



**Contra Costa Health Services - Hazardous Materials Programs**

4585 Pacheco Blvd., Suite 100, Martinez, CA 94553

Telephone: (925)655-3200 Fax: (925)646-2073

[WWW.CCHEALTH.ORG/HAZMAT](http://www.cchealth.org/HAZMAT)

[ccchazmat@cchealth.org](mailto:ccchazmat@cchealth.org)

MATTHEW S. KAUFMANN, DIRECTOR OF HAZARDOUS MATERIALS PROGRAMS



**HAZARDOUS MATERIALS BUSINESS PLAN INSPECTION REPORT**

California Health and Safety Code (HSC), Division 20, Chapter 6.95

California Code of Regulations (CCR), Title 19, Division 2, Chapter 4

**FACILITY INFORMATION**

<b>BUSINESS NAME:</b>	MARTINEZ REFINING COMPANY LLC	<b>CUPA FACILITY ID:</b>	729718
<b>BUSINESS ADDRESS:</b>	3485 PACHECO BLVD MARTINEZ, CA 94553	<b>CERS ID:</b>	10476676
<b>BUSINESS PHONE:</b>	(925)313-3000	<b>FACILITY ID:</b>	FA0032025
<b>BUSINESS OWNER:</b>	MARTINEZ TERMINAL COMPANY LLC	<b>SENT TO:</b>	MICHAEL.MARLOWE@PBFENERGY.COM
<b>BUSINESS OPERATOR:</b>	MARTINEZ REFINING COMPANY LLC		

**INSPECTION INFORMATION**

<b>DATE OF INSPECTION:</b>	NOVEMBER 24, 2022	<b>INSPECTOR:</b>	SARA DWIGHT
<b>INSPECTION TYPE:</b>	OTHER INSPECTION	<b>TITLE:</b>	HAZARDOUS MATERIALS SPECIALIST II
<b>PROGRAM:</b>	HMBP: OIL REFINERIES (TIER 2)	<b>CONTACT:</b>	(925)655-3208
<b>SERIAL NUMBER:</b>	DACEQ9GTG		SARA.DWIGHT@CCHEALTH.ORG

**GENERAL OBSERVATIONS**

THIS INSPECTION REPORT WAS PREPARED ON DECEMBER 15, 2022 TO REFLECT EVENTS THAT HAPPENED NOVEMBER 24-25, 2022.

ON NOVEMBER 26, 2022 AT APPROXIMATELY 7:10 AM, CONTRA COSTA HEALTH HAZARDOUS MATERIALS PROGRAMS (CCHHMP) WAS MADE AWARE OF COMMUNITY COMPLAINTS THAT A WHITE DUST-LIKE MATERIAL HAD BEEN DEPOSITED IN OUTDOOR AREAS OF MARTINEZ, CA. WHEN CONTACTED BY CCHHMP ON THE MORNING OF NOVEMBER 26, 2022, MARTINEZ REFINING COMPANY (MRC) PERSONNEL INDICATED THEY WERE INVESTIGATING THE INCIDENT DUE TO COMMUNITY COMPLAINTS OF THE MATERIAL ON VEHICLES. AN MRC FACEBOOK POST DATED NOVEMBER 25, 2022 INDICATED THEY WERE AWARE OF THE WHITE DUST AND WERE ACTIVELY INVESTIGATING THE ISSUE. MRC HAS SUBSEQUENTLY CONFIRMED THAT THIS MATERIAL THAT WAS DEPOSITED IN MARTINEZ WAS FCC SPENT CATALYST RELEASED FROM THE CATALYTIC CRACKING UNIT AT THEIR FACILITY. ACCORDING TO MRC, A RELEASE OF APPROXIMATELY 20-24 TONS OF THIS FCC SPENT CATALYST OCCURRED INTERMITTENTLY FROM NOVEMBER 24, 2022 AT APPROXIMATELY 9:30 PM TO NOVEMBER 25, 2022 AT 3:30 AM. A DETAILED SUMMARY OF THE EVENT IS AVAILABLE IN THE 72 HOUR REPORT PROVIDED BY MRC.

MRC PROVIDED A SAFETY DATA SHEET (SDS) FOR THE FCC SPENT CATALYST AS PART OF THE 72 HOUR REPORT. THE SDS IDENTIFIES THE FCC SPENT CATALYST AS A HAZARDOUS MATERIAL. SECTION 15 OF THE SDS STATES, "THE MATERIAL IS HAZARDOUS IN ACCORDANCE WITH OSHA HAZCOM 2021, 29 CFR 1910.1200." THE MATERIAL IS DESCRIBED IN THE SDS AS A COMBUSTIBLE DUST AND MAY CAUSE EYE AND RESPIRATORY TRACT IRRITATION. THE HAZARDOUS CONSTITUENTS IDENTIFIED IN THE SDS INCLUDED ALUMINUM OXIDE, AMORPHOUS SILICA, AND KAOLIN.

