



Media Release

\$4.5 million settlement reached with Martinez Refining Co. for Clean Water Act violations

Post-storm discharges of partially treated wastewater threatened health of Carquinez Strait

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OAKLAND – The Martinez Refining Co. has agreed to pay \$4,482,000 to settle allegations of Clean Water Act violations linked to its refinery in Contra Costa County, the San Francisco Bay Regional Water Quality Control Board announced today. The company allegedly made unauthorized discharges of millions of gallons of wastewater from oil refinery processes, which harmed water quality and threatened aquatic life in marshes linked to Carquinez Strait.

The proposed settlement has been [posted](#) for public review and comment, and, depending on the feedback received, will likely be submitted to the board's executive officer for review and approval.

The refinery, which is owned by PBF Energy Inc., produces a broad range of petroleum products.

The San Francisco Bay Water Board found three instances of unauthorized discharges into nearby marshes:

- On Oct. 27, 2022, the company discharged more than 72,000 gallons of partially treated wastewater to a marsh adjacent the facility and hydraulically connected to the Carquinez Strait due to a blocked pipeline.
- On Jan. 4, 2023, the company discharged 11.2 million gallons of partially treated refinery wastewater mixed with stormwater to a marsh when a major rainstorm overwhelmed the facility's retention and waste management capacity.
- On June 7, 2023, the company discharged more than 471,000 gallons of partially treated wastewater to a water retention area hydrologically connected to McNabney Marsh due to a break in a process water pipe.

Also, from Jan. 1, 2023, through March 5, 2023; from April 1 through April 30, 2023; and on May 14 and July 25, 2023, Martinez Refining Co. discharged a combined total of approximately 477 million gallons of refinery wastewater from a permitted discharge point above the limits specified in its Clean Water Act permit.



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

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The documented discharges threatened human health, water quality and the aquatic environment. They contained multiple pollutants, including bacteria, metals, cyanide, oil and grease, and total suspended solids, and the quality of the discharges exceeded acceptable levels for pH, chemical oxygen demand and acute toxicity.

The company was also more than a year late submitting a required technical report on Climate Change Adaptation needed to assess the facility's vulnerabilities to sea level rise, groundwater rise, changing climate, power outages and associated adaptation strategies.

"This significant settlement not only brings to a close an extensive investigation; it sends a strong message that businesses need to employ more safeguards to prevent unauthorized discharges and improve responses to increasingly severe weather," said Bill Johnson, enforcement division chief for the regional board. "This refinery, like all large-scale industrial operations, needs to anticipate how our climate is changing and better prepare for intense storms."

The penalty the refinery agreed to pay is based on the State Water Resources Control Board's Enforcement Policy, which incorporates several factors, including discharge size, impact on water quality, and the company's culpability.

Half of the penalty (\$2,241,000) will go to the State Water Board's [Cleanup and Abatement Account](#), which provides grants for pollution cleanup projects throughout California. The other half will go toward specific environmental projects to benefit the community and San Francisco Bay:

- **Peyton Slough Marshes Water Quality Improvements and Management Project.** This project will improve water circulation and water quality within marshes adjacent to Carquinez Strait, including Peyton Channel and McNabney Marsh.
- **Martinez Watershed Rangers Program.** This project will coordinate and supervise watershed stewardship and trash-cleanup projects with local schools.
- **Regional Monitoring Program for Water Quality in San Francisco Bay.** The settlement will fund four high-priority projects to support management of water quality in San Francisco Bay:
 - *PCBs in San Leandro Bay* will support development of a model for PCBs (polychlorinated biphenyls) in San Francisco Bay.
 - *Sediment Dynamics in a North Bay Fluvially Influenced Salt Marsh* will assess sediment fluxes in a mudflat–salt marsh environment.
 - *Sediment Conceptual Models for San Pablo Bay and Suisun Bay* will compile and assess information to document dynamic bay processes (between marshes and mudflats) and evaluate local tributary sediment loads.

- *Microplastics in San Francisco Bay Sport Fish* will measure microplastics in typically consumed fish from throughout the bay to determine the level of exposure to microplastics in the food web.

More information about the regional board can be found on its [website](#).

The mission of the San Francisco Bay Regional Water Quality Control Board is to preserve, enhance and restore the quality of California's water resources for the protection of the environment, public health and all beneficial uses, and to ensure proper water resource allocation and efficient use for the benefit of present and future generations.