



City of Benicia – Valero Cooperation Agreement **ANNUAL REPORT** **2020**

Benicia Fire Department

Fire Chief Josh Chadwick

Ph: (707) 746-4275



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OVERVIEW

Agreement Summary

To ensure a safe and healthy community and to reduce the probability of accidental releases of hazardous substances, the City of Benicia and Valero Refinery entered into the City of Benicia - Valero Cooperation Agreement on June 26, 2019. The primary goals of the agreement were to

- Improve communication, coordination, and cooperation between the City and Valero
- Enhance emergency preparedness
- Increase the efficacy of the City's response to accidental releases of hazardous substances
- Increase public notification and awareness including access to reports and inspection results

During the first year of the City of Benicia - Valero Cooperation agreement, the parties successfully completed the following action items in order to achieve these goals.

AGREEMENT UPDATE – FISCAL YEAR 19/20

Portable Air Monitors

Valero donated six portable air monitors; two (2) ChemPro100i handheld gas and vapor detectors, two (2) PpbRae 3000 air monitors, and two Aerocet 831 particulate matter air monitors to the City of Benicia Fire Department. The portable air monitors have a fair market value of \$48,342.00.

First Year Update

Upon receiving these monitors, the Benicia Fire Department developed use procedures and staff received in-service training. Over the last year, they have been used many times. Examples of usage include routine odor complaints, generalized air quality concerns from wildfires, and emergency response to various hazardous materials incidents.

Risk Management Plan

Valero shall provide a copy of the Risk Management Plan (RMP) to the Benicia Fire Department by September 30th of each year. The City shall be entitled to make any non-confidential elements of the RMP available to the public for review on the City's [Public Information Bank website](#).

First Year Update

On September 20, 2019, Valero provided the RMP to the Benicia Fire Department and the document was uploaded to the [Public Information Bank website](#).

Process Safety Performance Indicators Report

Valero shall provide a copy of the Process Safety Performance Indicators Report (PSPI) to the Benicia Fire Department by June 30th of every year covering the period from January 1 to December 31 of the prior year. The City shall be entitled to post the PSPI available to the public for review on the City's [Public Information Bank website](#).

First Year Update

The 2018 PSPI Report was received in July 2019 (shortly after finalizing the agreement) and was subsequently posted on the [Public Information Bank website](#). The 2019 PSPI Report was received on June 26, 2020 and posted as well.

Hazardous Materials Incident Notification Policy

Valero shall comply with the immediate notification and follow-up reporting requirements of the City of Benicia [Hazardous Materials Incident Notification Policy](#).

First Year Update

As part of the agreement, the City developed a comprehensive policy on notification requirements and procedures relating to hazardous materials releases and spills. This policy was modeled after the [Contra Costa policy](#) with a few improvements. The refinery continues to communicate with the Benicia Fire Department regarding refinery incidents that prompt an activation level. Over the last 12 months, there were eight (8) Level-1 notifications, four (4) Level-2 notifications, and zero (0) Level-3 notifications. Following are the notifications received:

Level 1

09/12/19: Flaring or potential for flaring

09/20/19: Flaring or potential for flaring

10/15/19: Leak

11/21/19: Spill

12/20/19: Flaring or potential for flaring

05/08/20: Flaring or potential for flaring

05/16/20: Flaring or potential for flaring

05/25/20: Flaring or potential for flaring

Level 2 (Included on the [Notifications](#) page of the [Public Information Bank](#))

09/21/19: Exceeded the reportable quantity for SOX (Sulphur Oxides) during a flaring event

09/21/19: Exceedance of reportable quantity for COS (Carbonyl Sulfide) during a flaring event

02/01/20: Exceeded the reportable quantity for SO₂ (Sulfur Dioxide) during a flaring event

05/02/20: Approximately 9 Barrels of pitch asphalt spilled within the refinery on soil and cement.

Incident Investigation Reports

Valero shall provide a copy of any report made, pursuant to 19 CCR § 2762.9, to the Benicia Fire Department on or before the date on which Valero provides such Investigation Reports to the Solano County Unified Program Agency. The City shall be entitled to post any and all non-confidential Investigation Reports to the [Public Information Bank website](#).

First Year Update

Although there have been no incidents since the agreement went into effect which required an incident Investigation report, on August 26th, 2019 the City did receive the Incident Investigation Report from the Flue Gas Scrubber Incident which occurred in March of 2019. Additionally, we received the Root Cause Analysis report for the same incident. Both reports were uploaded to the [Public Information Bank website](#).

Public Information Bank

The City shall be entitled to collect related public information and provide access to the Risk Management Plan, Process Safety Report, Policy, and Investigation Reports described in the agreement in a publicly accessible location (the “Public Information Bank”).

First Year Update

Soon after the agreement was signed, Fire Department staff developed the [Public Information Bank website](#). The goal was to give Benicia residents and visitors new access to various documents such as safety plans, investigation reports, planning documents, and notification reports. It was developed to be a single, easy to locate search repository of information. By providing transparent access to this information, our ultimate goal is to have a better-informed public. Numerous documents were initially incorporated into the site, and over the last 12 months the site has been updated regularly.