(CONTINUED ON NEXT PAGE)

HAZARDOUS MATERIALS BUSINESS PLAN INSPECTION REPORT (CONTINUED)

BUSINESS NAME: MARTINEZ REFINING COMPANY LLC
DATE OF INSPECTION: NOVEMBER 24, 2022
INSPECTION TYPE: OTHER INSPECTION

CUPA FACILITY ID: 729718
CERS ID: 10476676
SERIAL NUMBER: DACEQ9GTG

(GENERAL OBSERVATIONS CONTINUED FROM PREVIOUS PAGE)

SECTION 6 OF THE SDS STATES, "IN THE EVENT OF A SPILL OR ACCIDENTAL RELEASE, NOTIFY RELEVANT AUTHORITIES IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS." SECTION 7 OF THE SDS FURTHER STATES, "AVOID CONTACT WITH SKIN. AVOID CONTACT WITH EYES."

ON NOVEMBER 26, 2022, CCHHMP AND BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) PERSONNEL COLLECTED SAMPLES OF THE WHITE DUST-LIKE MATERIAL DEPOSITED IN AREAS OF MARTINEZ, CA. LABORATORY ANALYTICAL RESULTS SHOWED THAT THE SAMPLES COLLECTED FROM THE MARTINEZ COMMUNITY WERE CONSISTENT WITH A SAMPLE OF THE SPENT FCC CATALYST PROVIDED BY MRC. CCHHMP COLLECTED WIPE SAMPLES FROM TWO TRASH CAN LIDS AND THREE VEHICLES ALONG BUSH STREET IN MARTINEZ, CA. THESE SAMPLES WERE SENT TO MCCAMPBELL ANALYTICAL IN PITTSBURG, CA FOR ANALYSIS OF CAM 17 METALS BY EPA METHOD 6020 AND ALUMINUM/ALUMINUM OXIDE. ALUMINUM OXIDE WAS A COMPONENT OF THE SPENT CATALYST BASED ON THE SDS PROVIDED BY MRC. BAAQMD COLLECTED FIVE SAMPLES FROM CAR WINDSHIELDS IN THE MARTINEZ AREA AND ONE SOURCE SAMPLE OF SPENT CATALYST PROVIDED BY MRC. THESE SAMPLES WERE ALSO SENT TO MCCAMPBELL ANALYTICAL FOR ANALYSIS OF CAM 17 METALS BY EPA METHOD 6020. THE SAMPLES COLLECTED FROM THE MARTINEZ AREA CONTAINED CONCENTRATIONS OF NICKEL RANGING FROM 160 MILLIGRAMS PER KILOGRAM (MG/KG) TO 200 MG/KG AND VANADIUM RANGING FROM 510 MG/KG TO 610 MG/KG, WHICH WERE CONSISTENT WITH 200 MG/KG NICKEL AND 510 MG/KG VANADIUM OF THE SOURCE SAMPLE OF THE SPENT CATALYST.

BAAQMD ALSO SUBMITTED SAMPLES COLLECTED ON NOVEMBER 26, 2022 TO SGS FORENSIC LABORATORIES FOR OPTICAL AND SCANNING ELECTRON MICROSCOPIC WITH DISPERSIVE X-RAY ANALYSIS (SEM/EDS) ANALYSIS. THE ANALYTICAL RESULTS INDICATED THAT SAMPLES 1-5, COLLECTED FROM CARS IN THE MARTINEZ AREA, HAD SIMILAR CHEMICAL COMPOSITION TO A SOURCE SAMPLE OF THE SPENT CATALYST (SAMPLE 6), PROVIDED BY MRC. THE SIX SAMPLES CONTAINED SIMILAR AMOUNTS OF CARBON (C) (TRACE), OXYGEN (O), MAGNESIUM (MG), ALUMINUM (AL), SULPHUR (S) AND SILICA (SI), INDICATING THE MATERIAL DEPOSITED ON THE CARS IN MARTINEZ WAS SIMILAR TO THAT OF THE SPENT CATALYST SAMPLED FROM MRC.

THE ANALYTICAL RESULTS CONFIRM THAT THE MATERIAL DEPOSITED IN THE MARTINEZ AREA WAS CONSISTENT WITH THAT OF FCC SPENT CATALYST RELEASED FROM MRC.

