency object and deny approval of the proposed California South Coast Air Quality Management District (SCAQMD) Title V Permit to operate for ConocoPhillips Wilmington Refinery Facility ID 800363.

CFASE submits this "Petition" pursuant to Section 505(b)(2) of the federal Clean Air Act, 42 U.S.C. 7661d(b)(2), 40 C.F.R. 70.8(d).

We request your timely review of this matter. If you have any additional questions, please feel free to contact me directly at 310-834-1128.

Sincerely,



Jesse N. Marquez
Executive Director

Cc

Dr. Barry R. Wallerstein C/O Jay Chen - SCAQMD
Mr. David Sanders C/O Wesley Waida - Ultramar, Inc.
Gerardo Rios – U.S. EPA Region 9 Air Permit Section Chief

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ADMINSTRATOR

IN THE MATTER OF)	PETITON FOR OBJECTION
)	
Proposed Clean Air Act Title V Operating)	Facility ID: 800363
Permit Issued to ConocoPhillips)	
Wilmington Refinery For Operation of)	
ConocoPhillips Wilmington Refinery)	
_____)	

This Petition For Objection is submitted pursuant to section 505(b)(2) of the Clean Air Act (CAA or Act), 42 U.S.C. § 7661d(b)(2), and 40 C.F.R. § 70.8(d). The Coalition For A Safe Environment (Petitioner) Petitions the Administrator of the U.S. Environmental Protection Agency to object and deny approval of the proposed Title V Operating Permit (Permit) issued by the California South Coast Air Quality Management District (SCAQMD) to ConocoPhillips Wilmington Refinery for the operation of the ConocoPhillips Wilmington Refinery in Wilmington, California. As required by these cited provisions, Petitioner is providing this Petition to the EPA Administrator, the SCAQMD, and ConocoPhillips Wilmington Refinery. Petitioner is also providing this Petition to the EPA Region IX Air Permit Section Chief.

The Coalition For A Safe Environment is a non-profit Environmental Justice Community based organization with members in over 25 cities in California and in Baja California, Mexico. CFASE was founded on April 25, 2001 in the City of Los Angeles Hispanic community Wilmington. Our organization Mission Statement is: “To protect, promote, preserve and restore our Mother Earth’s delicate ecology, environment, natural resources and wildlife. To attain Environmental Justice in international trade marine ports, goods movement transportation corridors, petroleum and energy industry communities.” CFASE files this Petition on behalf of our organization, its members and the public.

The U.S. EPA must object to the proposed California South Coast Air Quality Management District proposed Title V Permit because it is not in compliance with the Clean Air Act. Specifically, the proposed Title V Permit does not contain adequate emissions monitoring, testing and reporting requirements for Criteria, Toxic and Hazardous Air Pollutants. The permit fails to require the reduction of Criteria, Toxic and Hazardous Air Pollutants to insignificant levels. The permit does not require the use of the Best Available Emissions Control Technologies. The permit lacks adequate compliance, enforcement criteria and penalties. The permit fails to contain adequate requirements to prevent frequent and reoccurring parts, equipment and systems breakdowns and malfunctions. The Permit fails to adequately protect the environment, public health and public safety from significant negative impacts. The permit fails to require the mitigation of negative environmental, public health and public safety impacts. The permit fails to comply with California environmental, public health, public safety laws, rules, regulations and guidelines.

BACKGROUND

The ConocoPhillips Wilmington Refinery is a major southern California refinery located in Wilmington an environmental injustice community in the City of Los Angeles harbor area. The refinery is also bordered by two other Los Angeles communities, San Pedro and Harbor City. Wilmington is the home to four major oil refineries with two additional oil refineries bordering Wilmington to the north in the City of Carson and six petroleum industry bulk loading terminal facilities in the local area.

The ConocoPhillips Wilmington Refinery processes crude oil into various fuels such as gasoline, diesel and jet fuel, natural gas, LPG and other specialty gases and petroleum products.

On July 31, 2008 the California South Coast Air Quality Management District issued an initial Title V Permit for the ConocoPhillips Wilmington Refinery and opened a public comment period.

During the public comment period the Coalition For A Safe Environment (Petitioner) submitted timely written comments with data and photographs on September 30, 2008 (see attachment). The Petitioner presented verbal comments and questions at a South Coast Air Quality Management public meeting held on August 27, 2008 at the Wilmington Senior Center. The Petitioner has raised all Title V Permit objections, inadequacies and issues in this Petition in our written and verbal comments to the SCAQMD.

The Petitioner also has major concerns over the lack of U.S. EPA oversight of states compliance to the Clean Air Act and Title V requirements. The Petitioner in its research discovered that the SCAQMD was granted Title V permit authority on November 30, 2001 but SCAQMD failed to comply with Title V in not issuing initial Title V Permits within three years as required by law, until this July 31, 2008. SCAQMD has issued hundreds of Title V Permits but none to the petroleum industry until this year. As a result oil refineries and other petroleum industries facilities have been operating without a legal Title V Permit for years. This has resulted in tens-of-thousands of tons of criteria, toxic and hazardous air pollutants being released illegally annually and no public participation in the Title V Permit process to eliminate and reduce public exposure to tens-of-thousands of tons of criteria, toxic and hazardous air pollutants. This has also resulted in hundreds-of-thousands of public health impacts, thousands of premature deaths annually and hundreds-of-millions of dollars in public health care costs that have been ignored and unmitigated, yet caused by the refinery.

ADMINISTRATOR AUTHORITY

The U.S. EPA Administrator pursuant to CAA 505(b)(1), 42 U.S.C. 7661d(b)(1) and 40CFR 70.8(c)(1) state that " If any permit contains provisions that are determined by the Administrator as not in compliance with the applicable requirements of this chapter, including the requirements of an applicable

implementation plan, the Administrator shall, in accordance with this subsection, object to its issuance.”

BASIS OF PETITION

1...Inadequate Periodic Monitoring & Inadequate Reporting Provisions

The Title V Permit does not guarantee or provide a means to assure that complete and accurate monitoring and reporting of Criteria and Toxic Pollutants by ConocoPhillips Wilmington Refinery. This is required by **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

Research by CFASE has disclosed that emissions in the past have not been properly calculated, recorded, not being reported and not being properly monitored. The SCAQMD required Periodic Monitoring requirements and guidelines have failed to assure compliance and adequate monitoring and monitoring.

We request that the Title V Permit include compliance with **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

We request that the Title V Permit include Compliance Assurance Monitoring (CAM) Plan and Maximum Available Control technology Standards to assure compliance, accurate AER recordkeeping, reporting and compliance per **40 CFR Part 70**, **40 CFR Part 63** and **CFR Part 64**.

2...Failure to Include Adequate AER Information For Public Assessment of Compliance

The ConocoPhillips Wilmington Refinery Permit Application includes only the most recent 2006 AER reported data which is insufficient to for the public to determine if ConocoPhillips Wilmington Refinery is complying with permit requirements and is in fact reducing or increasing its annual emissions.

Research by CFASE has disclosed that many categories of criteria and toxic pollutants have in fact Been increasing every year. This is in violation of existing permit requirements, Title V, the Clean Air

Act and other laws. The proposed permit requirements do not guarantee or provide a means to assure That ConocoPhillips Wilmington Refinery reduces its annual emissions.

We request the ConocoPhillips Wilmington Refinery Title V Permit include all AER Data back to The year 2000 in order for the public to determine permit compliance and reduction of criteria and toxic pollutants.

3...Failure to Require Reduction of Criteria & Toxic Pollutants

The ConocoPhillips Wilmington Refinery Permit Application and SCAQMD Rules fail to require That ConocoPhillips Wilmington Refinery reduce its annual criteria and toxic pollutant emissions.

Research by CFASE has disclosed that many categories of criteria and toxic pollutants have in fact Been increasing every year. This is in violation of existing permit requirements, Title V, the Clean Air Act and other laws. The proposed permit requirements do not guarantee or provide a means to assure that ConocoPhillips Wilmington Refinery reduces its annual emissions.

We request that SCAQMD require a monthly in-depth report, explanation and accounting of ConocoPhillips Wilmington Refineries increases in criteria and toxic pollutants. We request that this report be placed on-line for public review.

We request that SCAQMD update its policies, regulations, rules, compliance measures and Title V Permit requirements to prevent the increase in criteria and toxic pollutant emissions from at least the Published SCAQMD AB 2588 Annual Emissions Reporting data on-line baseline year of 2000.

We request that the Title V Permit include a plan for the annual reduction of criteria and toxic Pollutants until zero or near zero emissions are achieved by the year 2015.

4...Failure to Include Equipment And Parts Efficiency Data

The ConocoPhillips Wilmington Refinery Permit Application fails to include equipment and parts

efficiency data for the public to determine if ConocoPhillips Wilmington Refinery equipment and parts are complying with permit requirements, manufacturer specifications and refinery best industry business practices.

The public has no way of determining if ConocoPhillips Wilmington Refinery is adequately Maintaining equipment and parts. The numerous annual equipment and parts breakdowns and malfunctions reflected by flaring and other toxic and hazardous emission releases disclose that there is a serious problem and that ConocoPhillips Wilmington Refinery is not complying with SCAQMD Rules, the Clean Air Act and required or obvious good refinery industry business practices for maintenance or replacement.

