



OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

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DISTRICT ATTORNEY

August 9, 2023

**Statement from Contra Costa District Attorney's Office on Martinez Refinery Company
LLC**

While we can confirm that the District Attorney's Office has received and is reviewing a referral from the Contra Costa Health Services Hazardous Materials Programs alleging two violations, The State Bar of California prohibits a member of the Bar who is participating in an investigation or litigation from making any pre-filing statements that have a likelihood of materially prejudicing a case.

However, we can disclose the code and ordinance that are currently under review:

- 1.) California Health and Safety Code, Section 25510(a) – "Failure to report a release or threatened release of a hazardous material to the unified program agency and Cal OES."
- 2.) Contra Costa County Ordinance Title 10 Section 1014-4.006(a) – Prohibited Discharge – "Release of illicit discharges to the county stormwater system."

Additionally, The Bay Area Air Quality Management District has referred for enforcement action the Air District Notices of Violation ("NOVs") to the District Attorney's Office. We are currently awaiting the completion of the Air District's investigative report supporting the NOVs – which will also be reviewed for a charging decision.

The violations received to date are alleged against the Martinez Refining Co. LLC and not any individuals.