



1220 Morello Avenue | Martinez, CA 94553 | Phone: (925) 608-5463 | publicinfo@cchealth.org
cchealth.org

December 28, 2023

Mr. Daniel Ingram, Refinery Manager
Martinez Refining Company, LLC
1801 Marina Vista Avenue
Martinez, CA 94553

Dear Mr. Ingram,

Contra Costa Health (CCH) writes to you today regarding the unacceptable number of hazardous materials releases and other incidents that have occurred at the Martinez Refining Company's refinery during the past year, incidents that have compromised health and safety at your facility, and in our community.

In the past year, CCH has documented 21 releases or spills of hazardous materials at the Martinez refinery (see attached list). According to the County's Community Warning System records, PBF also reported using flares – devices that should only be used as an emergency safety measure to prevent more serious incidents – at a rate of nearly once per week. CCH has documented 46 flaring incidents at the refinery since November 2022.

As you are aware, CCH has been working closely with the Bay Area Air Quality Management District (BAAQMD) surrounding the refinery's numerous releases, spills and flaring incidents. On December 26, 2023, Dr. Philip Fine, Executive Director of the BAAQMD issued the following statement:

"The recent air quality violations at MRC are troubling and unacceptable. The Air District shares the community's concern and outrage about these events. We are actively investigating and pursuing all legal avenues to ensure MRC is compliant with our regulations and that future violations and community disruptions are minimized. The Air District recently announced a joint civil enforcement action against MRC in conjunction with the Contra Costa County District Attorney's Office to combine our prosecutorial resources to vigorously pursue accountability and justice for the Martinez community. The Air District stands in solidarity with our partners and the residents of Martinez to hold MRC accountable."

As the owner of the Martinez refinery and parent company of Martinez Refining Company LLC, PBF Energy ("PBF") is responsible for ensuring the reliability of its systems and establishing and maintaining a culture of safety at the refinery. The number of incidents at the refinery over the past year is unacceptable for a facility operating in Contra Costa County.

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As the County department responsible for enforcing state hazardous materials laws and regulations, and the County's Industrial Safety Ordinance (Chapter 450-8 of the County Ordinance Code), CCH will not tolerate unsafe business practices at the refinery and hereby places PBF on notice of the following:

1. Beginning immediately, PBF shall allow CCH employees and agents onsite at all times and permit them access to any part of the facility upon request.
2. PBF shall provide to CCH all documentation relating to deferred maintenance of equipment at PBF no later than 10:00 AM on January 2, 2024. CCH will review these materials to determine the facility's work plan for addressing deferred maintenance moving forward.
3. PBF shall provide to CCH a list of every employee and resident contractor working at PBF, including job titles and description of responsibilities, no later than 10:00 AM on January 2, 2024.
4. To assist in proper development of the facility's culture of workplace safety, PBF shall make available for interviews any refinery employee requested by CCH. PBF management may not be present for interviews conducted by CCH. CCH welcomes labor representation and participation.
5. PBF shall provide to CCH a record of each Stop Work Authority that was utilized at the facility (California Code of Regulations, Title 19, Division 2, Chapter 4.5, Section 2762.16(f)) from 2021 to present, and a record of each near-miss incident (California Code of Regulations, Title 19, Division 2, Chapter 4.5, Section 2762.9(a)) documented in the past 12 months, no later than 10:00 AM on January 2, 2024. PBF will include a description of its criteria for near-miss events.
6. Upon each occurrence of a process upset or any other incident requiring PBF to provide notification under the County's Hazardous Materials Notification Policy, PBF management shall make immediate contact with a CCH representative of the occurrence, in addition to providing all required notice under the policy. CCH will provide instructions about this notification in a subsequent communication.
7. CCH reserves the right to come onsite during any incident that has the potential to impact public health or the environment in accordance with all applicable laws. CCH reserves the right to modify the Community Warning System level of any incident impacting public health without consulting PBF. All costs associated with incident response will be borne by PBF.
8. At least two weeks before PBF's planned turnaround in early 2024, PBF shall provide to CCH a comprehensive plan outlining when planned flaring will occur during the turnaround and what steps the facility will take to minimize the amount of flaring.
9. PBF shall allow an additional observer or observers from CCH onsite at all times during the turnaround and shall provide the observer or observers with access to any part of the facility upon request.

CCH will provide more information about future steps to ensure workplace and community safety at the Martinez refinery after reviewing the documents referenced above.

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We look forward to collaborating with PBF on our mutual goal of making this facility the good neighbor it aspires to become.