The public has no way of determining if ConocoPhillips Wilmington Refinery is in fact using the Best Available Control Technology (BACT) or the Best Available Industry Technology. No technology update report or comparison information is provided to the public

We request that equipment and parts that have efficiencies less than 99% be identified in the Title V Permit.

We request that the Title V Permit require that all equipment and parts that have efficiencies of 99% or better and that a plan for replacement be included in the Title V Permit.

5...Failure to Require Storage Tanks to have 100% Closed-Loop Vapor Recovery Systems

The ConocoPhillips Wilmington Refinery Title V Permit Application and SCAQMD rules fail to Comply with the Clean Air Act and Title V requirements for the prevention and minimizing of the release of criteria, toxic and hazardous pollutant emissions.

CFASE research has disclosed that storage tanks are major sources of VOC fugitive emissions due

to the design of the tanks which allow VOC venting into the atmosphere which is unacceptable.

CFASE research has also disclosed that storage tanks are not built to be 100% hermetically sealed.

CFASE research has also disclosed that storage tanks which have fiberglass domes still release fugitive emissions and that during an earthquake crude oil, processed fuels and other products can roll over the tanks sides which is not being reported to the public.

The ConocoPhillips Wilmington Refinery Permit Application and SCAQMD rules fail to require that crude oil storage tanks, fuel storage tanks, waste water and other types of storage tanks have a 100% closed-loop vapor recovery system to prevent unnecessary criteria and toxic pollutant emission releases. The current SCAQMD Rules and industry practices are not the Best Available Control Technologies. Vapor recovery technology exist for 100% capture, recycling and reprocessing. The ConocoPhillips Wilmington Refinery Permit Application fails to require ConocoPhillips Wilmington Refinery to install 100% closed-loop recovery systems. We know that the refineries does not want invest in extra storage tanks etc. to capture these emissions, but this is a feasible and cost effective measure.

We request that the Title V Permit require that all storage tanks that store crude oil, refined fuel, partially refined fuel and other hydrocarbon contaminated sources be built to be 100% hermetically sealed and have a 100% closed-loop vapor recovery system with zero emissions.

We request that the Title V Permit require that ConocoPhillips Wilmington Refinery establish a plan for the replacement or upgrading of all storage tanks.

6... The Health Risk Assessment Information is Not Accurate

The ConocoPhillips Wilmington Refinery Facility Health Risk Assessment included in the Title V Permit is not accurate because it is not based on a local impact zone or sensitive receptor Public Health Survey and Public Health Baseline.

The SCAQMD and ConocoPhillips Wilmington Refinery have not sponsored a local impact zone or sensitive receptor Public Health Study in order to establish a proper Public Health Baseline and Facility Health Risk Assessment.

We request that the Title V Permit require that the Facility Health Risk Assessment data be based on a Public Health Baseline established from a Public Health Survey of all residents within a 5 mile radius of the ConocoPhillips Wilmington Refinery.

7...RECLAIM Trading Credits Program has Failed to Reduce Criteria & Toxic Pollutants

The SCAQMD RECLAIM Trading Credits Program has failed to significantly reduce Criteria & Toxic Pollutants at the ConocoPhillips Wilmington Refinery thereby causing significantly environmental and public health impacts in Wilmington and communities bordering the facility.

We request that the SCAQMD immediately terminate the RECLAIM Trading Credits Program as part of the Title V Permit and require ConocoPhillips Wilmington Refinery to establish a plan to reduce its criteria, toxic and hazardous air pollutant emissions.

8...No Compliance Assurance Monitoring (CAM) Requirement

The Title V Permit states that CAM is not required since they are claiming that their application was submitted prior to April 20, 1998 therefore CAM does not apply to them. The official initial Title V Permit Application is the one released on July 31, 2008 therefore CAM is a requirement.

We request that Compliance Assurance Monitoring (CAM) be included in the Title V Permit, ConocoPhillips Wilmington refinery is a major source and justified by the non-compliance to emissions monitoring and reporting stated in this petition and in our submitted public comments.

9...Emergency Provision are Unacceptable

ConocoPhillips Wilmington Refinery has numerous emergencies every year typically in the form

of parts, equipment and system breakdowns, malfunctions and power outages where they have released excessive amounts criteria, toxic and hazardous air pollutants. ConocoPhillips Wilmington Refinery has a legal responsibility to immediately report the an emergency, breakdown or malfunction, fire or explosion.

The public and especially children at Hawaiian Ave. Elementary School and students at L.A. Harbor College are both less than one mile of the ConocoPhillips Wilmington Refinery and should be immediately notified of any emergency release of criteria, toxic or hazardous air pollutants or other life threatening situation. They are numerous times that parents take their children to the hospital for having an asthma attack or an adult having a heart attack that may have been triggered by a toxic release from ConocoPhillips Wilmington Refinery. For example: a child may have been exposed to hydrogen sulfide but is being treated for a normal asthma attack. He has had an incorrect or incomplete medical diagnosis and treatment.

We request the Title V Permit require that SCAQMD and ConocoPhillips Wilmington Refinery Prepare and include a Public Emergency Notification, Evacuation & Public Care Plan.

We request the Title V Permit require that SCAQMD and ConocoPhillips Wilmington Refinery immediately send and deliver a notice of an emergency toxic release to all public schools, child care centers and residents within 3 miles of the ConocoPhillips Wilmington Refinery.

10...Failure to Contain a Certificate of Compliance

The ConocoPhillips Wilmington Refinery Title V Permit fails to contain a Certificate of Compliance.

This is a requirement of **40 CFR Part 70.6(c)(5)**. It fails to include:

- a. A statement that states that ConocoPhillips Wilmington Refinery is currently complying with all air quality requirements.

- b. A copy of all consent decrees, variances, notices to comply and notices of violations.
- c. A listing identifying all non-compliance requirements.
- d. A statement of the methods for determining compliance, an enforcement plan, compliance schedule, including a description of monitoring, recordkeeping, reporting requirements, test methods.
- e. A schedule for submission of compliance certifications after the permit is issued
- f. A statement indicating whether a source is complying with any enhanced monitoring and compliance certifications of the Clean Air Act.
- g. A document or place for responsible official to sign

The Title V Permit fails to require immediate and complete compliance to applicable court consent

decrees, variances, notices of to comply and notices of violations. While they are mentioned, the Title

V Permit does not provide information as to their current status, adoption, new emission standards

development, implementation, enhancements, equipment purchase & installation and compliance.

Based on what little information is provided, it appears that ConocoPhillips Wilmington Refinery did

not meet the September 8, 2008 Rule 1118 Flaring Variance deadline. In addition, the Title V Permit in

fact forces the public to have to go an additional SCAQMD website to research the information on

Notices to Comply and Notices of Violation.

We request that the Title V Permit include a Certificate of Compliance and compliance with **40 CFR Part 70.6©(5), 40 CFR Part 70.5 ©(8)(iii)(A), 40 CFR Part 70.5(c)(8)(iii)(B) and 40 CFR Part 70.5©(8)(iii)© and 40 CFR Part 70.5©(8)(iv).**

We request that a copy of all consent decrees, variances, notices to comply and notices of violations be included in the Title V Permit and not just a comment that they are in compliance today when in fact they could have been out of compliance the entire year or for numerous times for numerous reasons.

We request that any submitted Compliance Schedule not allow ConocoPhillips Wilmington Refinery to operate in violation of an applicable requirement.

We request that no Title V Permit be issued until all consent decrees, variances, notices to comply and notices of violations have been fulfilled.

We further request that all compliance history and status information be included in the Title V Permit.

11... Failure to Contain a Certificate of Truthfulness

The ConocoPhillips Wilmington Refinery Title V Permit fails to contain a Certificate of Truthfulness. A Responsible official must certify under penalty of law that the application is true, accurate and complete. This is a requirement of **40 CFR Part 70.5(d)**.

We request that the Title V Permit include a Certificate of Truthfulness and compliance with **40 CFR Part 70.5(d)**.

12... Failure to Include Green House Gas Emissions Limits and Reduction Plan

The ConocoPhillips Wilmington Refinery Title V Permit fails to include provisions for addressing Green House Gas (GHG) emissions limits and the preparation of a GHG Emission Reduction Plan per **40 CFR Part 52.21(b)(50)(iv)** and the AB 32 California Global Warming Solutions Act.

We request that the Title V Permit include compliance with **40 CFR Part 52.21(b)(50)(iv)** and the AB 32 California Global Warming Solutions Act.

13...Permit Fails to Address all Deficiencies Stated in Submitted in Written Public Comments

The Title V Permit fails to include and address all deficiencies and legal requirements as stated and described in our submitted written public comments.

We request that all permit deficiencies and legal requirements be addressed and 100% compliance to Title V Permit requirements.

14...Failed to Adequately Protect Environmental Justice Communities and Federally Protected Class Groups

The SCAQMD and Title V Permit fail to protect Environmental Justice Communities and Federally Protected Class Groups from being exposed to excessive criteria and toxic pollutants emissions. The SCAQMD rules, past permits and current Title V Permit fail to significantly reduce excessive criteria and toxic pollutants emissions in Environmental Justice Communities and Federally Protected Class Groups communities.

