

C. Brooks Cutter, SBN 121407
Wesley M. Griffith, SBN 286390
Jennifer S. Domer, SBN 305822

CUTTER LAW P.C.

401 Watt Avenue
Sacramento, CA 95864
Telephone: (916) 290-9400
Facsimile: (916) 588-9330
E-mail: bcutter@cutterlaw.com
E-mail: wgriffith@cutterlaw.com
E-mail: jdomer@cutterlaw.com

Reza Torkzadeh, SBN 249550
Scott King, SBN 321218

TORKLAW

18650 MacArthur Blvd., Ste 300
Irvine, CA 92612
Telephone: (949) 313-7733
Facsimile: (800) 979-0262
E-mail: reza@torklaw.com
E-mail: scott@torklaw.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco and Oakland Division

ROBERT MANNING, NICHOLAS BEPLER,
MARK BOLDING, KELLY BROOKS, MARK
BRUNO, ZOE CARPENTER, TERRI
CHAMBERLAIN, KIMBERLY CHATMAN,
CHERYL COLE, VICKI CONWAY,
CHARLES COX JR., CAMERON COX,
PHYLLIS D'ALO, VINCENT D'ALO, ELOISA
DE ZERMENO, ROBERT DEMPSTER,
BRITTANY DILLARD, DENISE DUDLEY,
JENNY ELVIN, NATHANIEL ENGLISH,
MELISSA FAIL, JOSEPH FLEMING, JIM
FREDERICKS, DAVID FULLER, KARISSA
GERHKE, DANIEL GOLDWATER,
VIRGINIA GONZALES, ROSEMARIE
GRIFFIN, CHARLES HARRINGTON,
ROBERT HAYS, TINA HILL, SUSAN
HUERTA, MICHAEL KATZ, LOIS KAYA,
NAOMI LILE, MELYSSA LILJEQVIST,
PATRICIA LINCOLN, LIZABETH LINN,
KATHY LOWE, DEAN LUMIA, DIANA
LUNA, ANNA MARTINEZ, KRISTIN
MCCRAY, RICHARD MCDONALD,
TIMOTHY MITCHELL, ROSITA MOLINA,
JENNIFER MOORE, DANIEL NAPIER, LISA
OSAGE, STEVEN PADILLA, CLOVER
PORCHE, ROSEMARIE RATTO, CONSUELA

Case No.

**COMPLAINT FOR DAMAGES AND
DEMAND FOR JURY TRIAL**

1. Negligence

2. Public and Private Nuisance

3. Premises Liability

4. Trespass

**5. Strict Liability Ultrahazardous
Activities**

1 REYOLA, CAROL ROSE, CARMELO M.
 2 SALGADO, LEONARD SERPA, CHRISTINE
 3 SHANNON, KARA SILVERFOOTE,
 4 SHELDON SLAD, JOHN SOMMER, SALINA
 5 STEPHENSON, TERI STONEHAM,
 6 CHRISTOPHER THOMPSON, DONNA
 7 VANNI, LUCAS VERNON, DENISE
 8 WATERS, DEBORAH WIGNALL, ALLEN
 9 WILKINSON, ANDREA WRIGHT, VERDELL
 10 ANDERSON, SAMUEL ALLEN BETHELL,
 11 JR., BYRON GARCIA-RUBIO, FRANK
 12 GRANATA, MARY LOU LAMBERT,
 13 MICHAEL LEE, YOLANDA LEVINGSTON,
 14 NANCY LOWE, FRANCELLE LUSETTI,
 15 MIKAYLA MAJOR, DOROTHY
 16 MATHEWSON, MARILYN MCGINN,
 17 CATHARINE MCKEEVER, FELICIA
 18 MITCHELL, SUNNY MONTGOMERY,
 19 CHERYL MOORE, ALFONZE MOORE, JR.,
 20 CRAIG MURDAH, ELIZABETH NEWMAN,
 21 DONALD PHILLIPS, PAMELA POPE,
 22 RICHARD REYNOLDS, HOLLY RICO,
 23 MANUEL RINCON, FALLON ROBERTS,
 24 DANIEL ROCHIN, JR., BETHANY ROOT,
 25 CHRISTINE ROUSH, BRANDON
 26 RUPPRECHT, MYRA SAULOVICH,
 27 MICHAEL SAUNDERS, MELINDA
 28 SAVORY, RYAN SCHRUM, NICOLE
 SCHWINN, EVAN SERONELLO, PATRICIA
 SHARP, PATRICIA SHERRY, SEAAIR
 SPEAR, NEIL STANTON, MARK
 SUPACHANA, FLORA SUSOEV,
 MARIANNA TENDICK, RONALD THOMAS,
 STEVEN THOMAS, SARAH
 THURWACHTER-KING, LONNAY
 TINSLEY, SHON TINSLEY, LYNDA
 TOZIER, JOHN VALENZUELA, DONNA
 VERA, SHANE WIGNALL, HAROLD
 WILLIAMS, HENRY WILLIAMS, BRIAN
 WIND, JOSEPH WING, STEPHANIE
 ALDRIDGE, BRYAN ANDREWS, JAMAL
 BATES, WYVONE BIRDEN, KEVIN
 BROWN, TRAI BROWN, STEVE BURNETT,
 BALEWA BYRD, KATRINA BYRD, JAMES
 CANNON, MARLON CHAMBERS, SERENA
 COLVIN, AMANDA COOLEY, PAMELA
 CUNNINGHAM, MARCUS CURRY,
 FRANCIS DAVIS, MICHAEL DECARLO,
 RANDY DEES, LORIN ENSMINGER,
 JACQUELINE ETHERINGTON, VICTORIA
 FAIRCHILD, JUSTIN FRANZEN, LUKE
 GIBBONS, OSCAR GODINEZ,
 LEANDREANAY GREEN, DILLAYN
 HAMMELL, LAMAR HARDY, ALEXANDER
 HARRIS, LEMAR HARRISON, RICHARD

HOLCOMB, MATTHEW HUPMAN,
KPABAH JALLAH, JEFF JARMIN, ZOE
JIMENEZ, PHARRELL JOHNSON, LATOYIA
JONES, LYNELL JOSEY, CAMRYN
KARDOS, PEGGY KENNEY, KEITH
LAPATING, ALEX LINARES, ALEXIS
LITTLE, ELIAS LOPEZ, SHENNA
MADISON, DANIEL MANES, ANTONE
MCATEE, HECTOR MEDINA, BENJAMIN
MERCADO, ANTHONY MOORE, SCOTT
MURPHY, GILBERT NOBLE, JULIE
OLIVERI, DANIEL PHILLIPS, DOMINIC
PROCTOR, YASMEEN QASIMI, ALESIA
QUINCY, MICHELLE RAINWATER,
SENAIDA REDZIC, ROMELEO RINCON,
SHANEEKA ROBERTS, SHRENDIA
RODGERS, JUANITA RODRIGUEZ, JAMES
ROGERS, ALBINO ROMERO, KATHRYN
ROSS, SAN SAECHAO, ROBERT SANDS,
GYASI SCOTT, SHELBY LYNN SHERMAN,
GAIL SPEARS, TONYA SPENCER,
LASHANA STARETON, RICHARD STEGGS,
GERALDINE SUELEN, BUSHRA TOMA,
DECHANTE WASHINGTON, GARRY
WATERS, LEANE WATTS, MICCI WYNNE,
MATTHEW ZEITER,

Plaintiffs,

vs.

MARTINEZ REFINING COMPANY LLC,
AND DOES 1 THROUGH 100, INCLUSIVE

Defendants.

I. INTRODUCTION

1. Since November 2022, the 100-year-old Martinez oil refinery that is owned and operated by Defendant Martinez Refining Company LLC (hereafter “PBF Martinez”) has had at least 21 documented safety failures. As Congressman John Garamendi put it, PBF Martinez has “a very, very bad record. . . . [T]hey’ve got an operational problem. They’ve got a safety problem. And they absolutely have to address it.”¹

2. Despite Congressman Garamendi’s warning, PBF Martinez has not fixed the problems, and PBF Martinez’s ongoing safety failures have caused toxic chemicals to be repeatedly released into the local communities surrounding the refinery, poisoning residents, contaminating homes, and violating federal, state, and local law.

3. For example, on Thanksgiving Day 2022, PBF Martinez released approximately 24 tons—about 48,000 pounds—of hazardous materials into the air from the refinery, primarily consisting of “spent catalyst.” Spent catalyst is a toxic biproduct from PBF Martinez’s refining process and is known to cause significant health issues, including breathing problems, cardiovascular and pulmonary diseases, genetic defects, cancer, fertility issues, and pregnancy complications, among other health problems. The Thanksgiving release took an ash-like form, and the toxic ash rained down on the communities surrounding the refinery, covering people, pets, homes, yards, and gardens.

4. As subsequent investigations found, the Thanksgiving release was caused by PBF Martinez’s own internal equipment failures and its own employees’ errors. But PBF Martinez did not learn from its mistakes.

5. In July and October 2023, PBF Martinez had additional unauthorized, unlawful, and dangerous releases of toxic materials from the refinery, primarily in the form of “coke dust.” Coke dust is a toxic biproduct of the refining process, and coke dust has significant effects on the heart and lungs and causes other serious health problems, including damage to the lungs, exacerbation

¹ <https://abc7news.com/martinez-refining-company-petroleum-coke-release-air-quality-east-bay/13490104/> (last visited July 23, 2024).

1 of chronic conditions like bronchitis and asthma, increased cardiovascular issues like heart attacks
2 and strokes, and can cause cancer, among other health problems.

3 6. The repeated 2023 coke dust releases prompted the San Jose Mercury News to publish
4 an article titled “A disturbing new normal: Why have the chemical releases at the Martinez refinery
5 continued? Last week’s black dust merely the latest in a year-long series of incidents.”² As detailed
6 in the article, residents around the refinery have been leaving home to find toxic dust on “property,
7 animals, cars” with one mother even finding her child’s stroller covered in “black dust.”

8 7. Like the Thanksgiving release, the 2023 coke dust releases were caused by PBF
9 Martinez’s own internal failures. But once again, PBF Martinez still did not correct course.

10 8. In December 2023, PBF Martinez experienced yet another major safety failure, this
11 time resulting in the refinery releasing over seven tons—about 14,000 pounds—of sulfur dioxide
12 gas into the local communities through a “level 2 flaring event.” Flaring events occur when
13 excessive gas builds up during the refining process, and the December 2023 event was one of 46
14 such flaring incidents documented that year. Exposure to the burn-off from the flaring event causes
15 irritation to the eyes, nose, and throat, and heavy exposure can severely and permanently damage
16 the lungs, cause brain fog, unconsciousness, and even death, among other health problems.
17 Residents of Martinez reported their homes shaking violently for much of the day from the burn
18 off and described the smell of sulfur gas permeating the air miles away from the refinery.

19 9. Like the 2022 Thanksgiving event and the 2023 coke dusts releases, the December
20 2023 flaring incident was caused by PBF Martinez’s own internal failures.

21 10. Indeed, PBF Martinez’s systemic safety lapses have been so severe that it has led to
22 investigations by the FBI, the United States Department of Justice, the EPA, and local law
23 enforcement. It has also led to repeated citations by the Bay Area Air Quality Management District,
24 with over 100 citations between June 2021 and July 2023.

25 11. PBF Martinez’s willingness to poison the local communities around its refinery
26 perhaps should not be surprising. Despite “Martinez” appearing in the company’s name, PBF

27 ² [https://www.mercurynews.com/2023/10/09/a-disturbing-new-normal-why-have-chemical-](https://www.mercurynews.com/2023/10/09/a-disturbing-new-normal-why-have-chemical-releases-at-martinez-refinery-continued/)
28 [releases-at-martinez-refinery-continued/](https://www.mercurynews.com/2023/10/09/a-disturbing-new-normal-why-have-chemical-releases-at-martinez-refinery-continued/) (last visited July 23, 2024).

1 Martinez—like the rest of PBF Energy—is actually headquartered in New Jersey, where its
2 executives are kept far away from the toxic conditions that PBF creates in Martinez, California.

3 12. PBF Martinez’s repeated safety violations have had devastating consequences for the
4 residents of the City of Martinez, and other local communities.

5 13. Plaintiff Robert Manning’s experience is instructive. Mr. Manning was honorably
6 discharged from the Marine Corps in 2009, and is a 70% disabled veteran. After the Thanksgiving
7 2022 event, he awoke to find an ash-like dust covering his car. The dust also got into his home.
8 Shortly after the Thanksgiving event, Mr. Manning developed severe asthma and breathing
9 problems for the first time in his life, as well as chronic headaches and other medical problems.
10 The Thanksgiving release also killed all of Mr. Mannings plants on his porch that were exposed to
11 the refinery’s dust-like discharge. Mr. Manning wishes that he could move away from the refinery,
12 but as a disabled veteran on a fixed budget, his options for affordable housing in the Bay Area are
13 very limited.

14 14. Unfortunately, Mr. Manning’s experience is not isolated, and the other 203 Plaintiffs³
15 exposures and injuries are detailed in Paragraphs 131 to 2667.

16 15. Put simply, what PBF Martinez has done to the people living and working near the
17 refinery is wrong.

18 16. PBF Martinez needs to be held accountable. PBF Martinez needs to compensate
19 Plaintiffs for the harm it has caused them. And PBF Martinez needs to be stopped from continuing
20 to poison the communities around its refinery. This lawsuit seeks to do just that.

21 **II. JURISDICTION AND VENUE**

22 17. The District Court of the Northern District of California has personal jurisdiction over
23 the parties in this matter because Plaintiffs are each residents of the State of California whose
24 injuries arose in Contra Costa County and PBF Martinez regularly conducts business in California,
25 including by operating the Martinez oil refinery within Contra Costa County.

26
27
28 ³ Plaintiffs refers collectively to the 204 individuals who are identified in Paragraphs 131 to 2667.

18. This Court has subject matter jurisdiction over the action pursuant to 28 U.S.C. § 1332(a) because Plaintiffs are all citizens of California and PBF Martinez is a Limited Liability Company who, on information and belief, is a citizen of Delaware and New Jersey. Accordingly, there is complete diversity amongst the parties. Further, the amount in controversy exceeds \$75,000 as to each Plaintiff's claims in this action.

19. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 because Plaintiffs reside in California and were harmed in Contra Costa County and PBF Martinez's illegal and wrongful actions, which are the subject of this action, occurred in Contra Costa County, where PBF Martinez operates the Martinez refinery and routinely conducts business.

20. Pursuant to Local Rule 3.5(b), Plaintiffs further state that assignment to the San Francisco or Oakland Division of this Court is proper because the events at issue occurred in Contra Costa County, which pursuant to Local Rule 3-2(d) provides for assignment to this Division.⁴

III. THE PARTIES

A. Plaintiffs

21. Plaintiffs are each residents of the State of California whose injuries arose in Contra Costa County.

22. Further details regarding Plaintiffs are included in Section V of this Complaint at Paragraphs 131 to 2667, which are appended to the end of this Complaint for ease of reading.

B. Defendants

23. Defendant PBF Martinez is a Delaware Limited Liability Company headquartered in Parsippany, New Jersey and registered to do business in California. On information and belief, PBF Martinez's sole member is PBF Energy Western Region LLC, which is a wholly owned subsidiary

⁴ Plaintiffs' counsel are also counsel of record in three additional actions pending in the Northern District where they represent another 498 individuals who suffered substantially similar injuries arising from the same sets of toxic discharges from the Martinez refinery. *Frye, et al. v. Martinez Refining Company, LLC*, Northern District Case No. 3:24-cv-04506-RFL, *Saliba, et al., vs. Martinez Oil Refining Company LLC, et al.*, Northern District Case No. 3:24-cv-08153, *Silvestri et al., vs. Martinez Oil Refining Company LLC, et al.*, Northern District Case No. 3:24-cv-08241. Plaintiffs in this action intend to promptly move for relation to the *Frye*, *Saliba* and *Silvestri* actions. As of the time of filing this Complaint, a motion to relate the *Frye* action to an earlier filed class action, *Cruz v. PBF Energy Inc.*, Northern District Case No. 3:23-cv-06142-JD, was also pending.

of PBF Energy, Inc. The refinery operated by PBF Martinez is located at 3495 Pacheco Boulevard, Martinez, California.