Sincerely,



Anna M. Roth, RN, MS, MPH
Chief Executive Officer, Contra Costa Health
Health Director, Contra Costa County

Enclosure

cc: Neighbors of Martinez Refining Company
Thomas Nimbly, Executive Chairman, PBF Energy
S. Eugene Edwards, Lead Director, PBF Energy
Spencer Abraham, Director, PBF Energy
Wayne A. Budd, Director, PBF Energy
Paul Donahue, Director, PBF Energy
Georganne Hodges, Director, PBF Energy
Kimberly S. Lubel, Director, PBF Energy
George E. Ogden, Director, PBF Energy
Damian W. Wilmot, Director, PBF Energy
Lawrence M. Ziemba, Director, PBF Energy
Matthew Lucey, President and Chief Executive Officer, PBF Energy
Steven G. Steach, Senior Vice President, Head of Refining, PBF Energy
Daniel Ingram, Refinery Manager, Martinez Refining Company, PBF Energy
Ken Axe, MRC Oversight Committee
Pedro Babiak, MRC Oversight Committee
Dierdre Castillo, MRC Oversight Committee
Josh Chadwick, MRC Oversight Committee
Cheryll Grover, MRC Oversight Committee
Nicole Heath, MRC Oversight Committee
Kent Hull, MRC Oversight Committee
Tom Lang, MRC Oversight Committee
Nick Plurkowski, MRC Oversight Committee
Tony Semenza, MRC Oversight Committee
Steven Devine, MRC Oversight Committee
Ben Therriault, MRC Oversight Committee
Heidi Taylor, Healthy Martinez
Congressman John Garamendi
Congressman Mark DeSaulnier
Congressman Mike Thompson
Congressman Joshua Harder
Senator Laphonza Butler

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Senator Alex Padilla
Senator Steve Glazer
Senator Nancy Skinner
Senator Bill Dodd
Assemblymember Lori Wilson
Assemblymember Buffy Wicks
Assemblymember Tim Grayson
Assemblymember Rebecca Bauer-Kahan
John Gioia, Chair, Contra Costa County Board of Supervisors
Vice Chair Federal Glover, Vice Chair, Contra Costa County Board of Supervisors
Candace Andersen, Supervisor, Contra Costa County Board of Supervisors
Diane Burgis, Supervisor, Contra Costa County Board of Supervisors
Ken Carlson, Supervisor, Contra Costa County Board of Supervisors
Contra Costa County Hazardous Materials Commission
Diana Becton, District Attorney, Contra Costa County
Brienne Zorn, Mayor, City of Martinez
Mark Ross, Vice Mayor, City of Martinez
Jay Howard, Councilmember, City of Martinez
Satinder Malhi, Councilmember, City of Martinez
Debbie Billecci McKillop, Councilmember, City of Martinez
Phillip Fine, Executive Director, Bay Area Air Quality Management District
Alexander "Sandy" Crockett, District Counsel, Bay Area Air Quality Management District
Board of Directors, Bay Area Air Quality Management District
Monica Nino, County Administrator, Contra Costa County
Michael Chandler, City Manager, City of Martinez
Gavin Newsom, Governor, State of California
Rob Bonta, Attorney General, State of California
Katherine S. Hagan, Director, California Department of Industrial Relations
Jeff Killip, Chief, California Department of Industrial Relations
Yana Garcia, Secretary for Environmental Protection, California Environmental Protection Agency
Liane Randolph, Chair, California Air Resources Board
Martha Guzman, EPA Regional Administrator, Region 9
Chief Lewis Broschard, Contra Costa County Fire Protection District
Tracy Scott, United Steel Workers Local 5
Jason Lopez, IBEW Local 302



CONTRA COSTA
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**Spills & Releases – PBF Energy (Martinez Refining Company)
November 2022 – December 2023**

	Date	Incident
1	11/24-25/2022	Spent-Catalyst Release from Fluid Catalytic Cracking Unit
2	12/27/2022	Opacity Exceedance
3	12/30/2022	Opacity Exceedance
4	12/31/2022	Opacity Exceedance
5	1/4/2023	Release of partially treated wastewater
6	1/6/2023	Odors from Wastewater Treatment System
7	1/10/2023	Opacity Exceedance
8	1/11/2023	Unit Shut Down/Leak
9	2/16/2023	Opacity Exceedance
10	3/2/2023	Unit Upset Resulting in Opacity Exceedance
11	6/7/2023	Hydrocarbon Leak from Process Line
12	7/11/2023	Coke Dust Release with Community Impact
13	7/22/2023	Coke Dust Release without Community Impact
14	7/31/2023	Plant Upset
15	10/6/2023	Coke Dust Release with Community Impact
16	10/28/2023	Opacity Exceedance
17	11/14/2023	Opacity Exceedance
18	11/28/2023	Coke Dust Release without Community Impact
19	11/28/2023	Opacity Exceedance
20	12/15/2023	Sulfur Dioxide Release
21	12/17/2023	Liquid Hydrocarbon Spill from Flare