The Wilmington and San Pedro and Harbor City Environmental Justice communities have a significant And disproportionate negative impact on the local environmental, have increased public health risk and Public health problems. The asthma rate of children in Wilmington is 23.9% and West Long Beach 19.7% of which ConocoPhillips Wilmington Refinery is a major contributor.

The ConocoPhillips Wilmington Refinery Title V Permit also failed to consider the Cumulative Impact of other major criteria and toxic pollutant sources in, bordering and near Wilmington, San Pedro and Harbor City.

The current SCAQMD RECLAIM Trading Credits Program has failed to significantly reduce criteria, toxic and hazardous air pollutants at the ConocoPhillips Wilmington Refinery thereby causing significantly environmental and public health impacts in the local Environmental Justice and protected class group communities bordering the facility.

The facility is located in the City of Los Angeles community of Wilmington and San Pedro. The Title V Permit fails to guarantee that the SCAQMD will act promptly and properly upon any existing or future discovered non-compliance. ConocoPhillips Wilmington Refinery is currently in non-compliance of the Clean Air Act and Title V. SCAQMD has failed to initiate enforcement actions such

as: permit termination, permit revocation, reissuance, modification or revision, or denial of a permit renewal application and civil or criminal penalties per **40 CFR Part 70.6(a)(6)(i)**.

We request that the Title V Permit include all requests made in these public comments and comply With all Environmental Justice, Title VI, California Health & Safety Code policies, rules, regulations and guidelines.

We request that the Title V Permit include Compliance Assurance Monitoring (CAM) Plan and Maximum Available Control Technology Standards to assure protection of Environmental Justice Communities and Federally Protected Class Groups and to assure accurate AER recordkeeping, reporting and compliance per **40 CFR Part 70, 40 CFR Part 63 and CFR Part 64**.

We request that the Title V Permit include compliance with **40 CFR Part 70.6(a)(6)(i)**.

We request that the Title V Permit include an SCAQMD statement it will provide public notice and it will immediately advise the USEPA and California EPA of its intent not to seek enforcement action within 30 days of its decision and discovery of a violation.

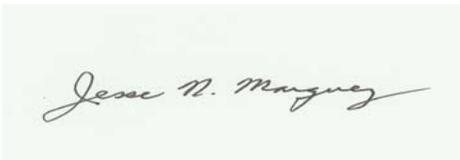
CONCLUSION

The proposed California SCAQMD Title V Permit does not contain adequate emissions monitoring, testing and reporting requirements for Criteria, Toxic and Hazardous Air Pollutants. The permit fails to require the reduction of Criteria, Toxic and Hazardous Air Pollutants to insignificant levels. The permit does not require the use of the Best Available Emissions Control Technologies. The permit lacks adequate compliance, enforcement criteria and penalties. The permit fails to contain adequate requirements to prevent frequent and reoccurring parts, equipment and systems breakdowns and malfunctions. The Permit fails to adequately protect the environment, public health and public safety

from significant negative impacts.

The permit fails to require the mitigation of negative environmental, public health and public safety impacts. The Petitioner has met all legal requirements for submitting a Petition for Objection

Respectfully submitted,

A rectangular box containing a handwritten signature in cursive script that reads "Jesse N. Marquez". The signature is written in black ink on a light green background.

Jesse N. Marquez
Executive Director

See Title V Permit Public Comment Attachment

Coalition For A Safe Environment

P.O. Box 1918, Wilmington, California 90748
wilmingtoncoalition @ prodigy.net 310-834-1128

September 30, 2008

South Coast Air Quality Management District (SCAQMD)
Engineering & Compliance
21865 Copley Drive
Diamond Bar, CA 91765-4178
Attn: Jay Chen
jchen @ aqmd.gov
909-396-2664
909-396-3855 Fax

Re: Title V Permit Application
ConocoPhillips Wilmington Refinery
1660 W. Anaheim Street
Wilmington, CA 90744
Facility ID # 800363

Su: Request To Deny The Title V Permit Application Approval and
Order ConocoPhillips Wilmington Refinery to Immediately Cease Business Operations

Mr. Chen:

The Coalition For A Safe Environment (CFASE) submits our ConocoPhillips Wilmington Refinery Title V Permit Public Comment Letter requesting SCAQMD to deny approval of the Title V Permit Application for ConocoPhillips Wilmington Refinery Facility ID # 800363 and order them to cease business operations until a valid Title V Permit has been approved. It is a violation of 40 CFR Part 70 for an oil refinery to operate without a Title V Permit.

The Coalition For A Safe Environment is a non-profit Environmental Justice Community based organization with over 500 members in 20 cities in Los Angeles County. CFASE was founded in April of 2001 in the City of Los Angeles Hispanic community Wilmington. Our organization Mission Statement is:

“To protect, promote, preserve and restore our Mother Earth’s delicate ecology, environment, natural resources and wildlife. To attain Environmental Justice in international trade marine ports, goods movement transportation corridors, petroleum and energy industry communities. “

1...SCAQMD Intentionally Delayed the Timely Processing of ConocoPhillips Wilmington Refinery Title V Permit in Violation of 40 CFR Part 70.4 (6)

The Coalition For A Safe Environment would like to comment that the South Coast Air Quality Management District and have failed to comply with Title V Permitting requirements which have allowed ConocoPhillips Wilmington Refinery to operate for over six years without an approved Title

V Permit. In addition, SCAQMD and ConocoPhillips Wilmington Refinery have delayed the timely processing of the Title V Permit, failed to provide proper public notification, submission, public review and approval of ConocoPhillips Wilmington Refinery Title V Permit. SCAQMD failed to issue a Title V permit within 3 years of its permitting approval. See 40 CFR Part 70.4 excerpt below. We have recently conducted research as to when the SCAQMD was granted authority by the USEPA to receive and approve Title V Permits.

40 CFR Part 70.4 (6) A showing of adequate authority and procedures to determine within 60 days of receipt whether applications (including renewal applications) are complete, to request such other information as needed to process the application, and to take final action on complete applications within 18 months of the date of their submittal, except for initial permit applications, for which the permitting authority may take up to 3 years from the effective date of the program to take final action on the application, as provided for in the transition plan.

The SCAQMD, “was granted final full approval on November 30, 2001,” to receive and approve Title V permits, yet delayed issuing a Title V Permit over six years later therefore violating the law and depriving the public, local environmental justice and Title VI protected classes and local residents of their rights to review and comment on Ultramar Refineries Title V Permit Application, pursue additional air pollution control technologies, new or revised state laws, rules, regulations, guidelines and request additional environmental and public health mitigation measures. See 40 CFR Part 70 Appendix A excerpt below:

40 CFR Part 70 Appendix A. (dd) *South Coast Air Quality Management District:*

- (1) Submitted on December 27, 1993 and amended on March 6, 1995, April 11, 1995, September 26, 1995, April 24, 1996, May 6, 1996, May 23, 1996, June 5, 1996 and July 29, 1996; approval effective on March 31, 1997. Interim approval expires on December 1, 2001.
- (2) Revisions were submitted on August 2, 2001 and October 2, 2001. South Coast AQMD was granted final full approval effective on November 30, 2001.

2...Lack of Adequate Public Notice in Violation of 40 CFR Part 70.7 (h)(1).

The SCAQMD failed to provide adequate Public Notice and opportunity for public participation by utilizing the minimum public notification requirements.

We request that both SCAQMD and ConocoPhillips Wilmington Refinery participate in the public notice and public participation process.

We request that SCAQMD update its public notice policies and procedures to include:

Public Notification:

- A. Provided public notice in both regional and local newspapers advising the public that they could register to be placed on a special Oil Refinery & Petroleum Industry Title V Permit Notification List. The public may not want to receive the more than 400 SCAQMD Title V Permit notifications and the hundreds of other public notices. This would discourage the public from wanting to participate.
- B. Prepared and submitted Press Releases and background information to all media outlets which is a free of charge news service. This would include traditional and internet news & blog websites.

- C. Researched and established a local City Public Access Cable TV List of local news and programming which a free of charge news service.
- D. Researched and established a Internet Community News & Blog Notification List
- E. Researched and established a City Community Organization Notification List
- F. Sent SCAQMD staff and public relations personnel to attend Community Organization meetings.
- G. Sent SCAQMD staff and public relations personnel to attend traditional Television and Public Access Cable interviews.
- H. Hired a local Media Consultant Group that has bilingual English and Spanish staff and multimedia ethnic resources.
- I. Contracted with Community Organizations that are coalitions and networks to assist in public notification and outreach.
- J. Provided a 90 day advance notice of intent to release a Public Notification for an Oil Refinery or Petroleum Industry or Calendar.