Valero Emergency Procedures Manual

Valero shall review the Valero Emergency Procedures Manual annually. Valero shall solicit comments on the Valero Emergency Procedures Manual from the Chief of the Benicia Fire Department in connection with each review and update.

First Year Update

In July of 2019, Valero staff met with the Benicia Fire Chief to review and update the Emergency Procedures Manual. Another meeting occurred this year on July 13th, 2020. Adjustments were made to reflect changes in Benicia Fire Department apparatus staffing.

Emergency Operations Center (EOC) Coordination

Whenever the City notifies Valero that the City EOC has been activated for an emergency that may impact the Refinery, Valero shall immediately dispatch a representative to the City EOC to assist and coordinate the City's and/or Valero's response to the emergency.

Whenever Valero activates their Emergency Operations Center for an incident that may have off-Refinery impacts, Valero shall immediately contact the Benicia Fire Department and provide detailed information regarding the emergency; and accept a City emergency response staff person to fill a liaison position within the Valero EOC during the emergency.

First Year Update

Over the last 12 months, neither EOC has been activated for an incident meeting these conditions.

Emergency Response Training

Valero EOC Training

Not less than one time per calendar year, Valero shall conduct Emergency Operations Center training at the Valero EOC. Valero shall invite the Benicia Fire Department to attend and participate in the training.

First Year Update

On September 5th, 2019, Valero conducted a comprehensive EOC training exercise at the Valero EOC. Benicia Fire Department staff was invited to participate. Benicia Fire Department staff attended and played an active role in this training exercise.

City EOC Training

Not less than one time per calendar year, the City shall conduct Emergency Operations Center training at the City EOC. The City shall invite Valero staff to attend and participate in the training.

First Year Update

The City was working in conjunction with Solano OES to conduct a multi-city, countywide EOC exercise simulating a large-scale earthquake. This exercise was scheduled for April 2020 and Valero Staff had been invited. Unfortunately, this drill was canceled due to the COVID pandemic.

Joint Field Training

In addition to the training described above, not less than one time per calendar year the City and Valero shall attend and participate in a joint field training of emergency response crews in a simulated refinery incident.

First Year Update

The City and Valero emergency response crews worked to develop a comprehensive field training focused on Liquefied Petroleum Gas (LPG) capture and refinery operations. This training was scheduled for April 28th, 2020. Unfortunately, this drill was postponed due to the COVID pandemic.

Valero Community Advisory Panel

Valero shall allow attendance by the Benicia Fire Chief or Division Chief to any meetings of the Valero Community Advisory Panel.

First Year Update

The Valero Community Advisory Panel meets quarterly. A Benicia Fire Department Chief Officer has been invited and has attended each quarterly meeting over the last year: June 11, 2019, September 10, 2019, December 10, 2019, March 10, 2020, and July 14th, 2020.

Benicia Fire Department Public Liaison for Hazardous Materials

Valero will work in cooperation with the Public Liaison to respond to reasonable requests for information regarding hazardous materials and health concerns within a reasonable amount of time.

First Year Update

Over the last 12 months, the Refinery has provided consistent and appropriate communication with the Benicia Fire Department Fire Chief and Public Liaison for Hazardous Materials. We have seen a significant improvement in this communication and in our general working relationship compared to prior years.

Valero Funding of Liaison Position

Within thirty (30) days of the Effective Date of the Agreement, and each succeeding July 1, Valero shall pay the City of Benicia \$278,000.00 to reimburse the City for the actual cost of hiring and retaining one additional City of Benicia Division Fire Chief to manage the items in the Agreement, including serving as the Public Liaison for Hazardous Materials.

First Year Update

On July 9, 2019 Valero paid the City \$278,000.00 for Fiscal Year 2019/2020.

On May 27, 2020 Valero paid the City \$281,058.00 for Fiscal Year 2020/2021.

Annual CPI Adjustment

The Liaison Service Fee shall be increased annually on July 1st by an amount equal to the CPI over the prior year.

First Year Update

Based on the agreement's CPI language, the second-year payment increased by \$3,058.00.

CONCLUSION

Summary

The first year of the City of Benicia - Valero Cooperation Agreement has proven to be a success. The Agreement has

- Increased the overall safety of our community through an improved working relationship between the City and Valero
- Augmented emergency preparedness for both parties
- Heightened the City's ability to respond to accidental hazardous substance releases
- Improved transparency and community access to information

These goals were met by the timely completion of concrete action items by both the Benicia Fire Department and Valero Refinery.

Next Steps

Throughout the coming year, the Benicia Fire Department will work to build on the momentum of the City of Benicia - Valero Cooperation Agreement's first year. In this next year of the agreement, we hope that COVID-19 precautions will be less necessary and allow all Emergency Response Training exercises, including joint field training, to be completed. In Fall 2020, the Department will also hire a new Division Chief and Public Liaison for the hazardous materials program to replace Division Chief Jason Fein, who retired in the summer of 2020. Finally, we hope to increase community awareness of available information on the Public Information Bank website and improve the City's incident notification procedures. We will develop specific community incident notices based on detailed triggers from notifications received from Valero.

The City's working relationship with Valero has improved as compared to prior years, and we hope to take advantage of that positive direction to ensure a safe and healthy community through 2021.