On Monday, environmental-justice advocates filed a petition drafted by two of our amazing UCLA Environmental Law Clinic students, Sarah Repko and Monica Heger, opening litigation to improve monitoring of petroleum refineries in Southern California.

This spring, Sarah and Monica had the exciting opportunity to work with Earthjustice's Community Partnerships program to prepare litigation enforcing state requirements for fenceline and community air monitoring near refineries. Refineries are dangerous, both because they emit large quantities of air pollutants and toxics when operating normally, and because their operations are prone to explosions and fires, which in turn can cause even greater releases of harmful chemicals.

California, which is the third-largest refiner of crude oil in the U.S., has nineteen refineries, nine of which are located in Southern California. Despite their danger, the facilities tend to be located in densely populated areas, such as the cluster of six refineries in Carson, Wilmington, and Torrance. Shamefully, the communities where these refineries are located—and which are placed at the highest risk—are overwhelmingly Black or Brown and have far lower average income than the Los Angeles metro area.

The California Legislature took an important step toward protecting these communities in 2017, when it enacted AB 1647, requiring all refineries to monitor for air pollutants at their "fencelines" (the borders of their facility) and at sensitive points in the surrounding neighborhood. But the Southern California Air Quality Management District (SCAQMD), which is responsible for implementing the state mandate, unilaterally decided to exempt refineries that produce less than 40,000 barrels per day. This has allowed three Southern Californian refineries, which collectively release hundreds of tons of toxic chemicals, to avoid the monitoring requirement—and left the surrounding communities with no sure way to know the extent to which they and their families are affected.

We at the Environmental Law Clinic were very excited to partner with Earthjustice to support the campaign to close this loophole. As part of their clinical work, Monica and Sarah researched and wrote a draft petition for Earthjustice, laying out the case that SCAQMD must change its rules. Now Earthjustice, representing East Yard Communities for Environmental Justice, has filed a version of that petition in Los Angeles Superior Court. We are hopeful that the court will agree that SCAQMD must comply with state law and ensure that all refinery communities get the benefits of fenceline and community monitoring.

For more on this important topic, check out Earthjustice's recent report, Crossing the Fenceline (available in Spanish here), and this opinion piece in City Watch from an East Yard Communities for Environmental Justice organizer and an attorney at Communities for a Better Environment.