Public Participation:

- A. Offered free public classes, workshops and seminars on how to evaluate a Title V Permit Application, a minimum 3 months in advance.
- B. Written, published and distributed a free SCAQMD Guide for Public Commenting on Title V Permit Applications, a minimum 3 months in advance.
- C. Produced and distributed a free CD/DVD SCAQMD Guide for Public Commenting on Title V Permit Applications, a minimum 3 months in advance.
- D. Informed the public that the USEPA had sponsored the research, writing and publishing of a public guide titled, "The Proof is in the Permit." The SCAQMD could have contacted the USEPA for joint sponsorship.
- E. Informed the public that the USEPA has in the past sponsored a free public class on the Title V Permit Process. The SCAQMD could have contacted the USEPA for joint sponsorship.
- F. Contracted with Community Organizations that are coalitions and networks to assist in training, a minimum 6 months in advance.
- G. Delay current schedule to allow public training on how to evaluate a Title V Permit Application.
- H. Provide a 90 day public comment period.
- I. Print and provide a minimum of 5 hard copies of the Title V Permit Application and 5 CD's at each public meeting and public hearing.

40 CFR Part 70.7 (h) *Public participation.* Except for modifications qualifying for minor permit modification procedures, all permit proceedings, including initial permit issuance, significant modifications, and renewals, shall provide adequate procedures for public notice including offering an opportunity for public comment and a hearing on the draft permit. These procedures shall include the following:

(1) Notice shall be given: by publication in a newspaper of general circulation in the area where the source is located or in a State publication designed to give general public notice; to persons on a mailing list developed by the permitting authority, including those who request in writing to be on the list; and by other means if necessary to assure adequate notice to the affected public;

3...Failure to Require the Accurate Reporting of Air Emissions & Inadequate Recordkeeping Provisions

The Title Permit and SCAQMD rules failed to require and enforce ConocoPhillips Wilmington Refinery to maintain and submit complete records, special reports and Criteria and Toxic Pollutants Air Emissions Reports (AER's). The proposed permit requirements do not guarantee or provide a means to assure that complete and accurate record keeping and reporting by ConocoPhillips Wilmington Refinery. This is a requirement of **40 CFR Part 70.6(a)(3)(ii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**. ConocoPhillips Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance or has inadequate rules, regulations or guidelines. Ignorance of the law is no excuse.

The Title V Permit failed to include information necessary for the public to assess the completeness of the permit, accurate recordkeeping, accurate reporting of information, deviation from requirements and compliance of ConocoPhillips Wilmington Refinery, as a result CFASE had to conduct further investigation and research of the SCAQMD website information which disclosed that all emissions were not being calculated, not being reported, not being properly monitored and worst yet not decreasing.

CFASE obtained information from the SCAQMD Facility Information Detail (FIND) Website under Emissions – Select AER (Annual Emissions Reporting) Year. See Appendix A - Annual Air Emissions Reporting Criteria Pollutants Chart and . See Appendix B - Annual Air Emissions Reporting Toxic Pollutants Chart

Research by CFASE has disclosed that numerous years of Toxic Pollutant data was missing and not reported without explanation. This is in violation of existing permit requirements, Title V and the Clean Air Act.

The SCAQMD failed to monitor and require ConocoPhillips Wilmington Refinery to submit complete Toxic Pollutants Air Emissions Reports (AER's). Research by CFASE has disclosed that the annual listing of Toxic Pollutants in the AER's varied significantly from 13 listed reported chemicals to 48 reported chemicals. This is in violation of existing permit requirements, Title V and the Clean Air Act. The proposed permit requirements do not guarantee or provide a means to assure that complete and accurate reporting by ConocoPhillips Wilmington Refinery. See Appendix B - Annual Air Emissions Reporting Toxic Pollutants Chart

The SCAQMD failed to monitor and require ConocoPhillips Wilmington Refinery to submit accurate Toxic Pollutant Air Emissions data. SCAQMD and ConocoPhillips Wilmington Refinery have failed to accurately calculate Flaring Emissions. Two examples include: on September 12, 2005 there was a major power blackout, ConocoPhillips Wilmington Refinery does not have emergency power back-up sufficient to minimize flaring and therefore emitted hundreds of tons of additional PM, VOC's etc. which were not accurately counted and reported. On October 4, 2007 at night there was a major flaring event which was reported and photographed by the public. ConocoPhillips Wilmington Refinery yearly and monthly violates SCAQMD Rule 1118 by Flaring illegally. The proposed permit conditions do not guarantee or provide a means to assure complete and accurate reporting by ConocoPhillips Wilmington Refinery. See Appendix C - Photos

The SCAQMD failed to monitor, penalize, issue notices of violations and fine ConocoPhillips Wilmington Refinery for its failure to submit accurate and complete AER information. The proposed permit requirements do not guarantee or provide a means to assure that complete and accurate reporting by SCAQMD and ConocoPhillips Wilmington Refinery. We request that all report of violations both public call-in and inspector verified, penalizations, notices of violations and fines be posted real time on the SCAQMND website.

We request that SCAQMD update its rules, compliance measures and Title V Permit requirements to prevent non-compliance to criteria and toxic pollutant emissions monitoring, recordkeeping and reporting requirements.

We request compliance with **40 CFR Part 70.6(a)(3)(ii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

To assure compliance with the Clean Air Act, Title V and SCAQMD rules, regulations and requirements we request that ConocoPhillips Wilmington Refinery purchase and install available off-the-shelf, reasonable and cost effective on-site and fence-line remote sensing technologies such as Differential Absorption LIDAR (DIAL) laser technology. DIAL uses direct measurement of emissions and can accurately identify and quantify all emissions

4... Failure to Require the Accurate Reporting of Air Emissions Due to Significant Environmental Variables

The Title V Permit and SCAQMD rules fail to accurately estimate, test, monitor and report increased emissions due to Significant Environmental Variables such as above normal wind speed conditions, temperature, high humidity and low atmospheric inversion layers.

For example: Increased wind speeds decrease combustion and flaring efficiency. Wind speed is also higher at 100' tall flare stacks vs typical ground level wind speed weather measurements. Low inversion layers do not disperse emissions as fast or over long distances as rapidly. High humidity will cause air emissions to remain for a longer period of time and not easily be dispersed. High temperatures will cause a faster evaporation of fuels in storage tanks forming increased VOC's. Averaging of data does not provide accurate air pollution emissions information or estimates.

The proposed permit requirements do not guarantee or provide a means to assure that complete and accurate record keeping and reporting by ConocoPhillips Wilmington Refinery. This is a requirement of **40 CFR Part 70.6(a)(3)(ii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**. ConocoPhillips Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance or has inadequate rules, regulations or guidelines. Ignorance of the law is no excuse.

We request that wind speed, temperature, humidity and inversion layer information factors for height be included in all flaring criteria and toxic pollutants measurements and reporting.

5...Inadequate Periodic Monitoring & Inadequate Reporting Provisions

The Title V Permit does not guarantee or provide a means to assure that complete and accurate monitoring and reporting of Criteria and Toxic Pollutants by ConocoPhillips Wilmington Refinery. This is required by **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**. ConocoPhillips

Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance or has inadequate rules, regulations or guidelines. Ignorance of the law is no excuse.

Research by CFASE has disclosed that emissions in the past have not been properly calculated, recorded, not being reported and not being properly monitored. The SCAQMD required Periodic Monitoring requirements and guidelines have failed to assure compliance and adequate monitoring and monitoring. See Appendix A, B & C.

We request that the Title V permit include compliance with **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

We request that the Title V Permit include Compliance Assurance Monitoring (CAM) Plan and Maximum Available Control Technology Standards to assure compliance, accurate AER recordkeeping, reporting and compliance per **40 CFR Part 70**, **40 CFR Part 63** and **CFR Part 64**.

6...Failure to Include Adequate AER Information For Public Assessment of Compliance

The ConocoPhillips Wilmington Refinery Permit Application includes only the most recent 2006 AER reported data which is insufficient to for the public to determine if ConocoPhillips Wilmington Refinery is complying with permit requirements and is in fact reducing or increasing its annual emissions.

Research by CFASE has disclosed that many categories of criteria and toxic pollutants have in fact been increasing every year. This is in violation of existing permit requirements, Title V, the Clean Air Act and other laws. The proposed permit requirements do not guarantee or provide a means to assure that ConocoPhillips Wilmington Refinery reduces its annual emissions. See Appendix A - Annual Air Emissions Reporting Criteria Pollutants Chart and Appendix B - Annual Air Emissions Reporting Toxic Pollutants Chart

We request the ConocoPhillips Wilmington Refinery Title V Permit include all AER Data back to the year 2000 in order for the public to determine permit compliance and reduction of criteria and toxic pollutants.

7...Failure to Require Reduction of Criteria & Toxic Pollutants

The ConocoPhillips Wilmington Refinery Permit Application and SCAQMD Rules fail to require that ConocoPhillips Wilmington Refinery reduce its annual criteria and toxic pollutant emissions.

Research by CFASE has disclosed that many categories of criteria and toxic pollutants have in fact been increasing every year. This is in violation of existing permit requirements, Title V, the Clean Air Act and other laws. The proposed permit requirements do not guarantee or provide a means to assure that ConocoPhillips Wilmington Refinery reduces its annual emissions. See Appendix A - Annual Air Emissions Reporting Criteria Pollutants Chart and Appendix B - Annual Air Emissions Reporting Toxic Pollutants Chart

We request that SCAQMD require a monthly in-depth report, explanation and accounting of Ultramar Refineries increases in criteria and toxic pollutants. We request that this report be placed on-line for public review.

We request that SCAQMD update its policies, regulations, rules, compliance measures and Title V Permit requirements to prevent the increase in criteria and toxic pollutant emissions from at least the published SCAQMD AB 2588 Annual Emissions Reporting data on-line baseline year of 2000.