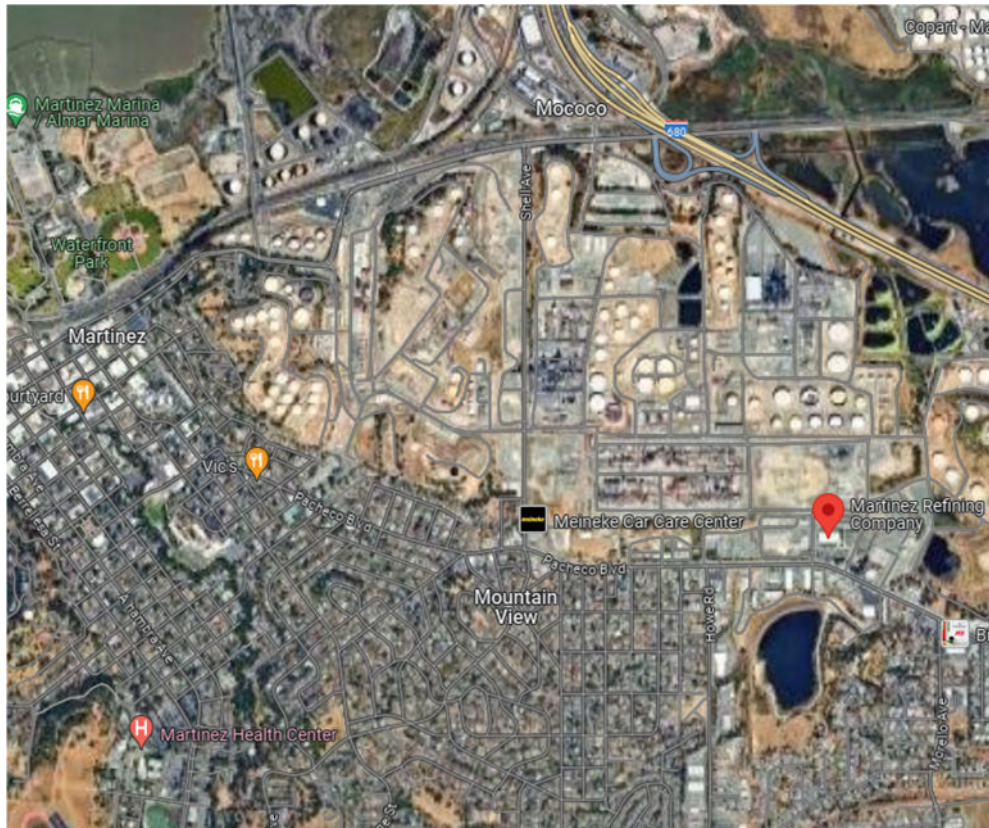
24. The names and capacities, whether individual, corporate, associate, or otherwise, of the Defendants Does 1-100, inclusive, are unknown to Plaintiffs, who therefore sues the Doe Defendants by such fictitious names, and Plaintiffs will amend this complaint to show their true names and capacities when the same have been ascertained. Plaintiffs are informed and believe, and thereon alleges that each of the Doe Defendants, 1 through 100, inclusive, are responsible under law in some manner, negligently, strictly, or otherwise, for the events and happening herein referred to, and proximately thereby caused injuries and damages to Plaintiffs as herein alleged.

IV. FACTUAL ALLEGATIONS

A. PBF Purchases the Martinez Oil Refinery.

25. On or about January 31, 2020, PBF Energy, Inc. bought the 100-year-old oil refinery in Martinez California from Shell Oil for \$1.2 billion.

26. The refinery is located next to significant residential developments:



27. Indeed, many homes are quite literally right across the street from the refinery:



28. Despite its proximity to residential communities, the Martinez refinery had a series well documented safety and environmental violations under its prior ownership, which included: (a) failing to adequately plan for and mitigate the potential releases of toxins from a “worse case scenario” event; (b) failing to give timely notice of hazardous releases from the refinery; (c) “fail[ing] to operate the Facility to minimize the possibility of a release of hazardous waste;” (d) improper storage, handling, and disposal of hazardous waste; and (e) in its “worse case discharge” plan, representing that certain storage tanks had a capacity of 320,460 gallons when in fact the capacity was more than 45 times larger, at 14,700,000 gallons.⁵

29. The safety incidents were publicly documented by the EPA, and PBF Energy knew (or should have known) about the prior safety incidents at the time of the acquisition.

30. PBF Energy created a subsidiary, defendant PBF Martinez, to operate the refinery, and, on information and belief, PBF Energy did so to attempt to insulate itself from liability given the high likelihood of continued safety violations at the Martinez refinery.⁶

⁵ https://www.epa.gov/sites/default/files/2018-05/documents/mm-09-2018-0001-opa-09-2018-0003shell_martinez_refinery-cafo-2018-05-23.pdf (last visited July 23, 2024).

⁶ Plaintiffs expressly reserve their right to take discovery regarding the corporate structure of the PBF entities, expressly reserve their right to take discovery regarding the specific actions taken by each PBF entity, and expressly reserve their right to amend these pleadings to add additional PBF entities and allegations based on information learned in discovery.

1 31. Despite “Martinez” appearing in the company’s name, PBF Martinez—like the rest of
2 PBF Energy—is headquartered in New Jersey, where its executives are kept far away from the
3 toxic conditions that PBF creates in Martinez California.

4 **B. PBF’s Martinez Refining Process Creates Significant Amounts of Toxic**
5 **Materials that Pose Health Risks to the Communities Around the Refinery.**

6 32. The PBF Martinez refinery is a high-conversion, dual-coking refinery that produces
7 over one hundred thousand barrels of gasoline, diesel, jet fuel, and other similar products each day.

8 33. PBF Martinez’s refining process also creates significant toxic waste. Pursuant to
9 statute, regulation, and the common law, PBF Martinez has a duty to safely and properly capture,
10 control, mitigate, and dispose of those toxic waste products as part of its operation of the refinery.

11 34. Three of the most common toxic and harmful byproducts from the refining process
12 relevant to this action are “spent catalyst,” “coke dust,” and noxious gases, such as sulfur dioxide
13 and hydrogen sulfide.

14 35. If not properly captured, managed, processed, and/or disposed of, spent catalyst, coke
15 dust, and noxious gases—among many other toxic substances created through the refining
16 process—can be released into the environment and impact people and properties miles away from
17 the refinery, creating significant health and safety risks, including, without limitation, in the City
18 of Martinez.

19 36. Common symptoms that can arise from exposure to these materials include, without
20 limitation, breathing difficulties, congestion, upper respiratory tract issues, respiratory infections,
21 congestion, sinus issues, sinus pain, sinus pressure, sinus infection, coughing, coughing up blood,
22 ear aches, ear infections, phlegm, sneezing, itchy eyes, watery eyes, burning eyes, sore throat,
23 bloody nose, swelling, rash, hives, skin irritation, headaches, memory issues, brain fog, cognitive
24 impairment, neurological issues, fatigue, nausea, dizziness, vertigo, fainting, loss of balance,
25 stomach problems, digestive trouble, vomiting, diarrhea, difficulty sleeping, body aches, stomach
26 pain, abdominal pain, chest pain, asthma, asthma flare-up, heartburn, dehydration, fever, chills,
27 organ damage (including, without limitation, liver damage, kidney damage, lung damage, and heart
28 damage), anemia, cardiovascular diseases, pulmonary diseases, heart attack, stroke, high blood

1 pressure, increased cancer risk, cancer, genetic defects, pregnancy complications, premature birth,
2 miscarriage, and birth defects, as well as exacerbation of existing medical conditions, such as
3 bronchitis and asthma.

4 **1. Spent Catalyst.**

5 37. During the oil refining process, there are chemical catalysts that are used to increase
6 the efficiency of the refining process. Catalysts contain compounds that are hazardous to human
7 health, including heavy metals, and as the catalysts are used, they absorb additional contaminants,
8 including sulfur and additional heavy metals. After catalyst is used, it is referred to as “spent
9 catalyst.”

10 38. Under EPA regulations, spent catalyst is “hazardous waste.”

11 39. Spent catalyst needs to be removed from the refining process by the refinery operator
12 to avoid discharge into the surrounding environment.

13 40. Spent catalyst is known to cause significant health issues when it is discharged into the
14 environment, including, without limitation, breathing difficulties, congestion, upper respiratory
15 tract issues, respiratory infections, congestion, sinus issues, sinus pain, sinus pressure, sinus
16 infection, coughing, coughing up blood, ear aches, ear infections, phlegm, sneezing, itchy eyes,
17 watery eyes, burning eyes, sore throat, bloody nose, swelling, rash, hives, skin irritation, headaches,
18 memory issues, brain fog, cognitive impairment, neurological issues, fatigue, nausea, dizziness,
19 vertigo, fainting, loss of balance, stomach problems, digestive trouble, vomiting, diarrhea,
20 difficulty sleeping, body aches, stomach pain, abdominal pain, chest pain, asthma, asthma flare-up,
21 heartburn, dehydration, fever, chills, organ damage (including, without limitation, liver damage,
22 kidney damage, lung damage, and heart damage), anemia, cardiovascular diseases, pulmonary
23 diseases, heart attack, stroke, high blood pressure, increased cancer risk, cancer, genetic defects,
24 pregnancy complications, premature birth, miscarriage, and birth defects, as well as exacerbation
25 of existing medical conditions, such as bronchitis and asthma.

26 41. Because spent catalyst is generally released in an airborne, ash-like form, the spent
27 catalyst particulates can be inhaled and lodge in the nose, throats, sinuses, and lungs of people who
28

1 are within several miles of refinery, creating significant medical symptoms and complications, even
2 in the absence of heavy metals and other toxins.

3 42. Further, contact with the skin and eyes can lead to irritation, rashes, and burning,
4 among other symptoms, even in the absence of heavy metals and other toxins.

5 43. Spent catalyst can remain in homes, yards, and other surfaces for weeks, months, and
6 in some instances years, and can become airborne again, including from vacuuming, through the
7 fans in home air-conditioning and heating systems, by leaf blowers, wind and other similar
8 circumstance, causing new and/or repeated exposure even after the initial discharge date.

9 44. The PBF Martinez refinery creates large quantities of spent catalyst each year.

10 **2. Coke Dust.**

11 45. "Coke dust," which is also known as "petroleum coke" and "petcoke," is a material
12 created as a byproduct of the oil refining process. It has dust-like properties, and can be released
13 into the air during the refining process and/or when not properly stored.

14 46. Coke dust contains high levels of heavy metals, sulfur, and other toxins, and oftentimes
15 contains polycyclic aromatic hydrocarbon, a known carcinogen.

16 47. Coke dust has significant impacts on the heart and lungs and causes serious health
17 effects, including, without limitation, breathing difficulties, congestion, upper respiratory tract
18 issues, respiratory infections, congestion, sinus issues, sinus pain, sinus pressure, sinus infection,
19 coughing, coughing up blood, ear aches, ear infections, phlegm, sneezing, itchy eyes, watery eyes,
20 burning eyes, sore throat, bloody nose, swelling, rash, hives, skin irritation, headaches, memory
21 issues, brain fog, cognitive impairment, neurological issues, fatigue, nausea, dizziness, vertigo,
22 fainting, loss of balance, stomach problems, digestive trouble, vomiting, diarrhea, difficulty
23 sleeping, body aches, stomach pain, abdominal pain, chest pain, asthma, asthma flare-up, heartburn,
24 dehydration, fever, chills, organ damage (including, without limitation, liver damage, kidney
25 damage, lung damage, and heart damage), anemia, cardiovascular diseases, pulmonary diseases,
26 heart attack, stroke, high blood pressure, increased cancer risk, cancer, genetic defects, pregnancy
27 complications, premature birth, miscarriage, and birth defects, as well as exacerbation of existing
28 medical conditions, such as bronchitis and asthma.

48. When coke dust becomes airborne, the coke dust particulates can be inhaled and lodge in the nose, throats, sinuses, and lungs of people who are within several miles of refinery, creating significant medical symptoms and complications, even in the absence of heavy metals and other toxins.

49. Further, contact with the skin and eyes can lead to irritation, rashes, and burning, among other symptoms, even in the absence of heavy metals and other toxins.

50. Coke dust can remain in homes, yards, and other surfaces for weeks, months, and in some instances years, and can become airborne again, including from vacuuming, through the fans in home air-conditioning and heating systems, by leaf blowers, wind and other similar circumstance, causing new and/or repeated exposure even after the initial discharge date.

51. Coke dust is highly flammable and explosive, posing a hazard anywhere it lands. In addition, it is abrasive and can easily scratch surfaces including home and vehicle paint.

52. The PBF Martinez refinery creates large quantities of coke dust each year.

3. Noxious Gases.

53. Noxious gases, such as sulfur dioxide and hydrogen sulfide, are another common, toxic output from the refining process. Large amounts can be released during “flare ups” or “flaring events,” which occur when excessive gasses build up during the refining process.

54. Flare ups present health risks to the surrounding communities because of the presence of sulfur dioxide and hydrogen sulfide, among other toxic chemicals.

55. According to the Center for Disease Control, among other symptoms, “inhaling high levels [of sulfur dioxide] can cause swollen lungs and difficulty breathing. . . . Persons who have inhaled large amounts of sulfur dioxide might need to be hospitalized [and] damage to the lungs can occur, causing asthma, pneumonia, and bronchitis. Permanent damage to the lungs is possible.”⁷ Sulfur dioxide can also cause throat irritation, shortness of breath, and burning in the nose and throat. Sulfur Dioxide is an irritant to the mucous membranes causing inflammation and

⁷<https://wwwn.cdc.gov/TSP/MMG/MMGDetails.aspx?mmgid=249&toxid=46#:~:text=Inhaling%20sulfur%20dioxide%20causes%20irritation,can%20cause%20irritation%20or%20burns> (last visited July 23, 2024).

swelling in the respiratory system as well as redness, tearing, and burning in the eyes. The muscles in the airway can constrict when exposed to sulfur dioxide, which can cause chest pain and difficulty breathing especially in those with asthma or pre-existing conditions. Heavy exposure can lead to a lasting cough, higher risk of respiratory infections, asthma, and decreased lung function. Particularly at risk are children and the elderly since children have developing respiratory systems and higher breathing rates while the elderly have weaker respiratory and cardiovascular strength.

56. Hydrogen sulfide presents similar health concerns. For example, according to the Occupational Health and Safety Administration exposure can cause “fatigue, loss of appetite, headache, irritability, poor memory, dizziness” and “respiratory tract irritation,” and higher levels of exposure can cause “serious damage to the eyes,” “pulmonary edema,” “unconsciousness” and even death.⁸

57. The PBF Martinez refinery creates large quantities of noxious gases each year, including sulfur dioxide and hydrogen sulfide, including during flaring events.

C. PBF Martinez’s Operation of the Refinery Results in Repeated, Significant Hazardous Events.

58. Between November 2022 and December 2023,⁹ PBF Martinez’s operation of the refinery has resulted in at least 21 documented safety incidents, and dozens of air quality citations by the Bay Area Air Quality Management District.

59. These incidents have had widespread effects on the communities around the Martinez refinery, with at least the November 2022, July 2023, October 2023, and December 2023 incidents (collectively, the “Primary Toxic Releases”) each causing widespread exposure to toxic chemicals.

⁸ [https://www.osha.gov/hydrogen-sulfide/hazards#:~:text=Prolonged%20exposure%20may%20cause%20nausea,constriction\)%20in%20some%20asthma%20patients.&text=Possible%20fatigue%2C%20loss%20of%20appetite,irritability%2C%20poor%20memory%2C%20dizziness.&text=Slight%20conjunctivitis%20\(%22gas%20eye%22,tract%20irritation%20after%201%20hour](https://www.osha.gov/hydrogen-sulfide/hazards#:~:text=Prolonged%20exposure%20may%20cause%20nausea,constriction)%20in%20some%20asthma%20patients.&text=Possible%20fatigue%2C%20loss%20of%20appetite,irritability%2C%20poor%20memory%2C%20dizziness.&text=Slight%20conjunctivitis%20(%22gas%20eye%22,tract%20irritation%20after%201%20hour) (last visited July 23, 2024).

⁹ As further detailed below, PBF Martinez’ dangerous and unlawful conduct has continued into 2024.

1 **1. The Thanksgiving 2022 Event.**

2 60. On November 24 and 25, 2022, PBF Martinez released approximately twenty-four tons
3 of spent catalyst into the communities surrounding the Martinez refinery. As the post incident
4 reports have confirmed, the Thanksgiving release was the direct result of systemic safety failures
5 by PBF Martinez.

6 61. Many of the facts alleged in **Subsection IV.C.1.a-d** of this Complaint are based on the
7 findings of the *Independent Investigation of the Catalyst Release from Martinez Refining Company*
8 *on November 24-25, 2022* that was prepared for the Martinez Refining Company Oversight
9 Committee and published on March 27, 2024. A true and correct copy of the report is attached to
10 this Complaint as **Exhibit A**.

11 **a) The Safety Failures Leading up to the Thanksgiving Release.**

12 62. Beginning on November 21, 2022, PBF Martinez experienced a series of safety failures
13 in its Catalyst Cracking Unit that would ultimately lead to approximately twenty-four tons of spent
14 catalyst being released into the communities surrounding the refinery on November 24 and 25,
15 2022.

16 63. “Catalyst cracking” involves a multistep process for combining oils and catalysts at
17 high temperatures to promote the formation of certain petroleum products, but the process also
18 generates numerous other toxic gases and chemicals that must be closely monitored and controlled
19 to avoid catastrophic results.

20 64. At approximately 1:06 AM on **November 21, 2022**, an equipment failure in the
21 Catalyst Cracking Unit triggered a safety shutdown of certain components of refinery operations
22 while other operations continued.

23 65. Repairs were made in the Catalyst Cracking Unit, but in order to resume operations, a
24 portion of the Catalyst Cracking Unit needed to be re-heated to approximately 1,000 degrees
25 Fahrenheit.

26 66. The refinery attempted to reheat the Catalyst Cracking Unit at approximately 10:40
27 AM, but the pre-heating process did not work due to another equipment failure. A specialist
28 working for PBF Martinez was called in to make repairs to the pre-heating equipment, and “[f]rom

1 the time this Specialist began working [on November 21 through at least November 25, 2022] this
2 individual followed a pattern of working 22–25 hours, resting at home for a few hours, and then
3 returning to work another similarly long period[s].” Ex. A at 8.

4 67. While repairs were being made to the pre-heating process, the delay led to unstable
5 operating conditions developing within the Wet Gas Compressors that caused discharge and flaring
6 events from the refinery.

7 68. By 9:00 AM on **November 22**, the pre-heating issues were claimed to be fixed, and
8 PBF Martinez began the complicated, multi-day process of resuming complete operation of the
9 Catalyst Cracking Unit.

10 69. “Normally, the feed reintroduction procedure [for the Catalyst Cracking Unit] would
11 be conducted by two Console Operators [but instead the] fatigued Production Specialist took charge
12 of some . . . console operations.” Ex. A at 9.

13 70. The next known significant safety failure occurred on **November 24**, at approximately
14 6:29 AM, when the Stripper Slide Valve—a valve involved in the restart process—was switched
15 to manual mode. “Operating procedures call for the Stripper SV to be placed in Auto before
16 introduction of feed . . . [and the valve] should have been placed back in Auto,” but was not. Ex. A
17 at 12. As a result, when pressure surges occurred on November 24, the system could not
18 automatically adjust to the increased pressure, resulting in flaring.

