California Environmental Quality Act (CEQA)

NOTICE OF DETERMINATION

TO: **Contra Costa County**
Clerk-Recorder's Office
555 Escobar Street
Martinez, CA 94553

FROM: **Bay Area Air Quality Management District**
375 Beale Street, Suite 600
San Francisco, CA 94105

SUBJECT: FILING OF NOTICE OF DETERMINATION PURSUANT TO PUBLIC RESOURCES CODE § 21152(a) AND CEQA GUIDELINES § 15094.

PROJECT TITLE: Martinez Refinery Renewable Fuels Project (County File No. CDLP20-02046, State Clearinghouse No. 2021020289) – **Issuance of Authority to Construct for Change in Permit Conditions for S-1600 Foul Water Strippers/A-2000 Thermal Oxidizer (Air District Application 720986).**

Public Agency Approving Project (Lead Agency): Contra Costa County Conservation and Development; Contact Person: Joseph Lawler, Senior Planner, 30 Muir Road, Martinez, CA 94553; Telephone: (925) 655-2872; Email: joseph.lawlor@dcd.cccounty.us

Public Agency Approving Project (Responsible Agency): Bay Area Air Quality Management District (Air District); 375 Beale Street, Suite 600, San Francisco, CA 94105; Contact Person: Bao Trinh, Senior Air Quality Engineer, Telephone: (415) 749-5088, Email: btrinh@baaqmd.gov

Project Applicant and Entity Carrying Out Project: Tesoro Refining & Marketing Company LLC (Tesoro), a wholly owned subsidiary of Marathon Petroleum Corporation (collectively, "Marathon").

Project Applicant Mailing Address: 150 Solano Way, Martinez, CA 94553.

Project Applicant Contact Person: Sharon Lim, Senior Environmental Engineer, Marathon Petroleum Corporation; 150 Solano Way, Martinez, CA 94553; Telephone: (925) 335-3467, Email: SYLim@marathonpetroleum.com

Project Location: 150 Solano Way, Martinez, Contra Costa County, CA 94553. Nearest Cross Street: Arnold Industrial Way.

Date of Approval by Lead Agency: May 3, 2022 & June 24, 2025.

Date of Approval at Issue by Responsible Agency: July 30, 2025.

Project Description:
This permit action is to issue an Authority to Construct (ATC) to Tesoro Refining & Marketing Company LLC for changes in permit conditions at S-1600 Foul Water Strippers/A-2000 Thermal Oxidizer, at the Martinez Renewable Fuels Facility.

Tesoro proposes to allow for alternative control scenarios for the S-1600 Foul Water Strippers (FWS) to route the gas stream to the existing flare header system when the FWS's A-2000 Thermal Oxidizer (TO) is not available as a control device. Additionally, Tesoro is applying to update the A-2000 Thermal Oxidizer potential to emit (PTE) representations to reflect the current as-built specifications of the TO's higher heating value. Increases in criteria pollutants for nitrogen oxides (NOx), carbon monoxide (CO), precursor organic compounds (POC), sulfur dioxide (SO_2), and particulate matter (PM_{10} and $PM_{2.5}$) and toxic air contaminant (TAC) emissions are expected as a result of this project.

The routing of FWS offgas to the fuel gas is an alteration and the maximum 500 hours per year of operation is not expected to result in an increase in emissions. The facility has sufficient flare gas recovery compressor capacity to recover the additional flow rate from the FWS when the TO is offline. The changes do not result in an increase in potential to emit emissions at each process heater and boiler within the fuel gas system because all equipment within the fuel gas system were evaluated at the max firing rate capacity for each unit. To ensure the equipment all remain altered, daily and annual nitrogen oxide (NOx) and sulfur dioxide (SO_2) emission limits will be imposed for each unit.

Notice of Determination:
A Final Environmental Impact Report (EIR) for the Renewable Fuels Project was prepared and certified by Contra Costa County on May 3, 2022, and a Final Revised EIR was certified by Contra Costa County on June 24, 2025. Contra Costa County adopted mitigation measures as a condition of approval and adopted a mitigation monitoring program. The Air District independently reviewed and considered the May 3, 2022 Final EIR pursuant to CEQA and, pursuant to CEQA Guidelines section 15096, prepared CEQA findings and adopted a statement of overriding considerations. The Air District concluded the project would have several potentially significant impacts that would be mitigated to less than significant through the conditions of approval and several impacts that would be significant and unavoidable.

In July 2025, an Addendum[1] to the Final Environmental Impact Report for the Martinez Renewable Fuels Facility was prepared to address four proposed modifications to the Renewable Fuels Project. The project approved by the May 3, 2022 Final EIR and 2025 Final Revised EIR is referred to as the Approved Project and "Final EIR" in the Addendum. Changes to the Approved Project are evaluated in the addendum and referred to as the Modified Project. This Notice of Determination (NOD) addresses the changes associated with Item #2 discussed in the Basis for Determination. As explained below, the Air District has determined that the two changes from Application 720986, with the alternative operating scenario for the offline TO and adjusting the lower heating value (1.91 MMBtu/hr) of the TO to reflect its as-built higher heating value (2.2 MMBtu/hr), are not expected to result in significant adverse impacts nor significant adverse impacts beyond those previously identified in the Final EIR.

Basis for Determination:
The Modified Project proposed four modifications to the Approved Project: (1) Permit 18 additional storage tanks to handle renewable feedstocks and products; (2) adjust the heating value for a foul water stripper thermal oxidizer's heating value to reflect the unit as-built; (3) add shipments by truck as an alternative to marine vessel and rail to account for locally sourced feedstocks; and (4) add an unloading spot for vacuum trucks operating within the facility at a location within Tract 4. This NOD for Application 720986 addresses item #2.

[1] See attached Appendix A "Renewable Fuels Project EIR Addendum".

CEQA Guidelines Section 15164(a) allows the preparation of an Addendum to a previously certified EIR if some changes or additions are necessary but none of the following conditions as described in CEQA Guidelines Section 15162 occur:

1. Substantial changes which will require major revision of the previous CEQA document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes, with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous CEQA document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
3. New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous CEQA document was certified as complete, shows any of the following:
4. The project will have one or more significant effects not discussed in the previous CEQA document;
5. Significant effects previously examined will be substantially more severe than shown in the previous CEQA document;
6. Identification of mitigation measures or alternatives previously found not to be feasible, but would in fact be feasible, and would substantially reduce one or more significant effects, but the project proponent declines to adopt the mitigation measure or alternatives; or
7. Identification of mitigation measures or alternatives which are considerably different from those analyzed in the previous CEQA document would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

The Air District finds none of the conditions listed above have occurred. Approval of the changes requested in Application 720986 will not change the conclusions reached in the Final EIR. As explained in Subsections 6.1 through 6.14 of the Addendum, the currently proposed modifications to the Renewable Fuels Project will neither increase the severity of the significant adverse impacts identified in the Final EIR nor result in new significant adverse impacts beyond those previously identified in the Final EIR.

Contra Costa County's environmental documents for the Renewable Fuels Project are available at 30 Muir Road, Martinez, CA 94553 or https://www.contracosta.ca.gov/7961/Martinez-Refinery-Renewable-Fuels-Projec . The Air District record of project approval is available for review at the Air District office at 375 Beale Street, Suite 600, San Francisco, CA, 94105 (Application 720986).

Greg Solomon for

Pamela J. Leong
Director of Engineering
Bay Area Air Quality Management District

7/31/2025
Date

Attached:
- Appendix A: Renewable Fuels Project EIR Addendum