We request that the Title V Permit include a plan for the annual reduction of criteria and toxic pollutants until zero or near zero emissions are achieved by the year 2015.

8...Failure to Include Equipment And Parts Efficiency Data

The ConocoPhillips Wilmington Refinery Permit Application fails to include equipment and parts efficiency data for the public to determine if ConocoPhillips Wilmington Refinery equipment and parts are complying with permit requirements, manufacturer specifications and refinery best industry business practices.

The public has no way of determining if ConocoPhillips Wilmington Refinery is adequately maintaining equipment and parts. The numerous annual equipment and parts breakdowns reflected by flaring and other toxic and hazardous emission releases disclose that there is a serious problem and that ConocoPhillips Wilmington Refinery is not complying with SCAQMD Rules, Title V Permit, the Clean Air Act and required or obvious good refinery industry business practices for maintenance or replacement.

The public has no way of determining if ConocoPhillips Wilmington Refinery is in fact using the Best Available Control Technology (BACT) or the Best Available Industry Technology.

We request that equipment and parts that have efficiencies less than 99% be identified in the Title V Permit.

We request that the Title V Permit require that all equipment and parts that have efficiencies of 99% or better and that a plan for replacement be included in the Title V Permit.

9...Failure to Require Storage Tanks to have 100% Closed-Loop Vapor Recovery Systems

The ConocoPhillips Wilmington Refinery Title V Permit Application and SCAQMD rules fail to comply with the Clean Air Act and Title V requirements for the prevention and minimizing of the release of criteria and toxic pollutant emissions. ConocoPhillips Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance. Ignorance of the law is no excuse.

CFASE research has disclosed that storage tanks are major sources of ROG (Reactive Organic Compounds) & VOC (Volatile Organic Compounds) fugitive emissions due to the design of the tanks which allow ROG & VOC venting into the atmosphere which is unacceptable. CFASE research has also disclosed that storage tanks are not built to be 100% hermetically sealed. CFASE research has also disclosed that storage tanks which have fiberglass domes still release fugitive emissions and that during an earthquake crude oil, processed fuels and other products can roll over the tanks sides which is not being reported to the public

The ConocoPhillips Wilmington Refinery Permit Application and SCAQMD rules fail to require that crude oil storage tanks, fuel storage tanks, waste water and other types of storage tanks have a 100% closed-loop vapor recovery system to prevent unnecessary criteria and toxic pollutant emission releases. The current SCAQMD Rules and industry practices are not the Best Available Control Technologies.

Vapor recovery technology exist for 100% capture, recycling and reprocessing. The ConocoPhillips Wilmington Refinery Permit Application fails to require ConocoPhillips Wilmington Refinery to install 100% closed-loop recovery systems. We know that the refineries does not want invest in extra storage tanks etc. to capture these emissions, but this is not an option any more.

We request that the Title V Permit require that all storage tanks that store crude oil, refined fuel, partially refined fuel and other hydrocarbon contaminated sources be built to be 100% hermetically sealed and have a 100% closed-loop vapor recovery system with zero emissions.

We request that the Title V Permit require that ConocoPhillips Wilmington Refinery establish a plan for the replacement or upgrading of all storage tanks.

10... The Health Risk Assessment is Not Accurate Because No Public Health Baseline was Established For The Local Public Impact Zone and Sensitive Receptors

The ConocoPhillips Wilmington Refinery Facility Health Risk Assessment included in the Title V Permit is not accurate because it is not based on a local impact zone or sensitive receptor Public Health Baseline. The SCAQMD and ConocoPhillips Wilmington Refinery have not sponsored a local impact zone or sensitive receptor Public Health Study in order to establish a proper Public Health Baseline and Facility Health Risk Assessment. ConocoPhillips Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance.

We request that the Title V Permit require that the Facility Health Risk Assessment data be based on a Public Health Baseline established from a Public Health Survey of all residents within a 5 mile radius of the ConocoPhillips Wilmington Refinery. We request that the Title V Permit include the requirement for the completion of a comprehensive Health Impact Assessment.

11... The Health Risk Assessment is Not Accurate Because of the Inaccurate Estimation and Reporting of Released Criteria and Toxic Air Pollutants

The ConocoPhillips Wilmington Refinery Facility Health Risk Assessment included in the Title V Permit is not accurate because it is not based on the accurate estimation and reporting of released criteria and toxic air pollutants. The SCAQMD has failed to require ConocoPhillips Wilmington Refinery to use the best available test equipment for the monitoring, estimation and reporting of released criteria and toxic air pollutants. ConocoPhillips Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance. Ignorance of the law is no excuse.

We request that the Title V Permit include the requirement that ConocoPhillips Wilmington Refinery utilize the test equipment for the monitoring, estimation and reporting of released criteria and toxic air pollutants. We also request that SCAQMD install fence-line monitoring equipment to validate the accuracy of reported emissions.

12...The Health Risk Assessment is Out Dated

The ConocoPhillips Wilmington Refinery Facility Health Risk Assessment (HRA) dated May 31, 2001 which included in the Title V Permit is outdated. A new HRA should have been completed as a minimum with the most current data for the year 2007. The new HRS should also be based on a current Public Health Baseline established by a local impact zone Public Health Survey of all residents within 5 miles of the facility.

The ConocoPhillips Wilmington Refinery has increased its release of criteria and toxic pollutants significantly since 2001. The included HRA is primarily based on 2000 data. ConocoPhillips Wilmington Refinery also failed to accurately report all of its criteria and toxic pollutants as described previously in this letter.

CFASE requests that the Title V Permit include a new updated Health Risk Assessment based on 2007 or 2008 data.

13...RECLAIM Trading Credits Program has Failed to Reduce Criteria & Toxic Pollutants

The SCAQMD RECLAIM Trading Credits Program has failed to significantly reduce Criteria & Toxic Pollutants at the ConocoPhillips Wilmington Refinery thereby causing significantly environmental and public health impacts in the local communities and cities bordering the facility.

We request that the SCAQMD immediately terminate the RECLAIM Trading Credits Program as part of the Title V Permit and require ConocoPhillips Wilmington Refinery to establish a plan to reduce its criteria and toxic pollutant emissions.

14...Emergency Provision are Unacceptable

ConocoPhillips Wilmington Refinery has numerous emergencies every year typically in the form of equipment breakdowns, malfunctions and power outages where they have released hundreds of tons of criteria and toxic pollutants. Waiting for ConocoPhillips Wilmington Refinery to report the event two days later is unacceptable.

The public and especially children at Hawaiian Ave. Elementary School and Gulf Ave. Elementary School are both within one mile of the ConocoPhillips Wilmington Refinery and should be immediately notified of any emergency release of criteria or toxic pollutants. They are numerous times that parents take their children to the hospital for having an asthma attack or an adult having a heart attack that may have been triggered by a toxic release from ConocoPhillips Wilmington Refinery. For example: a child may have been exposed to hydrogen sulfide but is being treated for a normal asthma attack. He has had an incorrect or incomplete medical diagnosis and treatment.

There is also several Children day Care centers within one mile of ConocoPhillips Wilmington Refinery and should be immediately notified of any emergency release of criteria or toxic pollutants.

We request the Title V Permit require that SCAQMD and ConocoPhillips Wilmington Refinery prepare and include a Public Emergency Notification, Evacuation & Public Care Plan.

We request the Title V Permit require that SCAQMD and ConocoPhillips Wilmington Refinery immediately send and deliver a notice of an emergency toxic release to all public schools, child care centers and residents within 5 miles of the ConocoPhillips Wilmington Refinery.

15...Failure to Contain a Certificate of Compliance

The ConocoPhillips Wilmington Refinery Title V Permit fails to contain a Certificate of Compliance. This is a requirement of **40 CFR Part 70.6(c)(5)**. It fails to include:

- h. A statement that states that ConocoPhillips Wilmington Refinery is currently complying with all air quality requirements.
- i. A copy of all consent decrees, variances, notices to comply and notices of violations.
- j. A listing identifying all non-compliance requirements.
- k. A statement of the methods for determining compliance, an enforcement plan, compliance schedule, including a description of monitoring, recordkeeping, reporting requirements, test methods.
- l. A schedule for submission of compliance certifications after the permit is issued
- m. A statement indicating whether a source is complying with any enhanced monitoring and compliance certifications of the clean Air Act.
- n. A document or place for responsible official to sign

The Title V Permit fails to require immediate and complete compliance to applicable court consent decrees, variances, notices of to comply and notices of violations. While they are mentioned, the Title V Permit does not provide information as to their current status, adoption, new emission standards development, implementation, enhancements, equipment purchase & installation and compliance. Based on what little information is provided, it appears that ConocoPhillips Wilmington Refinery is not in compliance with the Court Consent Decree and will not meet the September 8, 2008 Rule 1118 Flaring Variance deadline.

In addition, the Title V Permit in fact forces the public to have to go an additional SCAQMD website to research the information on Notices to Comply and Notices of Violation.