19 71. The valve remained open throughout the day on November 24 despite the flaring and
20 despite shift changes that identified—but failed to correct—the deviation from the correct operating
21 procedures.

22 72. By the evening of November 24, the open valve caused an increase flow of catalyst
23 and the “high catalyst level overwhelmed the [system].” *Id.*

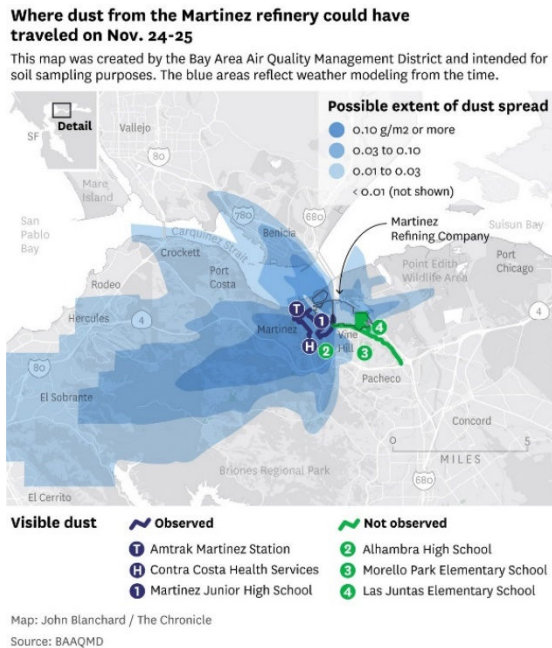
24 **b) The Spent Catalyst Release.**

25 73. At approximately 8:32 PM on November 24, 2022, a high-pressure alarm sounded, and
26 spent catalyst was released from the refinery into the surrounding communities through the
27 refinery’s smokestacks.
28

74. While the largest release of catalyst occurred between approximately 8:32 and 8:56 PM, “[o]ther than for a ten-minute period after midnight around 02:45 [on November 25], the [system] remained at high-high dP until shortly after 04:00 on November 25. During this period, catalyst passed . . . out the stack.” Ex. A at 9.

75. In total, approximately twenty-four tons of toxic spent catalyst were released into the surrounding communities by PBF Martinez.

76. Here is a map showing the approximate spread of the spent catalyst:



77. Here’s an example of spent catalyst accumultaing on a car in Martinez:



Figure 1: White, ash-like material deposited on a car near the corner of Berrellesa and Main Streets in Martinez.

78. Sampling of the spent catalyst discharge reflected significant concentrations of heavy metals and other toxins, including lead, mercury, aluminum, antimony, barium, chromium, cobalt, molybdenum, nickel, selenium, vanadium, and zinc.

79. Rather than warn residents of the harmful properties of the spent catalyst, PBF Martinez issued public statements, including through Facebook, claiming that the discharge was non-toxic and could simply be washed away with water.

80. In reality, the discharge was highly toxic, and remained present in the environment. Indeed, months after the discharge, local authorities warned residents against eating fruit and vegetables grown in their yards due to the contamination.

c) Failure to Report.

81. Despite the multiple alarms and warnings that were triggered at the refinery during the November 24 and 25 incident, during a subsequent investigation, Contra Costa County Health found that PBF Martinez was unaware that any release occurred and did not notify any emergency responders of the release. It further found that PBF Martinez did not use the County's Community Warning System (CWS) or other means to notify any emergency responders or the public of the incident on November 24 or on November 25.

82. According to Contra Costa County Deputy Health Director Matt Kaufman, PBF Martinez' "failure to follow notification procedure cost us critical time we could have used to warn the public and reduce health risks in the community. It's unacceptable."¹⁰

83. Board of Supervisor Chair John Gioia agreed: "It is unacceptable that the refinery did not notify County Health Services of their chemical release and that the County learned about it through the media. By failing to notify the County in a timely manner, the refinery delayed an emergency response that could have reduced harm to the surrounding community."¹¹

¹⁰<https://sfist.com/2022/12/10/dramatic-flaring-and-smoke-plumes-at-martinez-oil-refinery-alarm-community/> (last visited July 23, 2024).

¹¹<https://www.cbsnews.com/sanfrancisco/news/martinez-thanksgiving-refinery-release-coco-health-department-urges-da-to-pursue-legal-action/> (last visited July 23, 2024).

84. As PBF Martinez noted in its post incident *Root Causes Analysis Report*, “[t]here was (and currently is) no mechanism to alert [PBF Martinez] personnel to the potential that an opacity event might result in a release of catalyst into the community. As a result, there is a lack of awareness among [PBF Martinez] personnel that a high differential pressure in the [system] could result in catalyst carryover that could be released into the community.” At p. 3.

85. Said differently, PBF Martinez did not have an adequate process or procedure in place to identify and timely report the large-scale discharge of spent catalyst into residential areas surrounding the refinery.

d) The Post Incident Reports and Root Cause Analysis.

86. Multiple organizations conducted investigations after the November 24 and 25 spent catalyst discharge, including local law enforcement, the FBI, the EPA, the Bay Area Air Quality Management District, the Contra Costa Health Service Hazardous Material Program, and PBF Martinez itself.

87. One of the most comprehensive and publicly available reports prepared from the post incident investigations was the *Independent Investigation of the Catalyst Release from Martinez Refining Company on November 24-25, 2022* that was prepared for the Martinez Refining Company Oversight Committee and published on March 27, 2024. A copy of the *Independent Investigation* is attached as Exhibit A.

88. The *Independent Investigation* found multiple root causes for the November 24 and 25 incident, including:

- PBF Martinez’s emergency preparedness plans did not adequately identify the scope of the potential community impact from a spent catalyst discharge.
- PBF Martinez had inadequate internal policies and procedures to address the November 24 and 25 incident.
- PBF Martinez had established practices by employees that “deviat[ed] from written procedures.” Ex. A at p. 18.
- PBF Martinez had significant “[g]aps in [its] training program,” including that the “operator training system did not include rationale for process alarms which

could lead to a process safety event without proper operator response” and that “[t]he operator training system did not include the information needed to understand how instruments fail, simple troubleshooting methods, and when to call an instrument technician.” *Id.* at 19-20.

- PBF Martinez’s “policy for managing fatigue” did not apply to “salaried personnel performing safety sensitive work.” *Id.* at 20.

89. Put simply, PBF Martinez failed to take adequate steps to ensure that toxic spent catalyst would not be discharged into the communities around the refinery, and once that discharge did occur, PBF Martinez failed to take appropriate steps to mitigate the harm from the release.

2. The December 2022 Event.

90. On December 9, 2022, the refinery experienced a larger than usual flaring event, which was unsettling to many people who live in the area.

91. Here is an image reflecting the flaring:



92. Contra Costa County investigated this incident and noted that it was “taking these events very seriously, and we’re investigating the events to the fullest of our ability to completely

1 understand the impacts that have happened to the community and taking all the steps necessary to
2 be able to hold the refinery accountable for any regulatory statutes they've violated."¹²

3 93. Defendant PBF Energy Martinez reported to officials on the scene that the flaring was
4 likely caused by "the failure of a compressor."¹³

5 94. Noxious gasses were reported to Contra County Health, which "received complaints
6 from residents in the greater Martinez area about a strong odor and deployed its hazmat response
7 team to investigate, later calling for the incident to be elevated" in severity.¹⁴

8 3. The July 2023 Coke Dust Releases.

9 95. On July 11, 2023, PBF Martinez once again released toxic chemicals into the
10 residential communities near the refinery; this time the releases consisted primarily of coke dust.

11 96. According to PBF Martinez, the July 11 release was caused by employees moving "hot
12 coke . . . from a drum into a coke pit where it contacted water, creating steam with petroleum coke
13 dust which was *carried by wind into the residential area east of the refinery.*" (Emphasis added.)¹⁵

14 97. Despite the release into "the residential area east of the refinery" occurring
15 approximately 8:52 AM, PBF Martinez did not activate the County's Community Warning System
16 until approximately 10:20 AM.¹⁶

17 98. This delay meant that residents had no warning to take preventative measures to avoid
18 exposure while the coke dust was still largely airborne. For residents who were outside during the
19 release, this delay was devastating.

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21
22 ¹²<https://www.nbcbayarea.com/news/local/east-bay/contra-costa-county-investigates-martinez-refinery/3108846/#:~:text=%22We%20are%20taking%20these%20events,ve%20violated%2C%22%20said%20Nicole> (last visited July 23, 2024).

24 ¹³ <https://www.cityofmartinez.org/Home/Components/News/News/152/> (last visited July 23, 2024).

25 ¹⁴ <https://www.cbsnews.com/sanfrancisco/news/flaring-incident-underway-at-martinez-refining-company-strong-odor-felt-for-miles/> (last visited July 23, 2024).

27 ¹⁵ PBF Martinez's July 14, 2023 Incident Report Regarding July 11, 2023 Release.

28 ¹⁶ *Id.*

1 99. After the July 11, 2023, release Congressman John Garamendi warned that PBF
2 Martinez has “a very, very bad record. . . . [T]hey’ve got an operational problem. They’ve got a
3 safety problem. And they absolutely have to address it.”¹⁷

4 100. PBF Martinez, however, did not heed Congressman Garamendi’s warning, and on July
5 22, 2023, less than two weeks later, the Contra Costa County Health Department reported another
6 release of coke dust by PBF Martinez.

7 101. Sampling of the July 2023 discharges reflected that the coke dust contained lead,
8 mercury, antimony, barium, chromium, cobalt, nickel, vanadium, and zinc, among other toxins.

9 102. PBF Martinez did not take any steps to warn residents of the harmful properties of the
10 coke dust to help them avoid harm.

11 4. The October 2023 Event.

12 103. On October 6, 2023, PBF Martinez once again released toxic chemicals into the
13 surrounding residential communities, again primarily consisting of coke dust.

14 104. In its post incident report to Contra Costa Health Services, PBF Martinez claimed that
15 the release was caused during a maintenance event.

16 105. The October 6 release—the third known significant coke dust release in 2023 by PBF
17 Martinez—lead the San Jose Mercury News to publish an article titled “A disturbing new normal:
18 Why have the chemical releases at the Martinez refinery continued? Last week’s black dust merely
19 the latest in a year-long series of incidents.” As detailed in the article, residents have been leaving
20 home to find toxic dust on “property, animals, cars” with one mother even finding her child’s
21 stroller covered in “black dust.”¹⁸

22 106. The consequences of the October 6 release were once again severe for the surrounding
23 communities.

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25
26 ¹⁷ <https://abc7news.com/martinez-refining-company-petroleum-coke-release-air-quality-east-bay/13490104/> (last visited July 23, 2024).

27 ¹⁸ <https://www.mercurynews.com/2023/10/09/a-disturbing-new-normal-why-have-chemical-releases-at-martinez-refinery-continued/> (last visited July 23, 2024).

107. The coke dust contained lead, mercury, antimony, barium, chromium, cobalt, nickel, vanadium, and zinc, among other toxins.

108. Once again, PBF Martinez did not take any steps to warn residents of the harmful properties of the coke dust to help them avoid harm.

5. The December 2023 Event.

109. On December 15, 2023, the PBF Martinez refinery once again experienced another safety event that exposed the surrounding communities to toxic chemicals. This time the safety event took the form of a “level 2 flaring” incident, one of at least 46 documented “flaring incidents” since November 2022.¹⁹

110. The Governor’s Office of Emergency Services stated that the release was caused by a failed “steam generator” which caused a system upset.²⁰ Contra Costa County issued a health advisory advising the community to stay indoors due to the health effects of the gasses.

111. The release could be smelled as far as 11 miles away, with visible dust in the surrounding area and, small rumbling akin to a small earthquake.

112. According to Contra Costa Health, this sulfurous rotten-egg smell which was reported at length, is a tell-tale sign of the “Hazardous Substances,” including sulfur dioxide, which are stored and produced at PBF Martinez’s refinery.²¹

113. Exposure to sulfur dioxide causes irritation to the eye, nose, and throat, and heavy exposure, such as the type that occurred on December 15, 2023, can severely and permanently damage lungs.

¹⁹ <https://localnewsmatters.org/2023/12/29/contra-costa-supes-deliver-letter-outlining-demands-ultimatum-to-martinez-refinery/> (last visited July 23, 2024).

²⁰ <https://sfist.com/2023/12/15/martinez-refinery-flaring-again-town-currently-reeks-of-sulfur/> (last visited July 23, 2024).

²¹ <https://www.cchealth.org/home/showpublisheddocument/365/638237434198470000> (last visited July 23, 2024).

D. PBF Martinez’s Conduct Has Resulted in Ongoing Federal, State, and Local Government Investigations and Repeated Citations.

114. The issues came to such a head that the FBI, DOJ, EPA, state, and local governments have all brought investigations into PBF Martinez’s conduct.

115. For example, news sources have reported that the Contra Costa District Attorney’s office opened a case against PBF Martinez regarding PBF’s failure to notify officials about the hazardous release of contaminants.

116. As one resident living near the PBF Martinez refinery put it: “We know our D.A. is pursuing criminal charges, but we’ve been told that’s going to be months down the road. So, to see the feds show up, oh my God! Hallelujah!”²²

117. The investigations have also resulted in repeated citations. For example, the Bay Area Air Quality Management District has issued PBF Martinez over 100 citations between June 2021 and July 2023.

E. PBF Martinez’s Operation of the Refinery Presents an Ongoing Safety Risk.

118. Despite repeated promises by PBF Martinez in 2022 and 2023 that it was correcting the safety issues at its refinery, the safety violations have continued in 2024.

119. For example, in February 2024, PBF Martinez had additional flaring incidents and coke dust releases.

120. In March 2024, Congressman Mark DeSaulnier held a town hall, where one resident reported that “[o]n any given day, I could walk out of my door and I smell gasoline or I smell rotten eggs. And we’re constantly left wondering, what is that?”²³

121. In May 2024, PBF Martinez stated that it expected to have flaring events throughout the month.

122. And in September 2024, PBF Martinez had additional unplanned flaring events.

²² <https://www.yahoo.com/news/fbi-investigating-hazardous-fallout-bay-202517559.html> (last visited July 23, 2024).

²³ <https://abc7news.com/martinez-refining-company-mark-desaulnier-reinfery-flaring-events-town-hall-meeting/14571427/> (last visited July 23, 2024).

1 123. Put simply, PBF Martinez's problematic, toxic, and dangerous practices are ongoing
2 and present a continued threat to Plaintiffs and others in the areas around the refinery.

3 **F. PBF Martinez Acted with Malice, Oppression, and Fraud.**

4 124. As detailed in this Complaint, PBF Martinez has acted with malice, oppression and
5 fraud.

6 125. PBF Martinez acted with malice, because, among other reasons and as otherwise
7 detailed in this Complaint, PBF Martinez's conduct was despicable and was done with a willful and
8 knowing disregard of the rights and safety of the communities surrounding the refinery, the public,
9 and each of the Plaintiffs. PBF Martinez acted with knowing disregard of the probable and
10 dangerous consequences of its conduct in operating the refinery without adequate safety measures
11 to protect the communities surrounding the refinery, the public, and each of the Plaintiffs, and
12 deliberately failing to address the safety problems even after repeated safety lapses that injured
13 thousands and that led to federal, state, and local government investigations of the refinery.

14 126. PBF Martinez's conduct was oppressive because, among other reasons and as
15 otherwise detailed in this Complaint, it was despicable and subjected Plaintiffs to cruel and unjust
16 hardship in knowing disregard of their rights, including by repeatedly discharging spent catalyst,
17 coke dust, and noxious gases onto their properties and causing Plaintiffs to individually be exposed
18 to those toxins, resulting in significant injuries.

19 127. PBF Martinez's conduct was fraudulent, because, among other reasons and as
20 otherwise detailed in this Complaint, PBF Martinez intentionally concealed its lack of adequate
21 safety precautions from the public, the communities surrounding the refinery, the government, and
22 Plaintiffs, and intentionally misled the public by claiming that the Primary Toxic Discharges were
23 not harmful and/or otherwise intentionally concealed the true nature of the Primary Toxic
24 Discharges.

25 **G. The Impact on the Refinery's Toxic Discharges on Plaintiffs.**

26 128. As a direct and legal result of the Primary Toxic Discharges, Plaintiffs have each
27 suffered damages and actual injury, including but not limited to exposure to harmful and hazardous
28

1 substances such as spent catalyst, coke dust, and noxious gases, which has resulted in present
2 medical injuries and can result in the future development of diseases.

3 129. Further, Plaintiffs have each suffered an unauthorized intrusion into their homes and
4 real properties by PBF Martinez in the form of spent catalyst, coke dust, noxious gases, and/or other
5 materials discharged by the refinery.

6 130. Details regarding each Plaintiff's exposure to the Primary Toxic Discharges and
7 resulting injuries are included in Paragraphs 131 to 2667, which are appended in Section V to the
8 end of this Complaint for ease of reading.

9 **VI. CAUSES OF ACTION**

10 **A. FIRST CAUSE OF ACTION: NEGLIGENCE.**

11 2668. Plaintiffs incorporate by reference Paragraphs 1 to 2667 of this Complaint as though
12 fully set forth herein.

13 2669. At all relevant times, PBF Martinez owned, operated, inspected, controlled,
14 managed, and/or maintained the refinery.

15 2670. At all relevant times prior to the incidents described in this Complaint, PBF Martinez
16 had the duty to exercise the utmost care and diligence in the ownership, design, operation,
17 management, supervision, inspection, maintenance, repair, and/or control of the refinery in
18 compliance with federal, state and local law, federal, state and local regulations, and industry
19 standards, so as not to cause harm to individuals or property.

