News Release

FOR IMMEDIATE RELEASE:

December 16, 2014

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Utah Groups Sue Over Proposed Refinery Expansion

State fails to protect health by permitting increases of air pollution

SALT LAKE CITY, UT—Late Monday December 15, Western Resource Advocates, representing Utah Physicians for a Healthy Environment and the Utah Chapter of Sierra Club, filed litigation appealing the Utah Division of Air Quality (DAQ) decision that issued an air quality permit to expand the Tesoro Corporation refinery in Salt Lake City. The case contends that the permit to expand the facility and refine more crude should be denied because the proposal will increase air pollution in a region with some of the worst air pollution in the nation that is already exceeding health standards.

Air quality in Salt Lake, Davis, Weber, Tooele and Box Elder counties currently does not meet the Clean Air Act’s health-based 24-hour National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM_{2.5}). Salt Lake County is also exceeding the NAAQS for ozone and is in violation of the SO_{2} and PM_{10} standards. Numerous polls show that air pollution remains the issue of greatest concern to most Utah residents.

The legal challenge claims that Utah DAQ failed to undertake the thorough analysis and review necessary in issuing the permit, and in doing so is failing to protect public health. The groups involved in the legal case are calling for Utah DAQ to better analyze air pollution control technologies and impose sufficiently stringent short term emission limits on all the pollutants that impact public health. The case was filed with the Utah Court of Appeals against the Director of the Division of Air Quality and Executive Director of the Department of Environmental Quality.
“The increasing number of patients we see as a result of our dirty air indicates that allowing this permit to go forward will only make their situation worse, not better,” said Dr. Brian Moench with Utah Physicians for a Healthy Environment. “If there ever was a case where we need our state to step up and protect public health, this is it.”

Tesoro’s retail-marketing system includes over 2,250 retail stations under the Tesoro, Shell, ARCO, Exxon, Mobil and USA Gasoline brands.

“There is technology to control pollution from refineries and limits to operations that better protect public health,” said Joro Walker, Senior Attorney and Utah Director at Western Resource Advocates and lead attorney on the case, “Utah should not have approved Tesoro’s current plans increasing air pollution. I look forward to a legal ruling that forces Utah to protect public health.”

"A good job is not a job that drives out other jobs,” stated Mark Clemens, manager Utah Chapter, Sierra Club. “Business recruitment and expansion along the Wasatch Front are frequently hindered by visibly bad air quality. Utah workers and communities deserve better.”

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To receive a copy of the legal filing contact joro.walker@Westernresources.org

For the last 25 years Western Resource Advocates has been the West’s premier group of experts protecting the region’s air, land and water. WRA’s pragmatic team of lawyers, scientists and economists craft innovative solutions for the most complex natural resource challenges in the region. Go to www.westernresourceadvocates.org and follow us on Twitter @WRADV.

Utah Physicians for a Healthy Environment (UPHE) is the largest civic organization of health care professionals in Utah, with over 300 members, primarily physicians, but also other health care professionals, biologists, toxicologists, engineers, air quality specialists and the general public. UPHE is dedicated to protecting the health and well-being of the citizens of Utah by promoting science-based education and interventions that result in progressive, measurable improvements to the environment. For more information visit http://uphe.org/

The Utah Chapter of the Sierra Club is a grassroots volunteer organization dedicated to protect and promote Utah’s outdoors and natural landscapes; and advocate for the responsible preservation of clean air, water and habitats; and support the development of sustainable renewable energy for the benefit of present and future generations. For more information http://utah.sierraclub.org/