THE LACK OF TIMELY NOTIFICATION OF THE RELEASE OF FCC SPENT CATALYST BY MRC RESULTED IN A DELAY IN RESPONSE BY CCHHMP AND POTENTIAL EXPOSURE TO THE COMMUNITY.

NOTICE OF VIOLATION

VIOLATION DESCRIPTION: FAILURE TO REPORT A RELEASE OR THREATENED RELEASE OF A HAZARDOUS MATERIAL TO THE UNIFIED PROGRAM AGENCY AND CAL OES. 19 CCR 4 2631; HSC 6.95 25510(A)
VIOLATION DEGREE: HM - CLASS 1
OBSERVATION: THE BUSINESS FAILED TO IMMEDIATELY REPORT A RELEASE OR THREATENED RELEASE OF A HAZARDOUS MATERIAL TO THE UNIFIED PROGRAM AGENCY AND CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES). MRC RELEASED APPROXIMATELY 20-24 TONS OF FCC SPENT CATALYST INTERMITTENTLY FROM NOVEMBER 24, 2022 AT APPROXIMATELY 9:30 PM TO NOVEMBER 25, 2022 AT 3:30 AM. AN SDS FOR THE FCC SPENT CATALYST MATERIAL PROVIDED BY MRC INDICATES THE FCC SPENT CATALYST IS A HAZARDOUS MATERIAL. ANALYTICAL RESULTS CONFIRMED THAT THE MATERIAL DEPOSITED IN MARTINEZ WAS THE SAME AS THAT OF THE SOURCE FCC SPENT CATALYST AT MRC. THE RELEASE OF FCC SPENT CATALYST WAS NOT IMMEDIATELY REPORTED TO THE UNIFIED PROGRAM AGENCY (CCHHMP) OR TO CAL OES, DELAYING RESPONSE EFFORTS AND PROTECTIVE ACTIONS.
CORRECTIVE ACTION: FACILITY MUST MAKE REQUIRED NOTIFICATIONS TO CAL OES AND CCHHMP. ON NOVEMBER 29, 2022, MRC SUBMITTED A 72 HOUR REPORT TO CCHHMP IN WHICH THEY DOCUMENTED THE RELEASE AND ACKNOWLEDGED THAT PROPER NOTIFICATIONS HAD NOT BEEN MADE. ON NOVEMBER 30, 2022, MRC REPORTED THE RELEASE OF AN UNKNOWN AMOUNT OF SPENT CATALYST TO CAL OES. THE OES REPORT NUMBER IS 22-7022.
CORRECT BY: DECEMBER 24, 2023
VIOLATION CODE: H656

A NOTICE TO COMPLY or NOTICE OF VIOLATION IS ISSUED TO IDENTIFY CONDITIONS OBSERVED THIS DAY THAT ARE ALLEGED TO BE VIOLATIONS OF ONE OR MORE SECTIONS OF THE CALIFORNIA HEALTH AND SAFETY CODE(HSC) OR THE CALIFORNIA CODE OF REGULATIONS(CCR). THE FACILITY MAY BE SUBJECT TO RE-INSPECTION AT ANY TIME BY CONTRA COSTA HEALTH SERVICES HAZARDOUS MATERIALS PROGRAMS(CCHSHMP) TO ENSURE THAT OBSERVED VIOLATIONS CITED ON THE NOTICES ARE CORRECTED. FAILURE TO CORRECT VIOLATIONS WITHIN THE SCHEDULED PERIOD PROVIDED MAY RESULT IN CCHSHMP CITING THE FACILITY FOR CONTINUING OR ADDITIONAL VIOLATIONS. ISSUANCES OF NOTICES DO NOT PRECLUDE CCHSHMP FROM TAKING ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL ACTION AS A RESULT OF THE VIOLATIONS NOTED.


NOTICE OF VIOLATION:A NOTICE OF VIOLATION (NOV) IS ISSUED WHEN A VIOLATION OTHER THAN A MINOR VIOLATION (E.G., CLASS I OR CLASS II VIOLATIONS) HAVE BEEN OBSERVED. THESE VIOLATION(S) SHALL BE CORRECTED BY THE DATE SPECIFIED ON THE NOV. A RE-INSPECTION SHALL BE CONDUCTED BY CCHSHMP TO ASSESS THAT THE VIOLATION(S) HAVE BEEN CORRECTED.

CONSENT: VERBAL AND OR WRITTEN CONSENT INCLUDES INSPECTING HAZARDOUS MATERIAL/WASTE HANDLING AREAS, TAKING PHOTOGRAPHS, REVIEWING AND COPYING DOCUMENTS, QUESTIONING PERSONNEL AND SAMPLING ACTIVITIES TO DETERMINE COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS.