20 2671. As described above, PBF Martinez negligently, carelessly, recklessly, and/or
21 unlawfully operated, managed, supervised, maintained, repaired, and/or controlled the refinery,
22 including but not limited to failing to properly store materials containing highly hazardous and
23 toxic chemicals and metallic substances.

24 2672. PBF Martinez also knew, or should have known, that failure to maintain, inspect,
25 and/or repair the refinery facilities would reasonably increase the probability of a catastrophic
26 event, such as an uncontrollable harmful release of spent catalyst, coke dust, and/or noxious gases
27 which foreseeably would lead to injuries to the health and safety of Plaintiffs and damage to
28 personal and real property.

1 2673. Further, PBF Martinez knew, or should have known, that failure to have established
2 plans, processes, and/or protocols to address such an event and the subsequent clean up would
3 reasonably increase the probability of a sustained catastrophic event, which foreseeably would lead
4 to and/or increase injuries to the health and safety of Plaintiffs and increase damage to personal and
5 real property.

6 2674. PBF Martinez also knew, or should have known, that failure to immediately notify
7 government officials, the media, the public, and Plaintiffs of each release foreseeably would lead
8 to and/or increase injuries to the health and safety of Plaintiffs and increase damage to personal and
9 real property.

10 2675. In failing to take protective measures to safeguard against the danger, PBF Martinez
11 created a substantial risk of injury to Plaintiffs and the individuals living, working, and/or otherwise
12 in close proximity to the refinery.

13 2676. As a direct and legal result of the wrongful acts and/or omissions of PBF Martinez,
14 Plaintiffs have suffered damages and actual injury, including but not limited to exposure to harmful
15 and hazardous substances such as spent catalyst, coke dust, and noxious gases, which has resulted
16 in present medical injuries and can result in the future development of diseases in the exposed
17 population. Those diseases can be mitigated through medical monitoring to provide early diagnosis
18 and treatment.

19 2677. As a direct and legal result of the wrongful acts and/or omissions of PBF Martinez,
20 Plaintiffs have incurred, and will continue to incur, medical and incidental expenses for such
21 examination, treatment, rehabilitation, care and medical monitoring.

22 2678. Plaintiffs are entitled to compensatory damages, including but not limited to general
23 damages for pain, suffering, fear, worry, annoyance, discomfort, disturbance, inconvenience,
24 mental anguish, and emotional distress.

25 2679. In failing to take protective measures to safeguard against the danger, the officers,
26 directors and/or managing agents of PBF Martinez acted with a willful and/or knowing disregard
27 of the probable dangerous consequences, and/or acted with an awareness of the probable dangerous
28

1 consequences of their conduct and deliberately failed to avoid those consequences, thereby creating
2 a substantial risk of injury to Plaintiffs.

3 2680. Plaintiffs are entitled to punitive and exemplary damages in an amount to be
4 ascertained which is appropriate to punish or set an example of PBF Martinez and deter such
5 behavior by PBF Martinez and others in the future.

6 **B. SECOND CAUSE OF ACTION: PUBLIC AND PRIVATE NUISANCE**

7 2681. Plaintiffs incorporate by reference Paragraphs 1 to 2667 of this Complaint as though
8 fully set forth herein.

9 2682. PBF Martinez has created and continues to create a public and private nuisance in
10 violation of California Civil Code §§ 3479 and 3480.

11 2683. PBF Martinez, through its acts and failures to act, has created a condition and
12 allowed a condition to exist that harms the health of residents and workers in the community,
13 including Plaintiffs. PBF Martinez's operations have exposed Plaintiffs to excessive levels of spent
14 catalyst, coke dust, noxious gases, as well as other chemicals and toxins that are hazardous to human
15 health.

16 2684. PBF Martinez through its acts and failures to act, have also created a condition or
17 allowed a condition to exist that has obstructed free use of property, so as to interfere with its
18 comfortable enjoyment. When Plaintiffs find property covered with ash and soot from PBF
19 Martinez's operations, they are alarmed and concerned that they had been exposed to toxic
20 substances that were not only noxious but could increase the risk of cancer, among other conditions.
21 Their concerns have only been confirmed by subsequent testing by the County which established
22 that PBF Martinez's discharges are contaminated with heavy metals. This interference is both
23 significant and unreasonable.

24 2685. PBF Martinez's toxic emissions have affected a substantial number of people at the
25 same time.

26 2686. Ordinary people are reasonably disturbed by exposure to the refinery's toxic
27 emissions.
28

1 2687. Plaintiffs are suffering harm that is greater and significantly different from the type
2 suffered by the general public. For example, PBF Martinez's toxic emissions are localized and do
3 not affect all Bay Area residents equally. Moreover, those living closer to the refinery are affected
4 the most.

5 2688. The seriousness of PBF Martinez's toxic emissions and the harm suffered by
6 Plaintiffs outweigh the social utility of PBF Martinez's conduct.

7 2689. At no point have Plaintiffs consented to PBF Martinez's harmful conduct.

8 2690. PBF Martinez's conduct is a substantial factor in causing Plaintiffs special harm in
9 direct relation to proximity to the refinery.

10 2691. PBF Martinez owed and continues to owe a duty to Plaintiffs to take reasonable
11 steps to prevent and/or abate the interference with common public rights and/or the invasion of the
12 private interests of Plaintiffs.

13 2692. Plaintiffs therefore seek a judicial declaration that PBF Martinez has been and
14 continue to be a public nuisance, in violation of California Civil Code §§ 3479 and 3480, and seeks
15 all available monetary remedies and all other remedies available.

16 **C. THIRD CAUSE OF ACTION: PREMISES LIABILITY**

17 2693. Plaintiffs incorporate by reference Paragraphs 1 to 2667 of this Complaint as though
18 fully set forth herein.

19 2694. PBF Martinez is the owner of the real property from which spent catalyst, coke dust,
20 noxious gases, and /or our other contaminants originated.

21 2695. PBF Martinez acted wantonly, unlawfully, carelessly, recklessly, and/or negligently
22 in failing to properly inspect, manage, maintain, and/or control the industrial equipment/activities
23 on the real property and easement(s), allowing an unsafe condition presenting a foreseeable risk of
24 contamination spreading danger to exist on said property.

25 2696. As a direct and legal result of the wrongful acts and/or omissions of PBF Martinez,
26 Plaintiffs suffered, and continue to suffer, the injuries and damages as set forth herein.

27 2697. PBF Martinez's conduct was willful and wanton, and done with a conscious
28 contempt and disdain for the disastrous consequences that PBF Martinez knew could occur as a

1 result of its dangerous conduct. Accordingly, PBF Martinez acted with malice towards Plaintiffs,
 2 and therefore, Plaintiffs seek the recovery of punitive and exemplary damages against PBF
 3 Martinez, as set forth herein.

4 **D. FOURTH CAUSE OF ACTION: TRESPASS²⁴**

5 2698. Plaintiffs incorporate by reference Paragraphs 1 to 1958 of this Complaint as though
 6 fully set forth herein.

7 2699. Plaintiffs were the owners, tenants, and/or lawful occupants of their real property,
 8 and exercise exclusive ownership and/or control over their property.

9 2700. PBF Martinez's intentional, reckless, and/or negligent conduct, as described above
 10 in this Complaint, has caused Plaintiffs' properties to be invaded by spent catalyst, coke dust,
 11 noxious gases, and /or our other contaminants that originated at the refinery, and has interfered with
 12 Plaintiffs' right of exclusive possession of their property.

13 2701. Plaintiffs did not grant permission for PBF Martinez's conduct and did not consent
 14 to allowing spent catalyst, coke dust, noxious gases, and /or our other contaminants that originated
 15 at the refinery onto their properties.

16 2702. As a direct and legal result of the wrongful conduct of PBF Martinez, Plaintiffs have
 17 suffered and will continue to suffer damages as set forth above, including, without limitation by:
 18 (a) causing Plaintiffs to remain inside their homes and forego use of their yards; (b) causing
 19 Plaintiffs to keep doors and windows closed when weather conditions otherwise would not so
 20 require (c) causing Plaintiffs annoyance, discomfort, embarrassment, and reluctance to invite guests
 21 to their homes; (d) blanketing Plaintiffs' homes, yards and personal property with dust and other
 22 toxic contaminants which requires unnecessary and repetitive cleaning and associated costs; (e)
 23 causing physical damage to Plaintiffs' real and personal property, including but not limited to
 24 through chipping, pitting, sedimentation, corrosion, destruction, and waste to gardens, lawns, soil,
 25 and other flora, among others; and (f) adverse impacts on the value of their property.

26
 27
 28 ²⁴ The trespass cause of action is not alleged on behalf of the Non-Resident Plaintiffs, as defined
 in Paragraph 1959.

1 2703. PBF Martinez's conduct was willful and wanton, and done with a conscious
2 contempt and disdain for the disastrous consequences that PBF Martinez knew could occur as a
3 result of its dangerous conduct. Accordingly, PBF Martinez acted with malice towards Plaintiffs,
4 and therefore, Plaintiffs seek the recovery of punitive and exemplary damages against PBF
5 Martinez, as set forth herein.

6 **E. FIFTH CAUSE OF ACTION: STRICT LIABILITY FOR ULTRA**
7 **HAZARDOUS ACTIVITIES²⁵**

8 2704. Plaintiffs incorporate by reference Paragraphs 1 to 2667 of this Complaint as though
9 fully set forth herein.

10 2705. At all times herein, the PBF Martinez was the owner and operator of the refinery.

11 2706. At all times relevant to this action, the PBF Martinez had supervision, custody, and
12 control of the refinery. The refinery is within close proximity to several residential communities in
13 Martinez, Benicia, and Richmond, and is in a densely populated area with thousands of residents.

14 2707. PBF Martinez was and continues to be engaged in an ultrahazardous activity by
15 producing, handling, transporting, housing, and distributing products that contain hazardous
16 chemicals, including but not limited to aluminum, barium, chromium, nickel, vanadium, and zinc
17 at the refinery. PBF Martinez actively engaged in an ultrahazardous activity by coupling a refining
18 process technology that is prone to internal leaks of flammable gas mixtures with emissions
19 technology prone to igniting flammable gases. This activity is perilous and likely to cause injury
20 regardless of the utmost care used. Petroleum refining involves risks of serious harm, including
21 exposing residents to harmful chemicals, which cannot be mitigated by the exercise of due care.

22 2708. The events of November 24 and 25, 2022, and the repeated chemical release events
23 since then, demonstrate that PBF Martinez is incapable of exercising due care to mitigate the
24 refinery's incidents thereby mitigating the risk of toxic exposure to Plaintiffs. PBF Martinez
25 contends that its equipment failure was not reasonably preventable. PBF Martinez further contends
26

27 ²⁵ To the extent there is any inconsistency between Plaintiffs' allegations under this cause of action,
28 and Plaintiffs' other causes of action, Plaintiffs expressly note that they are entitled to plead their
claims in the alternative pursuant to Federal Rule of Civil Procedure, Rule 8(d)(2)-(3).

1 that it was incapable of controlling the releases between November 21 to November 25, 2022. No
2 amount of due care allowed PBF Martinez to mitigate.

3 2709. Nearby residents, those working in the area, and others passing through a high
4 degree of risk of serious harm to their person due to potential exposure to chemicals from the
5 refinery. Petroleum refining is not a matter of common usage and is not carried on by the great
6 mass of mankind. Petroleum refining is neither commonplace nor customary.

7 2710. Refineries are not pervasive in California and have not become commonplace in the
8 State. Currently, there are only fifteen petroleum refineries in operation. Seven are in Los Angeles
9 County, four are in Contra Costa County, three are in Kern County and one is in Solano County. In
10 California, petroleum refineries are relatively few in number and are engaged in a specialized
11 activity not carried out generally by the public. Petroleum refining is not a matter of common usage.
12 PBF Martinez's historical lack of maintenance and history of catastrophic and repeated flaring have
13 all contributed to the ultrahazardous nature of the refinery's activity.

14 2711. Industrial facilities such as the PBF Martinez refinery are required by state and
15 county law to immediately report the release or suspected release of hazardous materials to
16 emergency response authorities, including the county's Community Warning System, which sends
17 text and telephone messages with emergency instructions to affected parts of the county.

18 2712. It is very likely that the harm resulting from a hazardous release in a high
19 consequence area near a major population center would be hazardous because airborne toxic gases
20 or powders can travel quickly and great distances, making total containment impossible. The risk
21 in such a setting cannot be eliminated by the exercise of reasonable care.

22 2713. Petroleum refining adjacent to a major population center is completely inappropriate
23 and inherently dangerous. Any value to the community of the processes involved in petroleum
24 refining is far outweighed by the inherent danger of such an activity to the surrounding populace.

25 2714. It was not merely the sensitive geographic area that elevated the hazardousness of
26 the PBF Martinez's activities, but also PBF Martinez's numerous failures to follow the notification
27 procedure and to maintain pollution control and warning equipment in operational condition at all
28

1 times. As a result, PBF Martinez's ultrahazardous activities did exactly what should have been
2 expected—caused substantial harm to the Plaintiffs.

3 2715. PBF Martinez's operation of the refinery was a substantial factor in causing the
4 harms suffered by Plaintiffs.

5 2716. The harm to Plaintiffs was and is the kind of harm that would be reasonably
6 anticipated as a result of the risks created by PBF Martinez engaging in the process of petroleum
7 refining near a large population center and commuter zone.

8 2717. As a direct and legal result of the wrongful acts and/or omissions of PBF Martinez,
9 Plaintiffs have suffered damages, including but not limited to exposure to harmful and hazardous
10 substances such as spent catalyst which can result in the future development of disease, including
11 cancers, in the exposed population.

12 2718. As a direct and legal result of the wrongful acts and/or omissions of PBF Martinez,
13 Plaintiffs have incurred, and will continue to incur, medical and incidental expenses for such
14 examination, treatment, rehabilitation, and care, all in an amount according to proof.

15 2719. Plaintiffs are entitled to compensatory damages, including but not limited to general
16 damages for pain, suffering, fear, worry, annoyance, discomfort, disturbance, inconvenience,
17 mental anguish, and emotional distress.

18 2720. In failing to take protective measures to safeguard against the danger, the officers,
19 directors and/or managing agents of PBF Martinez acted with a willful and/or knowing disregard
20 of the probable dangerous consequences, and/or acted with an awareness of the probable dangerous
21 consequences of its conduct and deliberately failed to avoid those consequences, thereby creating
22 a substantial risk of injury to Plaintiffs.

23 2721. Plaintiffs are also entitled to punitive and exemplary damages in an amount to be
24 ascertained, which is appropriate to punish or set an example of PBF Martinez and deter such
25 behavior by PBF Martinez and others in the future.

26 **VII. PRAYER FOR RELIEF**

- 27 1. A judgment in favor of Plaintiffs on all claims;
- 28 2. For compensatory and general damages;

3. An award to Plaintiffs for the amount of damages, including personal injuries;
4. Past and future medical expenses and incidental expenses;
5. Medical monitoring;
6. Loss of wages, earning capacity, and/or business profits or proceeds;
7. General damages for fear, worry, annoyance, discomfort, disturbance, inconvenience, mental anguish, and emotional distress;
8. An award to Plaintiffs of punitive and exemplary damages;
9. All costs of suit, including attorneys' fees and related costs;
10. For pre- and post-judgment interest at the legal rate on all amounts awarded; and
11. An injunction barring PBF Martinez's unlawful and unsafe operation of the refinery.
12. For all other relief as this Court may deem just and proper.

Dated: November 22, 2024

Respectfully submitted,

Reza Torkzadeh, SBN 249550
 Scott King, SBN 321218
TORKLAW
 18650 MacArthur Blvd., Ste 300
 Irvine, CA 92612
 Telephone: (949) 313-7733
 Facsimile: (800) 979-0262
 E-mail: reza@torklaw.com
 E-mail: scott@torklaw.com

/s/ C. Brooks Cutter
 C. Brooks Cutter, SBN 121407
 Wesley M. Griffith, SBN 286390
 Jennifer S. Domer, SBN 305822
CUTTER LAW P.C.
 401 Watt Avenue
 Sacramento, CA 95864
 Telephone: (916) 290-9400
 Facsimile: (916) 588-9330
 E-mail: bcutter@cutterlaw.com
 E-mail: wgriffith@cutterlaw.com
 E-mail: jdomer@cutterlaw.com

Attorneys for Plaintiffs

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial by jury on all of the triable issues within this Complaint.

Dated: November 22, 2024

Respectfully submitted,

Reza Torkzadeh, SBN 249550
Scott King, SBN 321218
TORKLAW
18650 MacArthur Blvd., Ste 300
Irvine, CA 92612
Telephone: (949) 313-7733
Facsimile: (800) 979-0262
E-mail: reza@torklaw.com
E-mail: scott@torklaw.com

/s/ C. Brooks Cutter
C. Brooks Cutter, SBN 121407
Wesley M. Griffith, SBN 286390
Jennifer S. Domer, SBN 305822
CUTTER LAW P.C.
401 Watt Avenue
Sacramento, CA 95864
Telephone: (916) 290-9400
Facsimile: (916) 588-9330
E-mail: bcutter@cutterlaw.com
E-mail: wgriffith@cutterlaw.com
E-mail: jdomer@cutterlaw.com

Attorneys for Plaintiffs

V. PLAINTIFF SPECIFIC ALLEGATIONS

A. Homeowner Plaintiffs.

131. Plaintiffs Nicholas Bepler, Mark Bolding, Kelly Brooks, Mark Bruno, Zoe Carpenter, Terri Chamberlain, Kimberly Chatman, Cheryl Cole, Vicki Conway, Charles Cox Jr., Cameron Cox, Phyllis D'Alo, Vincent D'Alo, Eloisa De Zermeno, Robert Dempster, Brittany Dillard, Denise Dudley, Jenny Elvin, Nathaniel English, Melissa Fail, Joseph Fleming, Jim Fredericks, David Fuller, Karissa Gerhke, Daniel Goldwater, Virginia Gonzales, Rosemarie Griffin, Charles Harrington, Robert Hays, Tina Hill, Susan Huerta, Michael Katz, Lois Kaya, Naomi Lile, Melyssa Liljeqvist, Patricia Lincoln, Lizabeth Linn, Kathy Lowe, Dean Lumia, Diana Luna, Anna Martinez, Kristin McCray, Richard McDonald, Timothy Mitchell, Rosita Molina, Jennifer Moore, Daniel Napier, Lisa Osage, Steven Padilla, Clover Porche, Rosemarie Ratto, Consuela Reyola, Carol Rose, Carmelo M. Salgado, Leonard Serpa, Christine Shannon, Kara Silverfoote, Sheldon Slad, John Sommer, Salina Stephenson, Teri Stoneham, Christopher Thompson, Donna Vanni, Lucas Vernon, Denise Waters, Deborah Wignall, Allen Wilkinson, and Andrea Wright are referred to collectively as the "Homeowner Plaintiffs."

