

SUMMARY OF WATER QUALITY ORDER

ORDER NO.	WQ 2007-0006
DATE ADOPTED	August 6, 2007
PETITION TITLE	Petition of Chevron Products Company, Conocophillips Company, Shell Oil Products US, Tesoro Refining & Marketing, Valero Refining Company, and Western States Petroleum Association for review of Request for Technical Reports
POPULAR NAME <i>[if applicable]</i>	Chevron
REGIONAL BOARD	San Francisco Bay Regional Water Quality Control Board
FILE NO[S]	SWRCB/OCC File A-1851

NON-PRECEDENTIAL DECISION

Chevron petitioned the State Water Board to stay a request for technical reports issued by the Executive Officer of the San Francisco Bay Regional Water Quality Control Board pursuant to Water Code section 13267. The request concerned the fate of mercury in the process stream for the five Bay Area refineries. The Hearing Officer concluded that Chevron and the other petitioners had failed to carry their burden of proof with respect to the first of the three elements required for the issuance of a stay, a showing that they would suffer substantial harm if no stay were granted. Though the order may require the expenditure of time and money and though a decision on the merits of this petition could find that the study should not have been required in the first place, the record shows that the harm suffered by the refineries during the short time it will take to resolve this matter on the merits is not substantial.

The petition for stay was denied without prejudice.