HAZARDOUS MATERIALS BUSINESS PLAN INSPECTION REPORT (CONTINUED)

**BUSINESS NAME:** MARTINEZ REFINING COMPANY LLC  
**DATE OF INSPECTION:** NOVEMBER 24, 2022  
**INSPECTION TYPE:** OTHER INSPECTION

**CUPA FACILITY ID:** 729718  
**CERS ID:** 10476676  
**SERIAL NUMBER:** DACEQ9GTG



A rectangular box containing a handwritten signature in blue ink. The signature appears to be 'SDWIGHT'.

SARA DWIGHT, HAZARDOUS MATERIALS SPECIALIST II



An empty rectangular box, likely intended for a signature or stamp.



**Contra Costa Health Services - Hazardous Materials Programs**

4585 Pacheco Blvd., Suite 100, Martinez, CA 94553

Telephone: (925)655-3200 Fax: (925)646-2073

[WWW.CCHEALTH.ORG/HAZMAT](http://www.cchealth.org/HAZMAT)

[ccchazmat@cchealth.org](mailto:ccchazmat@cchealth.org)

MATTHEW S. KAUFMANN, DIRECTOR OF HAZARDOUS MATERIALS PROGRAMS



**HAZARDOUS MATERIALS BUSINESS PLAN INSPECTION REPORT**

California Health and Safety Code (HSC), Division 20, Chapter 6.95

California Code of Regulations (CCR), Title 19, Division 2, Chapter 4

**FACILITY INFORMATION**

<b>BUSINESS NAME:</b>	MARTINEZ REFINING COMPANY LLC	<b>CUPA FACILITY ID:</b>	729718
<b>BUSINESS ADDRESS:</b>	3485 PACHECO BLVD MARTINEZ, CA 94553	<b>CERS ID:</b>	10476676
<b>BUSINESS PHONE:</b>	(925)313-3000	<b>FACILITY ID:</b>	FA0032025
<b>BUSINESS OWNER:</b>	MARTINEZ TERMINAL COMPANY LLC	<b>SENT TO:</b>	MICHAEL.MARLOWE@PBFENERGY.COM
<b>BUSINESS OPERATOR:</b>	MARTINEZ REFINING COMPANY LLC		

**INSPECTION INFORMATION**

<b>DATE OF INSPECTION:</b>	DECEMBER 20, 2022	<b>INSPECTOR:</b>	SARA DWIGHT
<b>INSPECTION TYPE:</b>	OTHER INSPECTION	<b>TITLE:</b>	HAZARDOUS MATERIALS SPECIALIST II
<b>PROGRAM:</b>	HMBP: OIL REFINERIES (TIER 2)	<b>CONTACT:</b>	(925)655-3208
<b>SERIAL NUMBER:</b>	DAEARUBT1		SARA.DWIGHT@CCHEALTH.ORG

**GENERAL OBSERVATIONS**

FOLLOW UP TO INSPECTION REPORT PREPARED DECEMBER 15, 2022 DOCUMENTING MARTINEZ REFINING COMPANY'S (MRC) NOVEMBER 24-25, 2022 FCC SPENT CATALYST RELEASE.

H656 - VIOLATION CORRECTED. FACILITY HAS MADE REQUIRED NOTIFICATIONS TO CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) AND CONTRA COSTA HEALTH HAZARDOUS MATERIALS PROGRAMS (CCHHMP). ON NOVEMBER 29, 2022, MRC SUBMITTED A 72 HOUR REPORT TO CCHHMP IN WHICH THEY DOCUMENTED THE RELEASE AND ACKNOWLEDGED THAT PROPER NOTIFICATIONS HAD NOT BEEN MADE. ON NOVEMBER 30, 2022, MRC REPORTED THE RELEASE OF AN UNKNOWN AMOUNT OF SPENT CATALYST TO CAL OES. THE OES REPORT NUMBER WAS 22-7022.

**CORRECTED VIOLATIONS**

VIOLATION CODE	VIOLATION DESCRIPTION	INSPECTION NUMBER	OCCURRED ON DATE	DATE CORRECTED
H656	ACTUAL OR THREATENED RELEASE REPORTED TO THE UNIFIED PROGRAM AGENCY AND CAL OES	DACEQ9GTG	November 24, 2022	November 30, 2022

CONSENT: VERBAL AND OR WRITTEN CONSENT INCLUDES INSPECTING HAZARDOUS MATERIAL/WASTE HANDLING AREAS, TAKING PHOTOGRAPHS, REVIEWING AND COPYING DOCUMENTS, QUESTIONING PERSONNEL AND SAMPLING ACTIVITIES TO DETERMINE COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS.

SARA DWIGHT, HAZARDOUS MATERIALS SPECIALIST II