Major Polluters Try To Stop Calif. Global Warming Law

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SACRAMENTO, Calif. (AP) -- The Texas-based oil companies that are the primary backers of a November ballot effort to suspend California's global warming law are among the state's biggest polluters, according to a report issued Tuesday by two groups advocating for inner-city residents.

Valero Energy Corp. and Tesoro Corp. have contributed more than $4.5 million to Proposition 23, which seeks to suspend a 2006 law intended to reduce greenhouse gas emissions. Their contributions represent nearly 75 percent of the funding for the initiative.

If voters approve the proposition, the global warming law would not take effect until unemployment falls to 5.5 percent and stays there for a year. That has happened just three times during the past three decades, according to California Employment Development Department statistics.

California's unemployment rate, now at 12.3 percent, has been above 12 percent for months.

The U.S. Environmental Protection Agency listed Valero's oil refinery in Benicia as the fourth largest emitter of toxic chemicals in the state in 2009. Tesoro's refinery in Martinez ranked eighth.

The report was released by the Oakland-based Ella Baker Center for Human Rights, which promotes alternatives to violence an incarceration in urban neighborhoods, and the California Environmental Justice Alliance, a group based in Huntington Park that advocates for policies protecting the environment in low-income neighborhoods.

It says that since 2008, Tesoro has been fined more than $1.8 million by the Bay Area Air Quality Management District for violating air quality regulations. The violations included excessive emissions of carbon monoxide, particulate pollution, ammonia, sulfur dioxide and smog-forming pollutants.

The report also says Valero disclosed in January that it had 29 outstanding violation notices from the South Coast Air Quality Management District and was pursuing a settlement.

"It shows that they're one of the biggest polluters in the state, and they're willing to spend millions of dollars at the ballot box instead of cleaning up their mess," said Steve Maviglio, spokesman for the "No on 23" campaign.

Bill Day, a spokesman for Valero, said that company's violations had since been resolved.

Lynn Westfall, spokesman for Tesoro, did not dispute the claims made in the report.

"We take environmental regulations very seriously, but we have to admit were not perfect," Westfall said.

The proposition's supporters called the report a ploy designed to distract voters from the real issues of the campaign. Anita Mangels, spokeswoman for the "Yes on 23" campaign, said the 2006 global warming law, commonly referred to as AB32, would cost California businesses billions of dollars, leading to a loss of more than 1 million jobs.

"The two energy companies singled out for misplaced demonization are in fact major California employers that provide jobs and benefits for thousands of California workers and their families," Mangels said in a statement.

Studies have reached different conclusions about whether the law would lead to job losses in California or would end up promoting job growth over the long term by giving a boost to the green-technology industry.

Valero employs 1,600 workers in California with an annual payroll of $122 million, Day said. Asked whether Valero would reduce the number of people it employs in California if AB32 went into effect, Day said the company has not looked into how the law would affect its payroll. But he said he is concerned about the economic impacts of the greenhouse gas emissions law.

"We're a major employer out there, and we're in the business of selling fuel," Day said. "And that's dependent on a strong economy."

Tesoro's Westfall said he believed the law would lead to higher gas prices, which could reduce demand for gas and potentially lead the company to close refineries.

The report's authors said the people who bear the biggest health burdens from oil refineries are people of color and those in low-income areas surrounding the refineries. It said Valero and Tesoro both operate refineries in Wilmington, a community in South Los Angeles where 85 percent of the residents are Hispanic and more than a quarter live below the poverty level.

"You can't talk about the issues of the environment and of air quality without talking about the issue of race and health," said San Francisco Mayor Gavin Newsom, a Democrat running for lieutenant governor. "These oil refineries and so much of our industrial base are primarily in areas with a concentration of people of color," he said in an interview.

Day disputed those claims and said Valero's refinery in Wilmington is located in an industrial, nonresidential neighborhood and its Benicia refinery is in an upscale area.

Newsom said that in 2008, San Francisco reduced its greenhouse gas emissions to 7 percent below 1990 levels, and that while doing so the city's economy grew.

"This is the sector of the economy that's growing, and we have the opportunity to capture the lion's share of that entrepreneurial investment," Newsom said.

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