We request that the Title V Permit include a Certificate of Compliance and compliance with **40 CFR Part 70.6(c)(5), 40 CFR Part 70.5 (c)(8)(iii)(A), 40 CFR Part 70.5(c)(8)(iii)(B) and 40 CFR Part 70.5(c)(8)(iii)(C) and 40 CFR Part 70.5(c)(8)(iv).**

We request that a copy of all consent decrees, variances, notices to comply and notices of violations be included in the Title V Permit.

We request that any submitted Compliance Schedule not allow ConocoPhillips Wilmington Refinery to operate in violation of an applicable requirement.

We request that no Title V Permit be issued until all consent decrees, variances, notices to comply and notices of violations have been fulfilled.

We further request that all compliance history and status information be included in the Title V Permit.

16... Failure to Contain a Certificate of Truthfulness

The ConocoPhillips Wilmington Refinery Title V Permit fails to contain a Certificate of Truthfulness. A responsible official must certify under penalty of law that the application is true, accurate and complete. This is a requirement of **40 CFR Part 70.5(d).**

We request that the Title V Permit include a Certificate of Truthfulness and compliance with **40 CFR Part 70.5(d).**

17...Failure to Require Emergency Back-Up Power to Prevent Facility Equipment Stoppage Due to Power Failure & Toxic Releases

The Title V Permit fails to include requirements for the ConocoPhillips Wilmington Refinery to have emergency standby back-up power in the event of a temporary power interruption, power voltage or amperage drop or a complete catastrophic power failure. The failure of SCAQMD to include this reasonable and cost effective requirement has allowed the ConocoPhillips Wilmington Refinery to emit hundreds of tons of preventable air pollution during a power failure.

On September 12, 2005 there was a major electrical power blackout which resulted in ConocoPhillips releasing hundreds if not thousands of tons of Criteria and Toxic air pollutants such as PM, SOX, VOC and HAP's over the course of several days.

There have other power outages which have also resulted in the release of criteria and toxic air pollutants.

18...Failure to Require Emergency Back-Up Power Co-Generation System to Operate Independently of the Main Power Grid To Prevent Facility Equipment Stoppage Due to Power Failure & Toxic Releases

The Title V Permit fails to include requirements for the ConocoPhillips Wilmington Refinery to have emergency standby back-up power in the event of a temporary power interruption, power voltage or amperage drop or a complete catastrophic power failure. The ConocoPhillips Wilmington Refinery had an operable Co-Generation System that failed to come-on due to the fact it was connected to the main power grid and not connected to an independent power source in order for it to operate. The failure of SCAQMD to include this reasonable and cost effective requirement has allowed the ConocoPhillips Wilmington Refinery to emit hundreds of tons of preventable air pollution during a power failure.

On September 12, 2005 there was a major electrical power blackout which resulted in ConocoPhillips releasing hundreds if not thousands of tons of Criteria and Toxic air pollutants such as PM, SOX, VOC and HAP's over the course of several days.

There have other power outages which have also resulted in the release of criteria and toxic air pollutants.

19...Failure to Issue Notices of Violation In Releasing and Not Reporting Emissions & Data

The Title V Permit does not guarantee or provide a means to assure that SCAQMD is issuing Notices of Violation for the failure of providing required notice of releases, complete and accurate monitoring and reporting of Criteria and Toxic Pollutants by ConocoPhillips Wilmington Refinery. This is required by **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

Research by CFASE has disclosed that emissions in the past have not been properly calculated, recorded, not being reported, not being properly monitored or having NOV's issued. ConocoPhillips Wilmington Refinery is an annual repeat offender of the failure of providing required notice of releases, complete and accurate monitoring and reporting of Criteria and Toxic Pollutants. CFASE is an annual and frequent reporter of flaring at the ConocoPhillips Wilmington Refinery and the information included in the Title V Permit has disclosed that SCAQMD is failing to document and write NOV's that are being reported by the public. Photographs included in Appendix D validate this.

SCAQMD issues multiple Notices of Violation every year to ConocoPhillips Wilmington Refinery and has issued 88 Notices of Violations since 1997 which is unacceptable and proof of their failure and willingness to comply with the Clean Air Act and Title V.

The SCAQMD required Periodic Monitoring requirements, guidelines and enforcement actions have failed to assure compliance, reduction of criteria and toxic emissions, adequate monitoring and reporting. SCAQMD has been issuing less NOV's than in the past even though there has been continuance violations every year. See Appendix A, B & C.

We request that the Title V permit include compliance with **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

We request that the Title V Permit include additional SCAQMD rule requirements, over-site and enforcement conditions to prevent the failure to issue an NOV and that ConocoPhillips Wilmington Refinery be required to establish a prevention and compliance plan. Request that that SCAQMD inspector provide a justification for not issuing an NOV and that it is approved by a department manager.

20...Failure to Issue Notices to Comply in Releasing and Not Reporting Emissions & Data

The Title V Permit does not guarantee or provide a means to assure that SCAQMD is issuing Notices of Compliance for the failure of providing required notice of releases, complete and accurate monitoring and reporting of Criteria and Toxic Pollutants by ConocoPhillips Wilmington Refinery. This is required by **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

Research by CFASE has disclosed that emissions in the past have not been properly calculated, recorded, not being reported, not being properly monitored or having Notices to Comply issued. ConocoPhillips Wilmington Refinery is an annual repeat offender of the failure of providing required notice of releases, complete and accurate monitoring and reporting of Criteria and Toxic Pollutants. CFASE is an annual and frequent reporter of flaring at the ConocoPhillips Wilmington Refinery and the information included in the Title V Permit has disclosed that SCAQMD is failing to document and write NC that are being reported by the public. Photographs included in Appendix D validate this.

The SCAQMD required Periodic Monitoring requirements, guidelines and enforcement actions have failed to assure compliance, reduction of criteria and toxic emissions, adequate monitoring and reporting. SCAQMD has failed to issue NC's as required even though NOV's and other reported violations have been continued every year. See Appendix A, B & C.

We request that the Title V permit include compliance with **40 CFR Part 70.6(a)(3)(iii)(A)** and **40 CFR Part 70.6(a)(3)(iii)(B)**.

We request that the Title V Permit include additional SCAQMD rule requirements, over-site and enforcement conditions to prevent the failure to issue an NOV and that ConocoPhillips Wilmington Refinery be required to establish a compliance plan. Request that that SCAQMD inspector provide a justification for not issuing an NOV and that it is approved by a department manager.

21...Failure to Reduce Flaring Emissions

The ConocoPhillips Wilmington Refinery Title V Permit Application and SCAQMD rules fail to assure compliance with the Clean Air Act and Title V requirements for the prevention and minimizing of the release of criteria and toxic pollutant emissions during flaring.

The SCAQMD Rule 1118 fails to comply with the Clean Air Act and Title V requirements and must be revised the following deficiencies. Rule 1118 fails to:

- a. Require the prevention, elimination and minimization of flaring. No flaring should be allowed or occur when there is a closed loop near 100% Flare Gas Recovery System in place.
- b. SCAQMD shall require a Flare Reduction Plan to reduce flare emissions by 90% by the year 2010.
- c. The SCAQMD Executive Officer and SCAQMD Board have no authority to waive compliance to the Clean Air Act and Title V and to allow illegal flaring which can be cost effectively prevented.
- d. The SCAQMD Executive Officer and SCAQMD Board have no authority to grant an extension to waive compliance to the Clean Air Act and Title V for flare gas treatment and recovery systems for facilities with more than one flare since more than flare can be constructed or worked on at the same time. Rule 1118 was adopted in 2005 and all refineries have sufficient time to plan and comply with Rule 1118 and the Clean Air Act and Title V. ConocoPhillips Wilmington Refinery must comply with the Clean Air Act and Title V regardless if SCAQMD is in non-compliance.
- e. When flaring must occur due to planned shut downs, startups, turnarounds, maintenance parts or equipment replacement the highest efficiency option plan to minimize flaring shall be utilized
- f. Include monitoring, testing and reporting of all criteria and toxic pollutant emissions released during flaring, which as a minimum should include oxides of sulfur (SOX), oxides of nitrogen (NOX), carbon dioxide (CO), reactive organic compounds (ROG), volatile organic compounds (VOC's), hazardous air pollutants (HAP's) and particulate matter (PM).
- g. A Flare Gas Recovery System shall also consist of a storage tank to which flare gases can be transferred to, stored, recovered and reprocessed and not flared into the atmosphere. A Flare Gas Recovery System must be capable of achieving a 99% recovery efficiency level.
- h. Conduct a Specific Cause Analysis (SCA) when flaring has occurred continuously for more than 5 minutes or more than two 3 minute emissions during a one hour period. The SCA shall not be based on the amount of emissions as listed in the current Rule 1118 which allows the illegal release of criteria and toxic pollutants and no mitigation.
- i. When a Specific Cause Analysis has been prepared and the refinery has a second or more repeat causes of the same problem immediate corrective action must take place and a report must be submitted. When three offenses have occurred the Title V Permit will be immediately suspended and the refinery ordered to cease and desist all business operations.
- j. A flare event shall be defined as an event occurring for more than 3 minutes.
- k. Operate all flares in a smokeless manner with no visible emissions not to exceed 3 minutes at any time.
- l. All flaring over 3 minutes will be mitigated by the submission of a Mitigation Plan, which as a minimum will address environmental, public health and economic impacts.
- m. The SCAQMD Executive Officer upon approving a Flare Minimization Plan shall justify why they have rejected any public comment recommendation and request.
- n. SCAQMD will post the Flare Minimization Plan on the SCAQMD website for public review.
- o. SCAQMD shall annually provide an open 60 public comment period to review and update the Flare Minimization Plan. All recommendations shall be adopted within 90 days.
- p. A flare gas sample must be taken within 3 minutes of initial flaring, at the source and every five minutes thereafter, until flaring has stopped. There will be no waivers, exemptions from taking flare gas samples.
- q. Any flaring technology used shall not allow the pilot flame to be blown out.
- r. Shall require ConocoPhillips Wilmington Refinery to notify SCAQMD of any unplanned flaring event within 5 minutes of the flaring event and immediate proposed mitigation and corrective action.
- s. Shall require ConocoPhillips Wilmington Refinery to prepare and submit for approval and public review a Flare Mitigation & Corrective Action prior to the issuance of the Title V Permit.