1. Plaintiff Nicholas Bepler.

132. At all times relevant to this action, Plaintiff Nicholas Bepler was over the age of 18 and was a resident of Martinez, California.

133. Plaintiff Nicholas Bepler owned a residence, which was approximately 1/4 mile from the refinery.

134. Bepler was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

135. Among other things, he recalls seeing dust fall from the sky

136. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Bepler was physically harmed.

137. Among other things, Bepler began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties,

1 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes,
2 headaches, sinus pain, pressure, and loss of balance.

3 138. The November 24 and 25, 2022, discharge also entered Bepler's residence, including
4 dust.

5 139. The trespass by PBF Martinez interfered with Bepler's ability to use and enjoy the
6 residence and caused injury to Bepler and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 140. Needless to say, the trespass by PBF Martinez to Bepler's real property was
9 unauthorized.

10 141. Bepler was also present at his residence for the July 2023, October 2023, and December
11 2023 releases.

12 142. In each instance, he was exposed to toxins from the refinery's discharges.

13 143. As a result of his exposure to the 2023 discharges from the refinery, Bepler was
14 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
15 chest pain, dizziness, itchy, watery, burning eyes, and vertigo that were directly caused by the
16 reoccurring discharges in 2023.

17 144. The 2023 discharges also entered Bepler's residence, including dust, ash, and a strong
18 smell.

19 145. The trespasses by PBF Martinez interfered with Bepler's ability to use and enjoy the
20 residence and caused injury to Bepler and damage to the property including by decreasing the value
21 of the property as a result of contamination.

22 146. Needless to say, the trespasses by PBF Martinez to Bepler's real property were
23 unauthorized in each instance.

24 147. Additionally, the health effects on Bepler from the discharges have caused him to suffer
25 lost wages, income, and/or business opportunities.

26 **2. Plaintiff Mark Bolding.**

27 148. At all times relevant to this action, Plaintiff Mark Bolding was over the age of 18 and
28 was a resident of Martinez, California.

1 149. Plaintiff Mark Bolding owned a residence, which was approximately 1 mile from the
2 refinery.

3 150. Bolding was present at their residence for the November 24 and 25, 2022 release from
4 the refinery, and was exposed to the toxic discharge from the refinery.

5 151. Among other things, he recalls seeing ash on his car.

6 152. As a result of his exposure to the toxic discharges from the refinery on November 24
7 and 25, 2022, Bolding was physically harmed.

8 153. Among other things, Bolding began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within days after the release, including a sore throat and
10 coughing.

11 154. The November 24 and 25, 2022, discharge also entered Bolding's residence, including
12 ash.

13 155. The trespass by PBF Martinez interfered with Bolding's ability to use and enjoy the
14 residence and caused injury to Bolding and damage to the property including by decreasing the
15 value of the property as a result of contamination.

16 156. Needless to say, the trespass by PBF Martinez to Bolding's real property was
17 unauthorized.

18 157. Bolding was also present at his residence for the July 2023, October 2023, and
19 December 2023 releases.

20 158. In each instance, he was exposed to toxins from the refinery's discharges.

21 159. As a result of his exposure to the 2023 discharges from the refinery, Bolding was
22 physically harmed, including developing and/or worsening symptoms of sore throat, coughing,
23 itchy, watery, burning eyes, and fatigue that were directly caused by the reoccurring discharges in
24 2023.

25 160. The 2023 discharges also entered Bolding's residence, including ash.

26 161. The trespasses by PBF Martinez interfered with Bolding's ability to use and enjoy the
27 residence and caused injury to Bolding and damage to the property including by decreasing the
28 value of the property as a result of contamination.

1 162. Needless to say, the trespasses by PBF Martinez to Bolding's real property were
2 unauthorized in each instance.

3 **3. Plaintiff Kelly Brooks.**

4 163. At all times relevant to this action, Plaintiff Kelly Brooks was over the age of 18 and
5 was a resident of Martinez, California.

6 164. Plaintiff Kelly Brooks owned a residence, which was approximately 1/4 mile from the
7 refinery.

8 165. Brooks was present at their residence for the November 24 and 25, 2022 release from
9 the refinery, and was exposed to the toxic discharge from the refinery.

10 166. Among other things, she recalls seeing dust on her vehicles.

11 167. As a result of her exposure to the toxic discharges from the refinery on November 24
12 and 25, 2022, Brooks was physically harmed.

13 168. Among other things, Brooks began experiencing illness and symptoms that were
14 directly caused by the toxic exposure within days after the release, including sore throat, coughing,
15 itchy, watery, burning eyes, sinus pain, pressure, congestion, and phlegm.

16 169. The November 24 and 25, 2022, discharge also entered Brooks' residence, including
17 dust.

18 170. The trespass by PBF Martinez interfered with Brooks' ability to use and enjoy the
19 residence and caused injury to Brooks and damage to the property, including by decreasing the
20 value of the property as a result of contamination.

21 171. Needless to say, the trespass by PBF Martinez to Brooks' real property was
22 unauthorized.

23 172. Brooks was also present at her residence for the July 2023, October 2023, and
24 December 2023 releases.

25 173. In each instance, she was exposed to toxins from the refinery's discharges.

26 174. As a result of her exposure to the 2023 discharges from the refinery, Brooks was
27 physically harmed, including developing and/or worsening symptoms of rash, hives, headaches,
28

1 sinus pain, pressure, fatigue, and congestion that were directly caused by the reoccurring discharges
2 in 2023.

3 175. The 2023 discharges also entered Brooks' residence, including dust and a strong smell.

4 176. The trespasses by PBF Martinez interfered with Brooks' ability to use and enjoy the
5 residence and caused injury to Brooks and damage to the property, including by decreasing the
6 value of the property as a result of contamination.

7 177. Needless to say, the trespasses by PBF Martinez to Brooks' real property were
8 unauthorized in each instance.

9 **4. Plaintiff Mark Bruno.**

10 178. At all times relevant to this action, Plaintiff Mark Bruno was over the age of 18 and
11 was a resident of Martinez, California.

12 179. Plaintiff Mark Bruno owned a residence, which was approximately 1 1/2 miles from
13 the refinery.

14 180. Bruno was present at their residence for the November 24 and 25, 2022 release from
15 the refinery, and was exposed to the toxic discharge from the refinery.

16 181. As a result of his exposure to the toxic discharges from the refinery on November 24
17 and 25, 2022, Bruno was physically harmed.

18 182. Among other things, Bruno began experiencing illness and symptoms that were
19 directly caused by the toxic exposure within days after the release, including breathing difficulties,
20 chest pain, headaches, fatigue, difficulty sleeping, and phlegm.

21 183. The November 24 and 25, 2022, discharge also entered Bruno's residence.

22 184. The trespass by PBF Martinez interfered with Bruno's ability to use and enjoy the
23 residence and caused injury to Bruno and damage to the property including by decreasing the value
24 of the property as a result of contamination.

25 185. Needless to say, the trespass by PBF Martinez to Bruno's real property was
26 unauthorized.

27 186. Bruno was also present at his residence for the July 2023, October 2023, and December
28 2023 releases.

187. In each instance, he was exposed to toxins from the refinery's discharges.

188. As a result of his exposure to the 2023 discharges from the refinery, Bruno was physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore throat, and coughing that were directly caused by the reoccurring discharges in 2023.

189. The 2023 discharges also entered Bruno's residence.

190. The trespasses by PBF Martinez interfered with Bruno's ability to use and enjoy the residence and caused injury to Bruno and damage to the property including by decreasing the value of the property as a result of contamination.

191. Needless to say, the trespasses by PBF Martinez to Bruno's real property were unauthorized in each instance.

5. Plaintiff Zoe Carpenter.

192. At all times relevant to this action, Plaintiff Zoe Carpenter was over the age of 18 and was a resident of Martinez, California.

193. Plaintiff Zoe Carpenter owned a residence, which was approximately 1 1/2 miles from the refinery.

194. Carpenter was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

195. Among other things, she recalls a strong odor and dust on her plants and driveway.

196. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Carpenter was physically harmed.

197. Among other things, Carpenter began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, sore throat, coughing, sinus pain, pressure, fatigue, and asthma flare-ups.

198. The November 24 and 25, 2022, discharge also entered Carpenter's residence, including a strong odor and dust.

199. The trespass by PBF Martinez interfered with Carpenter's ability to use and enjoy the residence and caused injury to Carpenter and damage to the property including by decreasing the value of the property as a result of contamination.

1 200. Needless to say, the trespass by PBF Martinez to Carpenter's real property was
2 unauthorized.

3 201. Carpenter was also present at her residence for the July 2023, October 2023, and
4 December 2023 releases.

5 202. In each instance, she was exposed to toxins from the refinery's discharges.

6 203. As a result of her exposure to the 2023 discharges from the refinery, Carpenter was
7 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
8 chest pain, congestion, and asthma flare-ups that were directly caused by the reoccurring discharges
9 in 2023.

10 204. The 2023 discharges also entered Carpenter's residence, including dust and strong
11 odors.

12 205. The trespasses by PBF Martinez interfered with Carpenter's ability to use and enjoy
13 the residence and caused injury to Carpenter and damage to the property including by decreasing
14 the value of the property as a result of contamination.

15 206. Needless to say, the trespasses by PBF Martinez to Carpenter's real property were
16 unauthorized in each instance.

17 **6. Plaintiff Terri Chamberlain.**

18 207. At all times relevant to this action, Plaintiff Terri Chamberlain was over the age of 18
19 and was a resident of Martinez, California.

20 208. Plaintiff Terri Chamberlain owned a residence, which was approximately 1/2 mile from
21 the refinery.

22 209. Chamberlain was present at their residence for the November 24 and 25, 2022 release
23 from the refinery, and was exposed to the toxic discharge from the refinery.

24 210. Among other things, she recalls seeing ash on top of her vehicle.

25 211. As a result of her exposure to the toxic discharges from the refinery on November 24
26 and 25, 2022, Chamberlain was physically harmed.

1 212. Among other things, Chamberlain began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within days after the release, including congestion, and
3 phlegm.

4 213. The November 24 and 25, 2022, discharge also entered Chamberlain's residence,
5 including ash.

6 214. The trespass by PBF Martinez interfered with Chamberlain's ability to use and enjoy
7 the residence and caused injury to Chamberlain and damage to the property including by decreasing
8 the value of the property as a result of contamination.

9 215. Needless to say, the trespass by PBF Martinez to Chamberlain's real property was
10 unauthorized.

11 216. Chamberlain was also present at her residence for the July 2023, October 2023, and
12 December 2023 releases.

13 217. In each instance, she was exposed to toxins from the refinery's discharges.

14 218. As a result of her exposure to the 2023 discharges from the refinery, Chamberlain was
15 physically harmed, including developing and/or worsening symptoms of dizziness, vertigo, sore
16 throat, coughing, itchy, watery, burning eyes, headaches, fatigue, congestion, difficulty sleeping,
17 body aches, phlegm, heartburn, dehydration, and loss of balance that were directly caused by the
18 reoccurring discharges in 2023.

19 219. The 2023 discharges also entered Chamberlain's residence, including ash.

20 220. The trespasses by PBF Martinez interfered with Chamberlain's ability to use and enjoy
21 the residence and caused injury to Chamberlain and damage to the property including by decreasing
22 the value of the property as a result of contamination.

23 221. Needless to say, the trespasses by PBF Martinez to Chamberlain's real property were
24 unauthorized in each instance.

25 **7. Plaintiff Kimberly Chatman.**

26 222. At all times relevant to this action, Plaintiff Kimberly Chatman was over the age of 18
27 and was a resident of Martinez, California.
28

1 223. Plaintiff Kimberly Chatman owned a residence, which was approximately 1/4 mile
2 from the refinery.

3 224. Chatman was present at their residence for the November 24 and 25, 2022 release from
4 the refinery, and was exposed to the toxic discharge from the refinery.

5 225. Among other things, she recalls a strong smell and dust all over her vehicles and fruit
6 trees.

7 226. As a result of her exposure to the toxic discharges from the refinery on November 24
8 and 25, 2022, Chatman was physically harmed.

9 227. Among other things, Chatman began experiencing illness and symptoms that were
10 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
11 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat , coughing, nausea, vomiting,
12 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion,
13 difficulty sleeping, body aches, earaches, ear infections, phlegm, coughing up blood, stomach pain,
14 asthma flare-ups, heartburn, dehydration, fever, diarrhea, and loss of balance.

15 228. The November 24 and 25, 2022, discharge also entered Chatman's residence, including
16 a strong smell and dust.

17 229. The trespass by PBF Martinez interfered with Chatman's ability to use and enjoy the
18 residence and caused injury to Chatman and damage to the property including by decreasing the
19 value of the property as a result of contamination.

20 230. Needless to say, the trespass by PBF Martinez to Chatman's real property was
21 unauthorized.

22 231. Chatman was also present at her residence for the July 2023, October 2023, and
23 December 2023 releases.

24 232. In each instance, she was exposed to toxins from the refinery's discharges.

25 233. As a result of her exposure to the 2023 discharges from the refinery, Chatman was
26 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
27 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat , coughing, nausea, vomiting,
28 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion,

1 difficulty sleeping, body aches, earaches, ear infections, phlegm, coughing up blood, stomach pain,
2 asthma flare-ups, heartburn, dehydration, fever, diarrhea, and loss of balance that were directly
3 caused by the reoccurring discharges in 2023.

4 234. The 2023 discharges also entered Chatman's residence, including dust and a strong
5 smell.

6 235. The trespasses by PBF Martinez interfered with Chatman's ability to use and enjoy the
7 residence and caused injury to Chatman and damage to the property including by decreasing the
8 value of the property as a result of contamination.

9 236. Needless to say, the trespasses by PBF Martinez to Chatman's real property were
10 unauthorized in each instance.

11 237. Additionally, the health effects on Chatman from the discharges have caused her to
12 suffer lost wages, income, and/or business opportunities.

13 **8. Plaintiff Cheryl Cole.**

14 238. At all times relevant to this action, Plaintiff Cheryl Cole was over the age of 18 and
15 was a resident of Martinez, California.

16 239. Plaintiff Cheryl Cole owned a residence, which was approximately 1/4 mile from the
17 refinery.

18 240. Cole was present at their residence for the November 24 and 25, 2022 release from the
19 refinery, and was exposed to the toxic discharge from the refinery.

20 241. As a result of her exposure to the toxic discharges from the refinery on November 24
21 and 25, 2022, Cole was physically harmed.

22 242. Among other things, Cole began experiencing illness and symptoms that were directly
23 caused by the toxic exposure within days after the release, including breathing difficulties, memory
24 issues, brain fog, nausea, vomiting, itchy, watery, burning eyes, sinus pain, pressure, stomach pain,
25 asthma flare-up, dehydration, diarrhea, and loss of balance.

26 243. The November 24 and 25, 2022, discharge also entered Cole's residence.
27
28

1 244. The trespass by PBF Martinez interfered with Cole's ability to use and enjoy the
2 residence and caused injury to Cole and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 245. Needless to say, the trespass by PBF Martinez to Cole's real property was
5 unauthorized.

6 246. Cole was also present at her residence for the July 2023, October 2023, and December
7 2023 releases.

8 247. In each instance, she was exposed to toxins from the refinery's discharges.

9 248. As a result of her exposure to the 2023 discharges from the refinery, Cole was
10 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
11 sinus pain, pressure, and congestion that were directly caused by the reoccurring discharges in
12 2023.

13 249. The 2023 discharges also entered Cole's residence.

14 250. The trespasses by PBF Martinez interfered with Cole's ability to use and enjoy the
15 residence and caused injury to Cole and damage to the property including by decreasing the value
16 of the property as a result of contamination.

17 251. Needless to say, the trespasses by PBF Martinez to Cole's real property were
18 unauthorized in each instance.

19 252. Additionally, the health effects on Cole from the discharges have caused her to suffer
20 lost wages, income, and/or business opportunities.

21 **9. Plaintiff Vicki Conway.**

22 253. At all times relevant to this action, Plaintiff Vicki Conway was over the age of 18 and
23 was a resident of Martinez, California.

24 254. Plaintiff Vicki Conway owned a residence, which was approximately 1/2 mile from
25 the refinery.

26 255. Conway was present at their residence for the November 24 and 25, 2022 release from
27 the refinery, and was exposed to the toxic discharge from the refinery.

28 256. Among other things, she recalls smelling a strong odor and seeing ash everywhere.

1 257. As a result of her exposure to the toxic discharges from the refinery on November 24
2 and 25, 2022, Conway was physically harmed.

3 258. Among other things, Conway began experiencing illness and symptoms that were
4 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
5 dizziness, vertigo, sore throat, coughing, fatigue, congestion, difficulty sleeping, and dehydration.

