



# CONTRA COSTA HEALTH

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

## Contra Costa Health Hazardous Materials Programs (CCHMP)

### PBF Martinez Refining Company Progress Report

January 17, 2024

#### Overview:

At the December 20, 2023 Martinez City Council Meeting, Contra Costa Health (CCH) presented a graph of incidents from November 24, 2022 to December 19, 2023 reported by PBF Refinery and the 3 other refineries in Contra Costa County. It was noted at that meeting that PBF in the last year had the highest rate of incidents reported including two Major Chemical Accidents or Releases (MCARS) which occurred on November 24, 2022 and December 15, 2023. In response to these releases and incidents, CCH sent a [letter](#) to PBF dated December 28, 2023. This letter summarized the concerns of CCH and outlined nine specific requirements of the refinery including a requirement to allow CCH Hazmat access to the facility at any time. CCH gained access to the facility on December 26, 2023 and began an Unannounced Inspection (UI).

#### **December 28, 2023 CCH Letter Requirements**

<b><u>Requirements</u></b>	<b><u>Status as of January 17, 2024</u></b>
1. PBF shall allow CCH employees and agents onsite at all times.	<ul style="list-style-type: none"><li>• CCH gained access to the facility on December 26, 2023.</li><li>• Access for onsite inspection staff has not been an issue.</li></ul>
2. PBF shall provide documentation regarding deferred maintenance of equipment at MRC.	<ul style="list-style-type: none"><li>• PBF provided CCH access to documentation on December 26, 2023 during the unannounced inspection.</li><li>• PBF provided CCH access to remaining documentation on January 9, 2024.</li><li>• CCH continues to review this information.</li></ul>
3. PBF shall provide CCH a list of every employee and resident contractor working at PBF.	<ul style="list-style-type: none"><li>• PBF provided CCH access to documentation on December 26, 2023 during the unannounced inspection.</li></ul>

	<ul style="list-style-type: none"> <li>• PBF provided CCH access to remaining documentation on January 9, 2024.</li> </ul>
4. PBF shall make available refinery employees to CCH for interviews.	<ul style="list-style-type: none"> <li>• CCH has had access to all requested employees for interviews since commencing the December 26, 2023 unannounced inspection.</li> <li>• CCH continues to interview PBF employees.</li> </ul>
5. PBF shall provide a record of each Stop Work Authority from 2021 to present and a record of each near-miss incident documented in the past 12 months.	<ul style="list-style-type: none"> <li>• PBF provided CCH access to documentation on December 26, 2023 during the unannounced inspection.</li> <li>• PBF provided CCH access to remaining documentation on January 9, 2024.</li> </ul>
6. PBF management shall make immediate contact on each occurrence of a process upset or any other incident with a CCH representative in addition to providing all required notice under the policy.	<ul style="list-style-type: none"> <li>• CCH HazMat Response Team and the CCH Executive Team have reviewed PBF's notification process during hazardous materials incidents.</li> <li>• CCH has not experienced issues with notifications from PBF since December 28, 2023.</li> </ul>
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.	<ul style="list-style-type: none"> <li>• CCH has not experienced any issues accessing information and/or the facility since December 28, 2023.</li> </ul>
8. At least two weeks before PBF's planned turnaround in early 2024, PBF shall provide to CCH a comprehensive plan on how PBF will minimize community impacts.	<ul style="list-style-type: none"> <li>• PBF has reported a plan to delay the turnaround.</li> <li>• Documents remain due at least two weeks prior to initiating the work.</li> </ul>
9. PBF shall allow an additional observer or observers from CCH onsite at all times during the turnaround.	<ul style="list-style-type: none"> <li>• PBF has reported a plan to delay the turnaround.</li> <li>• Documents remain due at least two weeks prior to initiating the work.</li> </ul>

**Unannounced Inspection Process:**

CCHHMP started an UI at PBF on December 26, 2023. The goal of this inspection was to spot-check the refinery's compliance with select process safety programs due to process safety concerns from recent incidents and anonymous complaints. As is CCH standard practice, all documentation was reviewed onsite at the refinery by the team.