ConocoPhillips Wilmington Refinery shall be required to cease and desist all business operation until they have an approved Flare Mitigation & Corrective Action.

- t. All submitted Quarterly Reports shall be posted on the SCAQMD website within 30 days of receipt.
- u. All reported flare emission data shall be based on recorded scientific equipment measurements and summary reports. None shall be based on calculations, formula estimations or models which can be manipulated and data underreported as proven by numerous studies.
- v. Any flaring which is deemed to occur for more than 8 hours due to equipment failure shall require the system to be shut down immediately and a System Recovery Plan submitted for the startup and/or repair.
- w. A Fence-Line Monitoring System shall be set-up for each flare unit as the alternative back-up system and in the event of a fire, explosion or other catastrophic event.
- x. The SCAQMD established Mitigation Fee Schedule is inadequate to ensure ConocoPhillips Wilmington Refinery compliance to the Clean Air Act, Title V and Rule 1118. ConocoPhillips Wilmington Refineries failure each year to comply with the Clean Air Act, Title V and Rule 1118 is sufficient to warrant a significant increase and frequency in fines and penalties. In California if a resident gets three tickets the three strikes rule applies, why should companies be allowed to violate the law repeatedly endanger public lives and health.

The ConocoPhillips Wilmington Refinery is continuously failing to notify SCAQMD of flaring incidents within one hour and provide accurate emissions reports of each event as required. The public calls in and reports 9 out of 10 flaring incidents to the 800-cut-smog telephone line. SCAQMD fails to issue NOV's over 90% of the time for public call-in air pollution complaints.

We request that the Title V Permit include the immediate submission of a Flare Reduction Plan, additional mandatory reporting of all flaring incidents, accurate monitoring, recording requirements, enforcement actions in the form of NOV's, NC's, increasing maximum fines and submission of Quarterly Emissions Reports.

We request that SCAQMD Rule 1118 be revised to address all described and noted deficiencies. That ConocoPhillips Wilmington Refinery immediately comply with existing SCAQMD Rule 1118 requirements and allow no waivers or variances under any circumstances.

We request that the Title V Permit include that the Quarterly Emissions Reports include all emissions of oxides of sulfur (SOX), oxides of nitrogen (NOX), carbon dioxide (CO), reactive organic compounds (ROG), volatile organic compounds (VOC;'s) and particulate matter (PM). Request that the Quarterly Emissions Report allow no waivers of exclusion of emissions data.

We request that the Title V Permit include statistics and data on the number of public call-in reports of flaring and the SCAQMD actions taken.

22...Failure to Comply with CEQA Mitigation Monitoring Plan

The ConocoPhillips Wilmington Refinery Title V Permit fails to disclose that ConocoPhillips Wilmington Refinery did not comply with the CEQA Mitigation Monitoring Plan for the Cogeneration Upgrade Project SCH No. 95121017 dated May 1996.

SCAQMD failed to develop specific guidelines for how mitigation monitoring would be performed. SCAQMD failed to certify compliance as required by CEQA.

CFASE research has disclosed that ConocoPhillips Wilmington Refinery failed to comply with the stated actions in the CEQA Mitigation Monitoring Plan. The Mitigation Monitoring Plan failed to comply with the CEQA, the Clean Air Act and Title V. SCAQMD failed to monitor and enforce compliance which has resulted in the release of criteria and toxic pollutants in violation of the CEQA, the Clean Air Act and Title V.

SCAQMD failed to provide an opportunity for the public to review and provide public comment on the proposed CEQA Mitigation Monitoring Plan. As a result of this failure, significant environmental impacts were not mitigated to an insignificant level or the greatest extent feasible. The Best Available Control Technology (BACT) was not incorporated.

We request that the Title V Permit include an accurate status of all CEQA documents, CEQA requirements, mitigation plans, schedule for compliance, compliance certification, appropriate guidelines for monitoring, reporting, penalty assessments and fines.

23...Failure to Disclose Pending & Recently Settled Public Civil Lawsuits

The ConocoPhillips Wilmington Refinery Title V Permit fails to disclose that ConocoPhillips Wilmington Refinery is currently involved and has recently settled numerous public civil lawsuits regarding negligence, safety violations, personal property damage and personal health injury due to their exposure to released criteria and toxic air pollutants caused by malfunctions and explosions at the ConocoPhillips Wilmington Refinery which could have been prevented if the ConocoPhillips Wilmington Refinery was in compliance with the Clean Air Act, California Environmental Quality Act and other legal regulatory requirements.

The lawsuits are evidence that SCAQMD's past permit conditions and the identical currently proposed Title V Permit requirements, rules, regulations and guidelines are inadequate and fail to comply with the Clean Air Act, California Environmental Quality Act and other legal regulatory requirements.

We request that the Title V Permit disclose and provide detailed information that ConocoPhillips Wilmington Refinery is currently involved in and has recently settled numerous public civil lawsuits regarding negligence, safety violations, personal property damage and personal health injury due to their exposure to released criteria and toxic air pollutants caused by malfunctions and explosions at the ConocoPhillips Wilmington Refinery. We request that information be provided for the past five years to illustrate a history of problems, non-compliance, inadequacy of past and current SCAQMD rules, regulations, requirements, guidelines and non-compliance with the Clean Air Act, California Environmental Quality Act and other legal regulatory requirements.

24...Failure to Include Green House Gas Emissions Limits and Reduction Plan

The ConocoPhillips Wilmington Refinery Title V Permit fails to include provisions for addressing Green House Gas (GHG) emissions limits and the preparation of a GHG Emission Reduction Plan per **40 CFR Part 52.21(b)(50)(iv)** and the AB 32 California Global Warming Solutions Act.

We request that the Title V Permit include compliance with **40 CFR Part 52.21(b)(50)(iv)** and the AB 32 California Global Warming Solutions Act.

25...Failure to Include CAM Plans

CFASE disagrees that the ConocoPhillips Wilmington Refinery Title V Permit Application is not subject to Compliance Assurance Monitoring (CAM) requirements because it was initially submitted on February 5, 1998. The original Title V Permit as submitted does not comply with the Clean Air Act, Title V and other regulatory laws, rules, regulations and guidelines. This claim is an attempt to circumvent CAM Plan requirements and Clean Air Act, Title V and other regulatory laws, rules, regulations, requirements and guidelines.

CAM Plans assure that air pollution control equipment is operating properly and efficiently at specified parameters. CAM Plans assure that air pollution equipment is in compliance with the Clean Air Act, Title V and SCAQMD permit requirements.

A review of ConocoPhillips Wilmington Refinery inaccurate, incomplete AER Data, inability to control and reduce criteria and toxic pollutants, the number of unplanned flare events, the significant number of equipment breakdowns and annual numerous Notices of Violations justify the need for CAM Plans.

The official and recognized date of the ConocoPhillips Wilmington Refinery Title V Permit Application is the release date of the public notice dated July 31, 2008.

CFASE requests that the Title V Permit include CAM Plans for all air pollution control equipment.

26...Failure to Comply With Variance to Purchase & Install TSC and HHV Analyzers

The ConocoPhillips Wilmington Refinery Title V Permit fails to require the ConocoPhillips Wilmington Refinery to immediately purchase and install TSC and HHV Analyzers as part of the SCAQMD Rule 1118 Variance. Approval for the analyzers was given and there is no explanation why the analyzers have not been purchased or installed or a schedule when they will be purchased and installed.

SCAQMD failed to issue any Notice of Violation, Notice to Comply or assessment of a penalty or fine. The SCAQMD cannot waive non-compliance with the Clean Air Act or Title V Permit requirements by issuing continuous Variances or ignore compliance.

CFASE requests that the Title V Permit require immediate compliance with SCAQMD Rule 1118, the updating of Rule 1118, the immediate purchase and installation of TSC and HHV Analyzers in compliance with the Clean Air Act and Title V Permit requirements.

27...Failure to Include a Facility Risk Management Plan (RMP)

The ConocoPhillips Wilmington Refinery Title V Permit fails to include a Facility Risk Management Plan and signed statement of compliance for public review and comment as required by 40 CFR Part 68. The RMP provides protective and mandatory requirements that can significantly impact compliance to the Clean Air Act and Title V.