6 259. The November 24 and 25, 2022, discharge also entered Conway's residence, including
7 dust, ash, and a strong smell.

8 260. The trespass by PBF Martinez interfered with Conway's ability to use and enjoy the
9 residence and caused injury to Conway and damage to the property including by decreasing the
10 value of the property as a result of contamination.

11 261. Needless to say, the trespass by PBF Martinez to Conway's real property was
12 unauthorized.

13 262. Conway was also present at her residence for the July 2023, October 2023, and
14 December 2023 releases.

15 263. In each instance, she was exposed to toxins from the refinery's discharges.

16 264. As a result of her exposure to the 2023 discharges from the refinery, Conway was
17 physically harmed, including developing and/or worsening symptoms of chest pain, memory
18 issues, brain fog, sore throat, coughing, nausea, vomiting, headaches, and phlegm that were directly
19 caused by the reoccurring discharges in 2023.

20 265. The 2023 discharges also entered Conway's residence, including ash, dust, and a strong
21 smell.

22 266. The trespasses by PBF Martinez interfered with Conway's ability to use and enjoy the
23 residence and caused injury to Conway and damage to the property including by decreasing the
24 value of the property as a result of contamination.

25 267. Needless to say, the trespasses by PBF Martinez to Conway's real property were
26 unauthorized in each instance.

27 268. Additionally, the health effects on Conway from the discharges have caused her to
28 suffer lost wages, income, and/or business opportunities.

10. Plaintiff Charles Cox Jr.

269. At all times relevant to this action, Plaintiff Charles Cox Jr. was over the age of 18 and was a resident of Martinez, California.

270. Plaintiff Charles Cox Jr. owned a residence, which was approximately 1 mile from the refinery.

271. Cox Jr. was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

272. Among other things, he recalls seeing dust on his vehicle.

273. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Cox Jr. was physically harmed.

274. Among other things, Cox Jr. began experiencing illness and symptoms that were directly caused by the toxic exposure within a few weeks after the release, including chest pain, itchy, watery, burning eyes, headaches, bloody nose, congestion, and difficulty sleeping.

275. The November 24 and 25, 2022, discharge also entered Cox Jr.'s residence, including dust.

276. The trespass by PBF Martinez interfered with Cox Jr.'s ability to use and enjoy the residence and caused injury to Cox Jr. and damage to the property including by decreasing the value of the property as a result of contamination.

277. Needless to say, the trespass by PBF Martinez to Cox Jr.'s real property was unauthorized.

278. Cox Jr. was also present at his residence for the July 2023, October 2023, and December 2023 releases.

279. In each instance, he was exposed to toxins from the refinery's discharges.

280. As a result of his exposure to the 2023 discharges from the refinery, Cox Jr. was physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore throat, itchy, watery, burning eyes, and coughing that were directly caused by the reoccurring discharges in 2023.

281. The 2023 discharges also entered Cox Jr.'s residence, including dust.

1 282. The trespasses by PBF Martinez interfered with Cox Jr.'s ability to use and enjoy the
2 residence and caused injury to Cox Jr. and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 283. Needless to say, the trespasses by PBF Martinez to Cox Jr.'s real property were
5 unauthorized in each instance.

6 284. Additionally, the health effects on Cox Jr. from the discharges have caused him to
7 suffer lost wages, income, and/or business opportunities.

8 **11. Plaintiff Cameron Cox.**

9 285. At all times relevant to this action, Plaintiff Cameron Cox was over the age of 18 and
10 was a resident of Martinez, California.

11 286. Plaintiff Cameron Cox owned a residence, which was approximately 1 mile from the
12 refinery.

13 287. Cox was present at their residence for the November 24 and 25, 2022 release from the
14 refinery, and was exposed to the toxic discharge from the refinery.

15 288. As a result of his exposure to the toxic discharges from the refinery on November 24
16 and 25, 2022, Cox was physically harmed.

17 289. Among other things, Cox began experiencing illness and symptoms that were directly
18 caused by the toxic exposure within a week after the release, including breathing difficulties,
19 dizziness, vertigo, sore throat, coughing, nausea, vomiting, headaches, fatigue, difficulty sleeping,
20 body aches, earaches, ear infections, heartburn, fever, diarrhea, and loss of balance.

21 290. The November 24 and 25, 2022, discharge also entered Cox's residence.

22 291. The trespass by PBF Martinez interfered with Cox's ability to use and enjoy the
23 residence and caused injury to Cox and damage to the property including by decreasing the value
24 of the property as a result of contamination.

25 292. Needless to say, the trespass by PBF Martinez to Cox's real property was unauthorized.

26 293. Cox was also present at his residence for the July 2023, October 2023, and December
27 2023 releases.

28 294. In each instance, he was exposed to toxins from the refinery's discharges.

1 295. As a result of his exposure to the 2023 discharges from the refinery, Cox was physically
2 harmed, including developing and/or worsening symptoms of breathing difficulties, sore throat,
3 coughing, headaches, and phlegm that were directly caused by the reoccurring discharges in 2023.

4 296. The 2023 discharges also entered Cox's residence, including a strong smell.

5 297. The trespasses by PBF Martinez interfered with Cox's ability to use and enjoy the
6 residence and caused injury to Cox and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 298. Needless to say, the trespasses by PBF Martinez to Cox's real property were
9 unauthorized in each instance.

10 **12. Plaintiff Phyllis D'Alo.**

11 299. At all times relevant to this action, Plaintiff Phyllis D'Alo was over the age of 18 and
12 was a resident of Martinez, California.

13 300. Plaintiff Phyllis D'Alo owned a residence, which was approximately 1 mile from the
14 refinery.

15 301. D'Alo was present at their residence for the November 24 and 25, 2022 release from
16 the refinery, and was exposed to the toxic discharge from the refinery.

17 302. Among other things, she recalls seeing residue on her flowers, dust in her yard, and on
18 vehicles.

19 303. The November 24 and 25, 2022, discharge also entered D'Alo's residence, including
20 dust.

21 304. The trespass by PBF Martinez interfered with D'Alo's ability to use and enjoy the
22 residence and caused injury to D'Alo and damage to the property including by decreasing the value
23 of the property as a result of contamination.

24 305. Needless to say, the trespass by PBF Martinez to D'Alo's real property was
25 unauthorized.

26 306. D'Alo was also present at her residence for the July 2023, October 2023, and December
27 2023 releases.
28

1 307. In each instance, she was exposed to toxins from the refinery's discharges, and as a
2 result of those exposures now has a significantly higher probability of developing a wide range of
3 medical conditions, including cancer.

4 308. The 2023 discharges also entered D'Alo's residence, including dust.

5 309. The trespasses by PBF Martinez interfered with D'Alo's ability to use and enjoy the
6 residence and caused injury to D'Alo and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 310. Needless to say, the trespasses by PBF Martinez to D'Alo's real property were
9 unauthorized in each instance.

10 **13. Plaintiff Vincent D'Alo.**

11 311. At all times relevant to this action, Plaintiff Vincent D'Alo was over the age of 18 and
12 was a resident of Martinez, California.

13 312. Plaintiff Vincent D'Alo owned a residence, which was approximately 1 mile from the
14 refinery.

15 313. D'Alo was present at their residence for the November 24 and 25, 2022 release from
16 the refinery, and was exposed to the toxic discharge from the refinery.

17 314. Among other things, he recalls seeing dust in his yard and on nearby vehicles.

18 315. The November 24 and 25, 2022, discharge also entered D'Alo's residence, including
19 dust.

20 316. The trespass by PBF Martinez interfered with D'Alo's ability to use and enjoy the
21 residence and caused injury to D'Alo and damage to the property including by decreasing the value
22 of the property as a result of contamination.

23 317. Needless to say, the trespass by PBF Martinez to D'Alo's real property was
24 unauthorized.

25 318. D'Alo was also present at his residence for the July 2023, October 2023, and December
26 2023 releases.

1 319. In each instance, he was exposed to toxins from the refinery's discharges, and as a
2 result of those exposures now has a significantly higher probability of developing a wide range of
3 medical conditions, including cancer.

4 320. The 2023 discharges also entered D'Alo's residence, including dust.

5 321. The trespasses by PBF Martinez interfered with D'Alo's ability to use and enjoy the
6 residence and caused injury to D'Alo and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 322. Needless to say, the trespasses by PBF Martinez to D'Alo's real property were
9 unauthorized in each instance.

10 **14. Plaintiff Eloisa De Zermeno.**

11 323. At all times relevant to this action, Plaintiff Eloisa De Zermeno was over the age of 18
12 and was a resident of Martinez, California.

13 324. Plaintiff Eloisa De Zermeno owned a residence, which was approximately 1 mile from
14 the refinery.

15 325. De Zermeno was present at their residence for the November 24 and 25, 2022 release
16 from the refinery, and was exposed to the toxic discharge from the refinery.

17 326. Among other things, she recalls a strong odor and seeing dust on her vehicle.

18 327. As a result of her exposure to the toxic discharges from the refinery on November 24
19 and 25, 2022, De Zermeno was physically harmed.

20 328. Among other things, De Zermeno began experiencing illness and symptoms that were
21 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
22 chest pain, sore throat, coughing, itchy, watery, burning eyes, rash, hives, headaches, earaches, ear
23 infections, phlegm, asthma flare-ups, diarrhea, fainting, and loss of balance.

24 329. The November 24 and 25, 2022, discharge also entered De Zermeno's residence,
25 including dust and a strong odor.

26 330. The trespass by PBF Martinez interfered with De Zermeno's ability to use and enjoy
27 the residence and caused injury to De Zermeno and damage to the property including by decreasing
28 the value of the property as a result of contamination.

1 331. Needless to say, the trespass by PBF Martinez to De Zermeno's real property was
2 unauthorized.

3 332. De Zermeno was also present at her residence for the July 2023, October 2023, and
4 December 2023 releases.

5 333. In each instance, she was exposed to toxins from the refinery's discharges.

6 334. As a result of her exposure to the 2023 discharges from the refinery, De Zermeno was
7 physically harmed, including developing and/or worsening symptoms of headaches, congestion,
8 earaches, and ear infections that were directly caused by the reoccurring discharges in 2023.

9 335. The 2023 discharges also entered De Zermeno's residence, including dust and a strong
10 odor.

11 336. The trespasses by PBF Martinez interfered with De Zermeno's ability to use and enjoy
12 the residence and caused injury to De Zermeno and damage to the property including by decreasing
13 the value of the property as a result of contamination.

14 337. Needless to say, the trespasses by PBF Martinez to De Zermeno's real property were
15 unauthorized in each instance.

16 **15. Plaintiff Robert Dempster.**

17 338. At all times relevant to this action, Plaintiff Robert Dempster was over the age of 18
18 and was a resident of Martinez, California.

19 339. Plaintiff Robert Dempster owned a residence, which was approximately 2 miles from
20 the refinery.

21 340. Dempster was present at their residence for the November 24 and 25, 2022 release from
22 the refinery, and was exposed to the toxic discharge from the refinery.

23 341. Among other things, he recalls smelling a strong odor.

24 342. As a result of his exposure to the toxic discharges from the refinery on November 24
25 and 25, 2022, Dempster was physically harmed.

26 343. Among other things, Dempster began experiencing illness and symptoms that were
27 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
28 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes,

1 rash, hives, headaches, sinus pain, pressure, fatigue, bloody nose, congestion, difficulty sleeping,
2 body aches, ear aches, ear infections, phlegm, asthma flare-up, and loss of balance.

3 344. The November 24 and 25, 2022, discharge also entered Dempster's residence,
4 including a strong odor.

5 345. The trespass by PBF Martinez interfered with Dempster's ability to use and enjoy the
6 residence and caused injury to Dempster and damage to the property including by decreasing the
7 value of the property as a result of contamination.

8 346. Needless to say, the trespass by PBF Martinez to Dempster's real property was
9 unauthorized.

10 347. Dempster was also present at his residence for the July 2023, October 2023, and
11 December 2023 releases.

12 348. In each instance, he was exposed to toxins from the refinery's discharges.

13 349. As a result of his exposure to the 2023 discharges from the refinery, Dempster was
14 physically harmed, including developing and/or worsening symptoms of dizziness, vertigo, nausea,
15 vomiting, headaches, and congestion that were directly caused by the reoccurring discharges in
16 2023.

17 350. The 2023 discharges also entered Dempster's residence, a strong smell.

18 351. The trespasses by PBF Martinez interfered with Dempster's ability to use and enjoy
19 the residence and caused injury to Dempster and damage to the property including by decreasing
20 the value of the property as a result of contamination.

21 352. Needless to say, the trespasses by PBF Martinez to Dempster's real property were
22 unauthorized in each instance.

23 **16. Plaintiff Brittany Dillard.**

24 353. At all times relevant to this action, Plaintiff Brittany Dillard was over the age of 18 and
25 was a resident of Martinez, California.

26 354. Plaintiff Brittany Dillard owned a residence, which was approximately 2 miles from
27 the refinery.
28

1 355. Dillard was present at their residence for the November 24 and 25, 2022 release from
2 the refinery, and was exposed to the toxic discharge from the refinery.

3 356. As a result of her exposure to the toxic discharges from the refinery on November 24
4 and 25, 2022, Dillard was physically harmed.

5 357. Among other things, Dillard began experiencing illness and symptoms that were
6 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
7 chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, fatigue, difficulty sleeping,
8 body aches, and phlegm.

9 358. The November 24 and 25, 2022, discharge also entered Dillard's residence.

10 359. The trespass by PBF Martinez interfered with Dillard's ability to use and enjoy the
11 residence and caused injury to Dillard and damage to the property including by decreasing the value
12 of the property as a result of contamination.

13 360. Needless to say, the trespass by PBF Martinez to Dillard's real property was
14 unauthorized.

15 361. Dillard was also present at her residence for the July 2023, October 2023, and
16 December 2023 releases.

17 362. In each instance, she was exposed to toxins from the refinery's discharges.

18 363. As a result of her exposure to the 2023 discharges from the refinery, Dillard was
19 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
20 chest pain, sore throat, coughing, and headaches that were directly caused by the reoccurring
21 discharges in 2023.

22 364. The 2023 discharges also entered Dillard's residence.

23 365. The trespasses by PBF Martinez interfered with Dillard's ability to use and enjoy the
24 residence and caused injury to Dillard and damage to the property including by decreasing the value
25 of the property as a result of contamination.

26 366. Needless to say, the trespasses by PBF Martinez to Dillard's real property was
27 unauthorized in each instance.
28

1 367. Additionally, the health effects on Dillard from the discharges have caused her to suffer
2 lost wages, income, and/or business opportunities.

3 **17. Plaintiff Denise Dudley.**

4 368. At all times relevant to this action, Plaintiff Denise Dudley was over the age of 18 and
5 was a resident of Martinez, California.

6 369. Plaintiff Denise Dudley owned a residence, which was approximately 1/4 mile from
7 the refinery.

8 370. Dudley owned a residence during the November 24 and 25, 2022 release from the
9 refinery.

10 371. Among other things, she recalls seeing dust on vehicles and her backyard.

11 372. The November 24 and 25, 2022, discharge also entered Dudley's residence, including
12 dust.

13 373. The trespass by PBF Martinez interfered with Dudley's ability to use and enjoy the
14 residence and caused injury to Dudley and damage to the property including by decreasing the
15 value of the property as a result of contamination.

16 374. Needless to say, the trespass by PBF Martinez to Dudley's real property was
17 unauthorized.

18 375. Dudley owned her residence for the July 2023, October 2023, and December 2023
19 releases.

20 376. In each instance, she was exposed to toxins from the refinery's discharges, and as a
21 result of those exposures now has a significantly higher probability of developing a wide range of
22 medical conditions, including cancer.

23 377. The 2023 discharges also entered Dudley's residence, including dust.

24 378. The trespasses by PBF Martinez interfered with Dudley's ability to use and enjoy the
25 residence and caused injury to Dudley and damage to the property including by decreasing the
26 value of the property as a result of contamination.

27 379. Needless to say, the trespasses by PBF Martinez to Dudley's real property were
28 unauthorized in each instance.

18. Plaintiff Jenny Elvin.

380. At all times relevant to this action, Plaintiff Jenny Elvin was over the age of 18 and was a resident of Martinez, California.

381. Plaintiff Jenny Elvin owned a residence, which was approximately More than 2 miles from the refinery.

382. Elvin was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

383. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Elvin was physically harmed.

384. Among other things, Elvin began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, chest pain, nausea, vomiting, and asthma flare-ups.

385. The November 24 and 25, 2022, discharge also entered Elvin's residence.

386. The trespass by PBF Martinez interfered with Elvin's ability to use and enjoy the residence and caused injury to Elvin and damage to the property including by decreasing the value of the property as a result of contamination.

387. Needless to say, the trespass by PBF Martinez to Elvin's real property was unauthorized.

388. Elvin was also present at her residence for the July 2023, October 2023, and December 2023 releases.

389. In each instance, she was exposed to toxins from the refinery's discharges.

390. As a result of her exposure to the 2023 discharges from the refinery, Elvin was physically harmed, including developing and/or worsening symptoms of breathing difficulties, chest pain, sore throat, coughing, itchy, watery, burning eyes, congestion, and body aches that were directly caused by the reoccurring discharges in 2023.

391. The 2023 discharges also entered Elvin's residence.

1 392. The trespasses by PBF Martinez interfered with Elvin's ability to use and enjoy the
2 residence and caused injury to Elvin and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 393. Needless to say, the trespasses by PBF Martinez to Elvin's real property were
5 unauthorized in each instance.

6 **19. Plaintiff Nathaniel English.**

7 394. At all times relevant to this action, Plaintiff Nathaniel English was over the age of 18
8 and was a resident of Martinez, California.