CCHHMP identified the following programs to be reviewed during the UI: Mechanical Integrity, Management of Change, Pre-Startup Safety Review, Incident Investigations, and Stop Work Authority. These program elements were chosen based on the potential for gaps in these areas to contribute to incidents, information from anonymous complaints, and to follow up on incidents that have occurred since 2022 with public impact.

The UI activities include field inspections, document reviews, and interviews with refinery leadership, subject matter experts, refinery staff, operators, maintenance employees, and contractors. To date, CCHHMP has dedicated 220 person hours to this UI. There have been 4 Operator Interviews Completed and 10 Subject Matter Expert Interviews completed.

**Next Steps:**

CCHHMP is continuing to evaluate the topics outlined in this report, including conducting additional contractor interviews (3 remaining) and document reviews. CCHHMP will also conduct additional interviews with console and field operators (20 remaining). The Unannounced Inspection activities are anticipated to be completed by January 31, 2024, with a final report issued shortly after.

**Unannounced Inspection Status**

**Mechanical Integrity:**

<u>Regulatory Requirement</u>	<u>Items Reviewed</u>	<u>Interim Conclusions</u>	<u>Remaining Items</u>
Inspection and Testing: California Code of Regulations (CCR), Title 19, Section 2762.5(b)(2) Contra Costa Industrial Safety Ordinance 450-8.016 (a)(5)(D)	Subject Matter Expert interviews  Overdue Inspection List  Deferral Process for Inspections  Database of safety instrument inspections	Of current documents reviewed at this time, inspection completion rates were found to be in compliance	CCH is still reviewing documentation on deferred maintenance to make final determination
Corrective Maintenance and Repairs: CCR, Title 19, Section 2762.5(c) Contra Costa Industrial Safety Ordinance 450-8.016 (a)(5)(E)	Policies for corrective maintenance repairs  Policies for Temporary repairs  Current list of all temporary repairs and supporting documentation  Metrics associated with Inspection and Testing of Equipment	Improve documentation of temporary repairs	CCH will continue reviewing program changes made to the preventative maintenance programs.

**Management of Change (MOC) & Pre-Startup Safety Review (PSSR):**

<u>Regulatory Requirement</u>	<u>Items Reviewed</u>	<u>Interim Conclusions</u>	<u>Remaining Items</u>
Management of Change: CCR, Title 19, Section 2762.6 Contra Costa County Industrial Safety Ordinance Section 450-8.016(a)(6)	MOC Policies  14 completed MOCs and supporting documentation  Field verification of 6 of the 14 MOCs	No regulatory compliance concerns noted for MOC	Employee Interviews
Pre-Startup Safety Review: CCR, Title 19, Section 2762.7 Contra Costa County Industrial Safety Ordinance Section 450-8.016(a)(7)	PSSR Policies  14 completed PSSRs and supporting documentation  Field verification of 6 of the 14 PSSRs	No regulatory compliance concerns noted for PSSR	Employee Interviews

**Incident Investigations:**

<u>Regulatory Requirement</u>	<u>Items Reviewed</u>	<u>Interim Conclusions</u>	<u>Remaining Items</u>
Incident Reporting and Investigation:  CCR, Title 19, Section 2762.9  Contra Costa County Industrial Safety Ordinance Sections 450-8.016(a)(9) and 450-8.016(c)	Incident Investigation Policies  85 Process Safety Incidents (July 2023-Present)  1 Major Chemical Accident or Release (12/15/23 event)  Incident Investigation reports for 11 incidents related to coking operations	N/A	CCH is still reviewing documentation including all recommendations from incident investigations, including target and actual completion dates  CCH continues to review the 11 coking operation incidents to ensure classification and investigation of incidents was done properly.  Employee Interviews

**Stop Work Authority and Reporting of Hazards:**

<u>Regulatory Requirement</u>	<u>Items Reviewed</u>	<u>Interim Conclusions</u>	<u>Remaining Items</u>
Stop Work and Hazard Reporting:  CCR, Title 19, 2762.16(f)(1) and (2)	Policies  Goal Zero Safety Program  Safety Concern Reporting (Focus) Database  Stop Work Documentation (2 instances)	N/A	Employee Interviews  CCH is still reviewing documentation to make final determinations