CFASE requests that the Title V Permit include the Facility Risk Management Plan and a signed statement of compliance and certification.

28...Failure to Repair VOC Devices, Parts & Equipment in a Timely Manner

The ConocoPhillips Wilmington Refinery Title V Permit fails to include the timely repair or replacement of devices, parts, and equipment leaking fugitive VOC's. Rule 1173 does not comply with the Clean Air Act and Title V to prevent, control and minimize fugitive VOC emissions and public exposure to criteria and toxic air pollutants.

CFASE requests that the Title V Permit include the requirement that SCAQMD Rule 1173 be updated to comply with the Clean Air Act and Title V. We further request that Rule 1173 be revised to include that upon detection of fugitive VOC's the device, part or equipment will be immediately repaired or replaced within 24 hours and that if there is a temporary means to stop or minimize fugitive emissions, they shall be employed .

29...Failure to Include CEMS Plans

The ConocoPhillips Wilmington Refinery Title V Permit fails to include Continuous Emissions Monitoring Systems (CEMS) Plans for all Criteria and significant Toxic Pollutants for public review and comment. The Title V Permit states that steam injection and flue gas circulation etc. shall be operated at any control efficiency provided that the emission concentration being monitored by the certified CEMS servicing this equipment is below the valid upper range specified in the approved CEMS Plan.

The Title V Permit fails to state if the CEMS Plans have been approved, have been inspected, the frequency of inspection and are in fact in compliance. The public does not know what is the control efficiency or the valid upper range and whether or not this efficiency or range is adequate to control emissions and /or minimize emissions. The public does not know if this control efficiency or range is in compliance with the Clean Air Act and Title V and other regulatory requirements.

CFASE requests that the Title V Permit include the requirement that the CEMS Plans be included in the Title V Permit and that there be a signed CEMS Plan Certificate of Compliance.

30...Inadequate Source Testing of Criteria & Toxic Pollutants

The ConocoPhillips Wilmington Refinery Title V Permit fails to require adequate frequent source testing of Criteria and Toxic Pollutants to assure compliance with the Clean Air Act, Title V and other regulatory requirements. The Title V Permit states that some testing will be every two year or every three years which is unacceptable and does not comply with the Clean Air Act, Title V and other regulatory requirements.

The ConocoPhillips Wilmington Refinery history of operational, planned and unplanned emissions monitoring and reporting is terrible and continually in non-compliance with the Clean Air Act, Title V, SCAQMD Rules and other regulatory requirements.

CFASE requests that source testing be monitored and continuous 24 hrs a day.

31...Failed to Adequately Protect Environmental Justice Communities and Federally Protected Class Groups

The SCAQMD and Title V Permit fail to protect Environmental Justice Communities and Federally Protected Class Groups from being exposed to excessive criteria and toxic pollutants emissions. The SCAQMD rules, past permits and current Title V Permit fail to significantly reduce excessive criteria and

toxic pollutants emissions in Environmental Justice Communities and Federally Protected Class Groups communities.

The SCAQMD executive officer and staff have failed to request that the SCAQMD Board adopt stricter criteria and toxic air pollutant standards and rules.

The SCAQMD has failed to request that the California EPA and Air Resources Board adopt stricter criteria and toxic air pollutant standards and rules.

The Wilmington, San Pedro, Harbor City, Carson and West Long Beach Environmental Justice communities have a significant and disproportionate negative impact on the local environmental, have increased public health risk and public health problems.

The ConocoPhillips Wilmington Refinery Title V Permit also failed to consider the Cumulative Impact of other major criteria and toxic pollutant sources in, bordering and near Wilmington.

The current SCAQMD RECLAIM Trading Credits Program has failed to significantly reduce criteria & toxic pollutants at the ConocoPhillips Wilmington Refinery thereby causing significantly environmental and public health impacts in the local Environmental Justice and protected class group communities bordering the facility. The facility is located in the City of Los Angeles community of Wilmington and borders the City of Long Beach Westside community.

The Title V Permit fails to guarantee that the SCAQMD will act promptly and properly upon any existing or future discovered non-compliance. ConocoPhillips Wilmington Refinery is currently in non-compliance of the Clean Air Act and Title V. SCAQMD has failed to initiate enforcement actions such as: permit termination, permit revocation, reissuance, modification or revision, or denial of a permit renewal application and civil or criminal penalties per **40 CFR Part 70.6(a)(6)(i)**.

We request that the Title V Permit include all requests made in these public comments and comply with all Environmental Justice, Clean Air Act, Title VI, California Health & Safety Code policies, rules, regulations and guidelines.

We request that the Title V Permit include Compliance Assurance Monitoring (CAM) Plan and Maximum Available Control Technology Standards to assure protection of Environmental Justice Communities and Federally Protected Class Groups and to assure accurate AER recordkeeping, reporting and compliance per **40 CFR Part 70, 40 CFR Part 63 and CFR Part 64**.

We request that the Title V Permit include compliance with **40 CFR Part 70.6(a)(6)(i)**.

We request that the Title V Permit include an SCAQMD statement it will provide public notice and it will immediately advise the USEPA and California EPA of its intent not to seek enforcement action within 30 days of its decision and discovery of a violation.

32...Request to be Notified and to be Sent a Final Title V Permit Copy

CFASE requests that we be notified and sent a copy of the ConocoPhillips Wilmington Refinery Final Title V Permit. We further request that we be informed when the USEPA has completed its review of the Title V Permit and be sent a copy of USEPA's comments.

33...Request to Sent a Copy of all Pubic and Agency Comments.

CFASE requests that we be sent a copy of all the ConocoPhillips Wilmington Refinery Final Title V Permit public and agency comments.

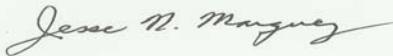
34...Request For an Extension of the Public Comment Period

CFASE requests that SCAQMD grant an extension of 60 additional days for the public comment period. It is unreasonable for the SCAQMD to expect the public to read, understand, research, critique and prepare written comments on an approximately 1,000 page Title V Permit which has approximately another 10,000 pages of addendum and reference documents.

It is also unreasonable and a violation of the public participation requirements of Title V to issue public notices for an additional seven (7) new oil refinery and petroleum industry Title V Permits at the same time when the ConocoPhillips Wilmington Refinery is currently pending and open for public comment.

We request that all SCAQMD Title V Permits allow a 90 day public comment period and only one Title V Permit be released during a 30 day period.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jesse N. Marquez", is centered within a light green rectangular box.

Jesse N. Marquez
Executive Director

Appendix - A

ConocoPhillips Wilmington Refinery ID # 800363

Annual Emissions Reporting

Criteria Pollutants

(Tons Per Year)

	2000	2001	2002	2003	2004	2005	2006
CO	716.532	861.564	921.813	652.774	674.907	749.282	790.835
NOX	744.681	592.496	651.410	719.920	637.962	623.463	616.735
ROG	219.550	259.395	238.299	198.058	187.064	261.841	296.958
SOX	728.940	735.814	638.695	627.574	486.022	433.966	410.810
TSP	199.693	202.574	201.835	168.594	170.050	284.316	271.810

Appendix - B

ConocoPhillips Wilmington Refinery ID # 800363

Annual Emissions Reporting

Toxic Pollutants

(Selected Examples) (Pounds Per Year)

	2000	2001	2002	2003	2004	2005	2006
1,3-Butadiene	5,699	5,285	4,883	1,013	13	10	1,118
1,2,4-Trimebenze			2,177				2,096
Acetaldehyde			2,116				2,926
Ammonia			1,350,462	967,345	902,189	940,069	449,809
Benzene	728	427	507	1,092	191	30	706
Formaldehyde	1,509	1,009	1,177	2,018	380	1,039	2,499
Hexane			7,269				5,730
Hydrochloric Acid			14				11
Hydrogen Sulfide			3,001				2,298
Napthalene			1,346	823	88	2	607
Sulfuric Acid			14,825				37,422
Toluene			3,767				5,702
Xylenes			5,916				7,203
PAH's	161	2,823	3*	6*	.3*	2*	22
PM							700**

*Not All PAH's Reported

** Diesel Engine Exhaust PM Only

Appendix - C

ConocoPhillips Wilmington Refinery ID # 800363

Annual Emissions Reporting

Toxic Pollutants Chemical Listing

Annual Reporting Discrepancies

2000	13	-	Chemicals Data Reported
2001	18	-	Chemicals Data Reported
2002	42	-	Chemicals Data Reported
2003	24	-	Chemicals Data Reported
2004	18	-	Chemicals Data Reported
2005	18	-	Chemicals Data Reported
2006	48	-	Chemicals Data Reported

Appendix - D



ConocoPhillips Wilmington Refinery - October 23, 2003



ConocoPhillips Wilmington Refinery Flaring - September 12, 2005



ConocoPhillips Wilmington Refinery - September 12, 2005



ConocoPhillips Wilmington Refinery - September 12, 2005



ConocoPhillips Wilmington Refinery January 7, 2007



ConocoPhillips Oil Refinery October 4, 2007



ConocoPhillips Wilmington Refinery October 5, 2007



ConocoPhillips Wilmington Refinery October 4, 2007



ConocoPhillips Wilmington Refinery February 5, 2008



ConocoPhillips Wilmington Refinery February 26, 2008