9 395. Plaintiff Nathaniel English owned a residence, which was approximately 1 mile from
10 the refinery.

11 396. English was present at their residence for the November 24 and 25, 2022 release from
12 the refinery, and was exposed to the toxic discharge from the refinery.

13 397. Among other things, he recalls seeing dust and ashes all over his property.

14 398. As a result of his exposure to the toxic discharges from the refinery on November 24
15 and 25, 2022, English was physically harmed.

16 399. Among other things, English began experiencing illness and symptoms that were
17 directly caused by the toxic exposure within a few weeks after the release, including sore throat,
18 coughing, congestion, and phlegm.

19 400. The November 24 and 25, 2022, discharge also entered English's residence, including
20 dust and ashes.

21 401. The trespass by PBF Martinez interfered with English's ability to use and enjoy the
22 residence and caused injury to English and damage to the property including by decreasing the
23 value of the property as a result of contamination.

24 402. Needless to say, the trespass by PBF Martinez to English's real property was
25 unauthorized.

26 403. English was also present at his residence for the July 2023, October 2023, and
27 December 2023 releases.

28 404. In each instance, he was exposed to toxins from the refinery's discharges.

1 405. As a result of his exposure to the 2023 discharges from the refinery, English was
2 physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore
3 throat, coughing, congestion, and phlegm that were directly caused by the reoccurring discharges
4 in 2023.

5 406. The 2023 discharges also entered English's residence, including dust and ashes.

6 407. The trespasses by PBF Martinez interfered with English's ability to use and enjoy the
7 residence and caused injury to English and damage to the property including by decreasing the
8 value of the property as a result of contamination.

9 408. Needless to say, the trespasses by PBF Martinez to English's real property were
10 unauthorized in each instance.

11 **20. Plaintiff Melissa Fail.**

12 409. At all times relevant to this action, Plaintiff Melissa Fail was over the age of 18 and
13 was a resident of Martinez, California.

14 410. Plaintiff Melissa Fail owned a residence, which was approximately 1 mile from the
15 refinery.

16 411. Fail was present at their residence for the November 24 and 25, 2022 release from the
17 refinery, and was exposed to the toxic discharge from the refinery.

18 412. Among other things, she recalls a strong smell and seeing dust on her plants, solar
19 panels, cars, and house.

20 413. As a result of her exposure to the toxic discharges from the refinery on November 24
21 and 25, 2022, Fail was physically harmed.

22 414. Among other things, Fail began experiencing illness and symptoms that were directly
23 caused by the toxic exposure within days after the release, including sore throat, coughing, itchy,
24 watery, burning eyes, rash, hives, and headaches.

25 415. The November 24 and 25, 2022, discharge also entered Fail's residence, including dust
26 and a strong smell.

1 416. The trespass by PBF Martinez interfered with Fail's ability to use and enjoy the
2 residence and caused injury to Fail and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 417. Needless to say, the trespass by PBF Martinez to Fail's real property was unauthorized.

5 418. Fail was also present at her residence for the July 2023, October 2023, and December
6 2023 releases.

7 419. In each instance, she was exposed to toxins from the refinery's discharges.

8 420. As a result of her exposure to the 2023 discharges from the refinery, Fail was physically
9 harmed, including developing and/or worsening symptoms of sore throat, coughing, and skin
10 irritation that were directly caused by the reoccurring discharges in 2023.

11 421. The 2023 discharges also entered Fail's residence, including dust and a strong smell.

12 422. The trespasses by PBF Martinez interfered with Fail's ability to use and enjoy the
13 residence and caused injury to Fail and damage to the property including by decreasing the value
14 of the property as a result of contamination.

15 423. Needless to say, the trespasses by PBF Martinez to Fail's real property were
16 unauthorized in each instance.

17 **21. Plaintiff Joseph Fleming.**

18 424. At all times relevant to this action, Plaintiff Joseph Fleming was over the age of 18 and
19 was a resident of Martinez, California.

20 425. Plaintiff Joseph Fleming owned a residence, which was approximately 1/4 mile from
21 the refinery.

22 426. Fleming was present at their residence for the November 24 and 25, 2022 release from
23 the refinery, and was exposed to the toxic discharge from the refinery.

24 427. Among other things, he recalls seeing dust on his vehicles and fruit trees.

25 428. As a result of his exposure to the toxic discharges from the refinery on November 24
26 and 25, 2022, Fleming was physically harmed.

1 429. Among other things, Fleming began experiencing illness and symptoms that were
2 directly caused by the toxic exposure immediately after the release, including sore throat and
3 coughing.

4 430. The November 24 and 25, 2022, discharge also entered Fleming's residence, including
5 dust.

6 431. The trespass by PBF Martinez interfered with Fleming's ability to use and enjoy the
7 residence and caused injury to Fleming and damage to the property including by decreasing the
8 value of the property as a result of contamination.

9 432. Needless to say, the trespass by PBF Martinez to Fleming's real property was
10 unauthorized.

11 433. Fleming was also present at his residence for the July 2023, October 2023, and
12 December 2023 releases.

13 434. In each instance, he was exposed to toxins from the refinery's discharges.

14 435. As a result of his exposure to the 2023 discharges from the refinery, Fleming was
15 physically harmed, including developing and/or worsening symptoms of dizziness, vertigo, sore
16 throat, coughing, and difficulty sleeping that were directly caused by the reoccurring discharges in
17 2023.

18 436. The 2023 discharges also entered Fleming's residence, including dust.

19 437. The trespasses by PBF Martinez interfered with Fleming's ability to use and enjoy the
20 residence and caused injury to Fleming and damage to the property including by decreasing the
21 value of the property as a result of contamination.

22 438. Needless to say, the trespasses by PBF Martinez to Fleming's real property was
23 unauthorized in each instance.

24 439. Additionally, the health effects on Fleming from the discharges have caused him to
25 suffer lost wages, income, and/or business opportunities.

26 **22. Plaintiff Jim Fredericks.**

27 440. At all times relevant to this action, Plaintiff Jim Fredericks was over the age of 18 and
28 was a resident of Martinez, California.

1 441. Plaintiff Jim Fredericks owned a residence, which was approximately 1/4 mile from
2 the refinery.

3 442. Fredericks was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 443. Among other things, he recalls seeing dust outside.

6 444. As a result of his exposure to the toxic discharges from the refinery on November 24
7 and 25, 2022, Fredericks was physically harmed.

8 445. Among other things, Fredericks began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within a week after the release, including sore throat,
10 coughing, itchy, watery, burning eyes, rash, hives, and headaches.

11 446. The November 24 and 25, 2022, discharge also entered Fredericks' residence,
12 including dust.

13 447. The trespass by PBF Martinez interfered with Fredericks' ability to use and enjoy the
14 residence and caused injury to Fredericks and damage to the property including by decreasing the
15 value of the property as a result of contamination.

16 448. Needless to say, the trespass by PBF Martinez to Fredericks' real property was
17 unauthorized.

18 449. Fredericks was also present at his residence for the July 2023, October 2023, and
19 December 2023 releases.

20 450. In each instance, he was exposed to toxins from the refinery's discharges.

21 451. As a result of his exposure to the 2023 discharges from the refinery, Fredericks was
22 physically harmed, including developing and/or worsening symptoms of memory issues, brain fog,
23 and loss of balance that were directly caused by the reoccurring discharges in 2023.

24 452. The 2023 discharges also entered Fredericks' residence, including dust.

25 453. The trespasses by PBF Martinez interfered with Fredericks' ability to use and enjoy
26 the residence and caused injury to Fredericks and damage to the property, including by decreasing
27 the value of the property as a result of contamination.

1 454. Needless to say, the trespasses by PBF Martinez to Fredericks' real property were
2 unauthorized in each instance.

3 **23. Plaintiff David Fuller.**

4 455. At all times relevant to this action, Plaintiff David Fuller was over the age of 18 and
5 was a resident of Martinez, California.

6 456. Plaintiff David Fuller owned a residence, which was approximately 1 mile from the
7 refinery.

8 457. Fuller was present at their residence for the November 24 and 25, 2022 release from
9 the refinery, and was exposed to the toxic discharge from the refinery.

10 458. Among other things, he recalls seeing dust on his property.

11 459. As a result of his exposure to the toxic discharges from the refinery on November 24
12 and 25, 2022, Fuller was physically harmed.

13 460. Among other things, Fuller began experiencing illness and symptoms that were directly
14 caused by the toxic exposure immediately after the release, including breathing difficulties, chest
15 pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning
16 eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body
17 aches, ear aches, ear infections, phlegm, and loss of balance.

18 461. The November 24 and 25, 2022, discharge also entered Fuller's residence, including
19 dust.

20 462. The trespass by PBF Martinez interfered with Fuller's ability to use and enjoy the
21 residence and caused injury to Fuller and damage to the property including by decreasing the value
22 of the property as a result of contamination.

23 463. Needless to say, the trespass by PBF Martinez to Fuller's real property was
24 unauthorized.

25 464. Fuller was also present at his residence for the July 2023, October 2023, and December
26 2023 releases.

27 465. In each instance, he was exposed to toxins from the refinery's discharges.
28

1 466. As a result of his exposure to the 2023 discharges from the refinery, Fuller was
2 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
3 memory issues, brain fog, itchy, watery, burning eyes, and difficulty sleeping that were directly
4 caused by the reoccurring discharges in 2023.

5 467. The 2023 discharges also entered Fuller's residence, including dust.

6 468. The trespasses by PBF Martinez interfered with Fuller's ability to use and enjoy the
7 residence and caused injury to Fuller and damage to the property including by decreasing the value
8 of the property as a result of contamination.

9 469. Needless to say, the trespasses by PBF Martinez to Fuller's real property was
10 unauthorized in each instance.

11 **24. Plaintiff Karissa Gerhke.**

12 470. At all times relevant to this action, Plaintiff Karissa Gerhke was over the age of 18 and
13 was a resident of Martinez, California.

14 471. Plaintiff Karissa Gerhke owned a residence, which was approximately 1 1/2 miles from
15 the refinery.

16 472. Gerhke owned a residence during the November 24 and 25, 2022 release from the
17 refinery, and was exposed to the toxic discharge from the refinery.

18 473. Among other things, she recalls seeing ash fall from the sky.

19 474. The November 24 and 25, 2022, discharge also entered Gerhke's residence, including
20 ash.

21 475. The trespass by PBF Martinez interfered with Gerhke's ability to use and enjoy the
22 residence and caused injury to Gerhke and damage to the property including by decreasing the
23 value of the property as a result of contamination.

24 476. Needless to say, the trespass by PBF Martinez to Gerhke's real property was
25 unauthorized.

26 477. Gerhke was also present at her residence for the July 2023, October 2023, and
27 December 2023 releases.

1 478. In each instance, she was exposed to toxins from the refinery's discharges, and as a
2 result of those exposures now has a significantly higher probability of developing a wide range of
3 medical conditions, including cancer.

4 479. The 2023 discharges also entered Gerhke's residence, including dust.

5 480. The trespasses by PBF Martinez interfered with Gerhke's ability to use and enjoy the
6 residence and caused injury to Gerhke and damage to the property including by decreasing the
7 value of the property as a result of contamination.

8 481. Needless to say, the trespasses by PBF Martinez to Gerhke's real property were
9 unauthorized in each instance.

10 **25. Plaintiff Daniel Goldwater.**

11 482. At all times relevant to this action, Plaintiff Daniel Goldwater was over the age of 18
12 and was a resident of Martinez, California.

13 483. Plaintiff Daniel Goldwater owned a residence, which was approximately 1/4 mile from
14 the refinery.

15 484. Goldwater was present at their residence for the November 24 and 25, 2022 release
16 from the refinery, and was exposed to the toxic discharge from the refinery.

17 485. Among other things, he recalls the strong smell and seeing dust.

18 486. As a result of his exposure to the toxic discharges from the refinery on November 24
19 and 25, 2022, Goldwater was physically harmed.

20 487. Among other things, Goldwater began experiencing illness and symptoms that were
21 directly caused by the toxic exposure within a few weeks after the release, including breathing
22 difficulties, chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea,
23 vomiting, itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue,
24 congestion, difficulty sleeping, body aches, ear aches, ear infections, phlegm, stomach pain, and
25 loss of balance.

26 488. The November 24 and 25, 2022, discharge also entered Goldwater's residence,
27 including a strong smell and dust.
28

1 489. The trespass by PBF Martinez interfered with Goldwater's ability to use and enjoy the
2 residence and caused injury to Goldwater and damage to the property including by decreasing the
3 value of the property as a result of contamination.

4 490. Needless to say, the trespass by PBF Martinez to Goldwater's real property was
5 unauthorized.

6 491. Goldwater was also present at his residence for the July 2023, October 2023, and
7 December 2023 releases.

8 492. In each instance, he was exposed to toxins from the refinery's discharges.

9 493. As a result of his exposure to the 2023 discharges from the refinery, Goldwater was
10 physically harmed, including developing and/or worsening symptoms of chest pain, sore throat,
11 and coughing that were directly caused by the reoccurring discharges in 2023.

12 494. The 2023 discharges also entered Goldwater's residence, including a strong smell and
13 dust.

14 495. The trespasses by PBF Martinez interfered with Goldwater's ability to use and enjoy
15 the residence and caused injury to Goldwater and damage to the property, including by decreasing
16 the value of the property as a result of contamination.

17 496. Needless to say, the trespasses by PBF Martinez to Goldwater's real property were
18 unauthorized in each instance.

19 497. Additionally, the health effects on Goldwater from the discharges have caused him to
20 suffer lost wages, income, and/or business opportunities.

21 **26. Plaintiff Virginia Gonzales.**

22 498. At all times relevant to this action, Plaintiff Virginia Gonzales was over the age of 18
23 and was a resident of Martinez, California.

24 499. Plaintiff Virginia Gonzales owned a residence, which was approximately 1/2 mile from
25 the refinery.

26 500. Gonzales was present at their residence for the November 24 and 25, 2022 release from
27 the refinery, and was exposed to the toxic discharge from the refinery.

28 501. Among other things, she recalls seeing dust on her husband's vehicle.

1 502. As a result of her exposure to the toxic discharges from the refinery on November 24
2 and 25, 2022, Gonzales was physically harmed.

3 503. Among other things, Gonzales began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within days after the release, including dizziness, vertigo,
5 sore throat, and coughing.

6 504. The November 24 and 25, 2022, discharge also entered Gonzales' residence, including
7 dust.

8 505. The trespass by PBF Martinez interfered with Gonzales' ability to use and enjoy the
9 residence and caused injury to Gonzales and damage to the property including by decreasing the
10 value of the property as a result of contamination.

11 506. Needless to say, the trespass by PBF Martinez to Gonzales' real property was
12 unauthorized.

13 507. Gonzales was also present at her residence for the July 2023, October 2023, and
14 December 2023 releases.

15 508. In each instance, she was exposed to toxins from the refinery's discharges.

16 509. As a result of her exposure to the 2023 discharges from the refinery, Gonzales was
17 physically harmed, including developing and/or worsening symptoms of dizziness, vertigo, sore
18 throat, coughing, and headaches that were directly caused by the reoccurring discharges in 2023.

19 510. The 2023 discharges also entered Gonzales' residence, including dust.

20 511. The trespasses by PBF Martinez interfered with Gonzales' ability to use and enjoy the
21 residence and caused injury to Gonzales and damage to the property including by decreasing the
22 value of the property as a result of contamination.

23 512. Needless to say, the trespasses by PBF Martinez to Gonzales' real property were
24 unauthorized in each instance.

25 **27. Plaintiff Rosemarie Griffin.**

26 513. At all times relevant to this action, Plaintiff Rosemarie Griffin was over the age of 18
27 and was a resident of Martinez, California.

1 514. Plaintiff Rosemarie Griffin owned a residence, which was approximately 1/4 mile from
2 the refinery.

3 515. Griffin was present at their residence for the November 24 and 25, 2022 release from
4 the refinery, and was exposed to the toxic discharge from the refinery.

5 516. Among other things, she recalls the strong odor and seeing ash on her solar panels.

6 517. 7. The November 24 and 25, 2022, discharge also entered Griffin's residence, including
7 a strong odor and ash.

8 518. 8. The trespass by PBF Martinez interfered with Griffin's ability to use and enjoy the
9 residence and caused injury to Griffin and damage to the property including by decreasing the value
10 of the property as a result of contamination.

11 519. 9. Needless to say, the trespass by PBF Martinez to Griffin's real property was
12 unauthorized.

13 520. 10. Griffin was also present at her residence for the July 2023, October 2023, and
14 December 2023 releases.

15 521. 11. In each instance, she was exposed to toxins from the refinery's discharges, and as
16 a result of those exposures now has a significantly higher probability of developing a wide range
17 of medical conditions, including cancer.

18 522. 13. The 2023 discharges also entered Griffin's residence, including a strong odor and
19 ash.

20 523. 14. The trespasses by PBF Martinez interfered with Griffin's ability to use and enjoy
21 the residence and caused injury to Griffin and damage to the property, including by decreasing the
22 value of the property as a result of contamination.

23 524. 15. Needless to say, the trespasses by PBF Martinez to Griffin's real property was
24 unauthorized in each instance.

25 **28. Plaintiff Charles Harrington.**

26 525. At all times relevant to this action, Plaintiff Charles Harrington was over the age of 18
27 and was a resident of Martinez, California.
28

1 526. Plaintiff Charles Harrington owned a residence in Martinez, which was approximately
2 1 mile from the refinery.

3 527. Harrington was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 528. Among other things, he recalls seeing white dust on his car.

6 529. As a result of his exposure to the toxic discharges from the refinery on November 24
7 and 25, 2022, Harrington was physically harmed.

8 530. Among other things, Harrington began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within days after the release, including memory issues, brain
10 fog, headaches, and fatigue.

11 531. The November 24 and 25, 2022, discharge also entered Harrington's residence,
12 including dust.

13 532. The trespass by PBF Martinez interfered with Harrington's ability to use and enjoy the
14 residence and caused injury to Harrington and damage to the property, including by decreasing the
15 value of the property as a result of contamination.

16 533. Needless to say, the trespass by PBF Martinez to Harrington's real property was
17 unauthorized.

18 534. Harrington was also present in Martinez for the July 2023, October 2023, and
19 December 2023 releases.

20 535. In each instance, he was exposed to toxins from the refinery's discharges.

21 536. As a result of his exposure to the 2023 discharges from the refinery, Harrington was
22 physically harmed, including developing and/or worsening symptoms of memory issues, brain fog,
23 sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches, fatigue,
24 congestion, body aches, phlegm, dehydration, fever, and diarrhea that were directly caused by the
25 reoccurring discharges in 2023.

26 537. The 2023 discharges also entered Harrington's residence, including dust.
27
28

1 538. The trespasses by PBF Martinez interfered with Harrington's ability to use and enjoy
2 the residence and caused injury to Harrington and damage to the property, including by decreasing
3 the value of the property as a result of contamination.

4 539. Additionally, the health effects on Harrington from the discharges have caused him to
5 suffer lost wages, income, and/or business opportunities.

6 **29. Plaintiff Robert Hays.**

7 540. At all times relevant to this action, Plaintiff Robert Hays was over the age of 18 and
8 was a resident of Martinez, California.

9 541. Plaintiff Robert Hays owned a residence, which was approximately 1 1/2 miles from
10 the refinery.

11 542. Hays was present at their residence for the November 24 and 25, 2022 release from the
12 refinery, and was exposed to the toxic discharge from the refinery.

13 543. Among other things, he recalls smelling a strong odor and seeing dust on his vehicle
14 and in his garden.

15 544. As a result of his exposure to the toxic discharges from the refinery on November 24
16 and 25, 2022, Hays was physically harmed.

17 545. Among other things, Hays began experiencing illness and symptoms that were directly
18 caused by the toxic exposure immediately after the release, including breathing difficulties,
19 dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, and headaches.

20 546. The November 24 and 25, 2022, discharge also entered Hays' residence, including dust
21 and a strong odor.

22 547. The trespass by PBF Martinez interfered with Hays' ability to use and enjoy the
23 residence and caused injury to Hays and damage to the property including by decreasing the value
24 of the property as a result of contamination.

25 548. Needless to say, the trespass by PBF Martinez to Hays' real property was unauthorized.

26 549. Hays was also present at his residence for the July 2023, October 2023, and December
27 2023 releases.

28 550. In each instance, he was exposed to toxins from the refinery's discharges.

1 551. As a result of his exposure to the 2023 discharges from the refinery, Hays was
2 physically harmed, including developing and/or worsening symptoms of chest pain, memory
3 issues, brain fog, dizziness, vertigo, sore throat, coughing, headaches, sinus pain, pressure, bloody
4 nose, and congestion that were directly caused by the reoccurring discharges in 2023.

5 552. The 2023 discharges also entered Hays' residence, including a strong odor and dust.

6 553. The trespasses by PBF Martinez interfered with Hays' ability to use and enjoy the
7 residence and caused injury to Hays and damage to the property including by decreasing the value
8 of the property as a result of contamination.

9 554. Needless to say, the trespasses by PBF Martinez to Hays' real property were
10 unauthorized in each instance.

11 **30. Plaintiff Tina Hill.**

12 555. At all times relevant to this action, Plaintiff Tina Hill was over the age of 18 and was
13 a resident of Martinez, California.

14 556. Plaintiff Tina Hill owned a residence, which was approximately More than 2 miles
15 from the refinery.

16 557. Hill was present at their residence for the November 24 and 25, 2022 release from the
17 refinery, and was exposed to the toxic discharge from the refinery.

18 558. Among other things, she recalls seeing white dust on her vehicle and her property.

19 559. As a result of her exposure to the toxic discharges from the refinery on November 24
20 and 25, 2022, Hill was physically harmed.

21 560. Among other things, Hill began experiencing illness and symptoms that were directly
22 caused by the toxic exposure immediately after the release, including breathing difficulties,
23 dizziness, vertigo, sore throat, coughing, nausea, vomiting, headaches, congestion, body aches, and
24 asthma flare-ups.

25 561. The November 24 and 25, 2022, discharge also entered Hill's residence, including dust.

26 562. The trespass by PBF Martinez interfered with Hill's ability to use and enjoy the
27 residence and caused injury to Hill and damage to the property including by decreasing the value
28 of the property as a result of contamination.

1 563. Needless to say, the trespass by PBF Martinez to Hill's real property was unauthorized.

2 564. Hill was also present at her residence for the July 2023, October 2023, and December
3 2023 releases.

4 565. In each instance, she was exposed to toxins from the refinery's discharges.

5 566. As a result of her exposure to the 2023 discharges from the refinery, Hill was physically
6 harmed, including developing and/or worsening symptoms of breathing difficulties, sore throat,
7 coughing, itchy, watery, burning eyes, and headaches that were directly caused by the reoccurring
8 discharges in 2023.

9 567. The 2023 discharges also entered Hill's residence, including dust.

10 568. The trespasses by PBF Martinez interfered with Hill's ability to use and enjoy the
11 residence and caused injury to Hill and damage to the property including by decreasing the value
12 of the property as a result of contamination.

13 569. Needless to say, the trespasses by PBF Martinez to Hill's real property were
14 unauthorized in each instance.

15 570. Additionally, the health effects on Hill from the discharges have caused her to suffer
16 lost wages, income, and/or business opportunities.

17 **31. Plaintiff Susan Huerta.**

18 571. At all times relevant to this action, Plaintiff Susan Huerta was over the age of 18 and
19 was a resident of Martinez, California.

20 572. Plaintiff Susan Huerta owned a residence, which was approximately 1 1/2 miles from
21 the refinery.

22 573. Huerta was present at their residence for the November 24 and 25, 2022 release from
23 the refinery, and was exposed to the toxic discharge from the refinery.

24 574. Among other things, she recalls seeing ashes on her car and solar panels.

25 575. As a result of her exposure to the toxic discharges from the refinery on November 24
26 and 25, 2022, Huerta was physically harmed.

1 576. Among other things, Huerta began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within days after the release, including breathing difficulties,
3 itchy, watery, and burning eyes.

4 577. The November 24 and 25, 2022, discharge also entered Huerta's residence, including
5 dust.

6 578. The trespass by PBF Martinez interfered with Huerta's ability to use and enjoy the
7 residence and caused injury to Huerta and damage to the property including by decreasing the value
8 of the property as a result of contamination.

9 579. Needless to say, the trespass by PBF Martinez to Huerta's real property was
10 unauthorized.

11 580. Huerta was also present at her residence for the July 2023, October 2023, and
12 December 2023 releases.

13 581. In each instance, she was exposed to toxins from the refinery's discharges.

14 582. As a result of her exposure to the 2023 discharges from the refinery, Huerta was
15 physically harmed, including developing and/or worsening symptoms of coughing, sore throat,
16 headaches, phlegm, and congestion that were directly caused by the reoccurring discharges in 2023.

17 583. The 2023 discharges also entered Huerta's residence, including dust and a strong smell.

18 584. The trespasses by PBF Martinez interfered with Huerta's ability to use and enjoy the
19 residence and caused injury to Huerta and damage to the property including by decreasing the value
20 of the property as a result of contamination.

21 585. Needless to say, the trespasses by PBF Martinez to Huerta's real property were
22 unauthorized in each instance.

23 **32. Plaintiff Michael Katz.**

24 586. At all times relevant to this action, Plaintiff Michael Katz was over the age of 18 and
25 was a resident of Martinez, California.

26 587. Plaintiff Michael Katz owned a residence, which was approximately 2 miles from the
27 refinery.
28

1 588. Katz was present at their residence for the November 24 and 25, 2022 release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 589. Among other things, he recalls dust falling on his vehicles.

4 590. As a result of his exposure to the toxic discharges from the refinery on November 24
5 and 25, 2022, Katz was physically harmed.

6 591. Among other things, Katz began experiencing illness and symptoms that were directly
7 caused by the toxic exposure within days after the release, including breathing difficulties, sore
8 throat, coughing, and headaches.

9 592. The November 24 and 25, 2022, discharge also entered Katz's residence, including
10 dust.

11 593. The trespass by PBF Martinez interfered with Katz's ability to use and enjoy the
12 residence and caused injury to Katz and damage to the property including by decreasing the value
13 of the property as a result of contamination.

14 594. Needless to say, the trespass by PBF Martinez to Katz's real property was
15 unauthorized.

16 595. Katz was also present at his residence for the July 2023, October 2023, and December
17 2023 releases.

18 596. In each instance, he was exposed to toxins from the refinery's discharges.

19 597. As a result of his exposure to the 2023 discharges from the refinery, Katz was
20 physically harmed, including developing and/or worsening symptoms of sore throat, coughing, and
21 headaches that were directly caused by the reoccurring discharges in 2023.

22 598. The 2023 discharges also entered Katz's residence, including dust.

23 599. The trespasses by PBF Martinez interfered with Katz's ability to use and enjoy the
24 residence and caused injury to Katz and damage to the property including by decreasing the value
25 of the property as a result of contamination.

26 600. Needless to say, the trespasses by PBF Martinez to Katz's real property were
27 unauthorized in each instance.
28

1 **33. Plaintiff Lois Kaya.**

2 601. At all times relevant to this action, Plaintiff Lois Kaya was over the age of 18 and was
3 a resident of Martinez, California.

4 602. Plaintiff Lois Kaya owned a residence, which was approximately 1/2 mile from the
5 refinery.

6 603. Kaya was present at their residence for the November 24 and 25, 2022 release from the
7 refinery, and was exposed to the toxic discharge from the refinery.

8 604. As a result of her exposure to the toxic discharges from the refinery on November 24
9 and 25, 2022, Kaya was physically harmed.

10 605. Among other things, Kaya began experiencing illness and symptoms that were directly
11 caused by the toxic exposure within days after the release, including breathing difficulties, sore
12 throat, coughing, itchy, watery, burning eyes, congestion, phlegm, and asthma flare-ups.

13 606. The November 24 and 25, 2022, discharge also entered Kaya's residence.

14 607. The trespass by PBF Martinez interfered with Kaya's ability to use and enjoy the
15 residence and caused injury to Kaya and damage to the property including by decreasing the value
16 of the property as a result of contamination.

17 608. Needless to say, the trespass by PBF Martinez to Kaya's real property was
18 unauthorized.

19 609. Kaya was also present at her residence for the July 2023, October 2023, and December
20 2023 releases.

21 610. In each instance, she was exposed to toxins from the refinery's discharges.

22 611. As a result of her exposure to the 2023 discharges from the refinery, Kaya was
23 physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore
24 throat, asthma-flareups, and coughing that were directly caused by the reoccurring discharges in
25 2023.

26 612. The 2023 discharges also entered Kaya's residence.

1 613. The trespasses by PBF Martinez interfered with Kaya's ability to use and enjoy the
2 residence and caused injury to Kaya and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 614. Needless to say, the trespasses by PBF Martinez to Kaya's real property were
5 unauthorized in each instance.

6 **34. Plaintiff Naomi Lile.**

7 615. At all times relevant to this action, Plaintiff Naomi Lile was over the age of 18 and was
8 a resident of Martinez, California.

9 616. Plaintiff Naomi Lile owned a residence, which was approximately 1 1/2 miles from the
10 refinery.

11 617. Lile was present at their residence for the November 24 and 25, 2022 release from the
12 refinery, and was exposed to the toxic discharge from the refinery.

13 618. Among other things, she recalls a strong smell and seeing ashes.

14 619. As a result of her exposure to the toxic discharges from the refinery on November 24
15 and 25, 2022, Lile was physically harmed.

16 620. Among other things, Lile began experiencing illness and symptoms that were directly
17 caused by the toxic exposure within days after the release, including memory issues, brain fog,
18 dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, fatigue, difficulty sleeping,
19 stomach pain, and dehydration.

20 621. The November 24 and 25, 2022, discharge also entered Lile's residence, including a
21 strong smell and ashes.

22 622. The trespass by PBF Martinez interfered with Lile's ability to use and enjoy the
23 residence and caused injury to Lile and damage to the property including by decreasing the value
24 of the property as a result of contamination.

25 623. Needless to say, the trespass by PBF Martinez to Lile's real property was unauthorized.

26 624. Lile was also present at her residence for the July 2023, October 2023, and December
27 2023 releases.

28 625. In each instance, she was exposed to toxins from the refinery's discharges.

1 626. As a result of her exposure to the 2023 discharges from the refinery, Lile was physically
2 harmed, including developing and/or worsening symptoms of fatigue and difficulty sleeping that
3 were directly caused by the reoccurring discharges in 2023.

4 627. The 2023 discharges also entered Lile's residence, including a strong smell and ashes.

5 628. The trespasses by PBF Martinez interfered with Lile's ability to use and enjoy the
6 residence and caused injury to Lile and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 629. Needless to say, the trespasses by PBF Martinez to Lile's real property were
9 unauthorized in each instance.

10 **35. Plaintiff Melyssa Liljeqvist**

11 630. At all times relevant to this action, Plaintiff Melyssa Liljeqvist was over the age of 18
12 and was a resident of Martinez, California.

13 631. Plaintiff Melyssa Liljeqvist owned a residence, which was approximately 1/4 mile from
14 the refinery.

15 632. Liljeqvist was present at their residence for the November 24 and 25, 2022 release from
16 the refinery, and was exposed to the toxic discharge from the refinery.

17 633. Among other things, she recalls there being dust on everything and the air smelled bad.

18 634. As a result of her exposure to the toxic discharges from the refinery on November 24
19 and 25, 2022, Liljeqvist was physically harmed.

20 635. Among other things, Liljeqvist began experiencing illness and symptoms that were
21 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
22 memory issues, brain fog, sore throat, coughing, nausea and vomiting, headaches, fatigue, difficulty
23 sleeping, body aches, stomach pain, fever, and loss of balance.

24 636. The November 24 and 25, 2022, discharge also entered Liljeqvist's residence,
25 including dust and bad smell.

26 637. The trespass by PBF Martinez interfered with Liljeqvist's ability to use and enjoy the
27 residence and caused injury to Liljeqvist and damage to the property including by decreasing the
28 value of the property as a result of contamination.

1 638. Needless to say, the trespass by PBF Martinez to Liljeqvist's real property was
2 unauthorized.

3 639. Liljeqvist was also present at her residence for the July 2023, October 2023, and
4 December 2023 releases.

5 640. In each instance, she was exposed to toxins from the refinery's discharges.

6 641. As a result of her exposure to the 2023 discharges from the refinery, Liljeqvist was
7 physically harmed, including developing and/or worsening symptoms of difficulty breathing, brain
8 fog, dizziness, sore throat, coughing, eye irritation, fatigue, congestion, difficulty sleeping, body
9 aches, and loss of balance that were directly caused by the recurring discharges in 2023.

10 642. The 2023 discharges also entered Liljeqvist's residence.

11 643. The trespasses by PBF Martinez interfered with Liljeqvist's ability to use and enjoy
12 the residence and caused injury to Liljeqvist and damage to the property, including by decreasing
13 the value of the property as a result of contamination.

14 644. Needless to say, the trespasses by PBF Martinez to Liljeqvist's real property were
15 unauthorized in each instance.

16 **36. Plaintiff Patricia Lincoln.**

17 645. At all times relevant to this action, Plaintiff Patricia Lincoln was over the age of 18 and
18 was a resident of Martinez, California.

19 646. Plaintiff Patricia Lincoln owned a residence, which was approximately 2 miles from
20 the refinery.

21 647. Lincoln was present at their residence for the November 24 and 25, 2022 release from
22 the refinery, and was exposed to the toxic discharge from the refinery.

23 648. Among other things, she recalls a strong smell and seeing dust fall from the sky and on
24 trees.

25 649. As a result of her exposure to the toxic discharges from the refinery on November 24
26 and 25, 2022, Lincoln was physically harmed.

27 650. Among other things, Lincoln began experiencing illness and symptoms that were
28 directly caused by the toxic exposure immediately after the release, including breathing difficulties,

1 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes,
2 headaches, fatigue, congestion, and difficulty sleeping.

3 651. The November 24 and 25, 2022, discharge also entered Lincoln's residence, including
4 dust and a strong smell.

5 652. The trespass by PBF Martinez interfered with Lincoln's ability to use and enjoy the
6 residence and caused injury to Lincoln and damage to the property including by decreasing the
7 value of the property as a result of contamination.

8 653. Needless to say, the trespass by PBF Martinez to Lincoln's real property was
9 unauthorized.

10 654. Lincoln was also present at her residence for the July 2023, October 2023, and
11 December 2023 releases.

12 655. In each instance, she was exposed to toxins from the refinery's discharges.

13 656. As a result of her exposure to the 2023 discharges from the refinery, Lincoln was
14 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
15 chest pain, sore throat, coughing, itchy, watery, burning eyes, headaches, fatigue, congestion, and
16 asthma flare-ups that were directly caused by the reoccurring discharges in 2023.

17 657. The 2023 discharges also entered Lincoln's residence, including dust and a strong
18 smell.

19 658. The trespasses by PBF Martinez interfered with Lincoln's ability to use and enjoy the
20 residence and caused injury to Lincoln and damage to the property including by decreasing the
21 value of the property as a result of contamination.

22 659. Needless to say, the trespasses by PBF Martinez to Lincoln's real property were
23 unauthorized in each instance.

24 **37. Plaintiff Lizabeth Linn.**

25 660. At all times relevant to this action, Plaintiff Lizabeth Linn was over the age of 18 and
26 was a resident of Martinez, California.

27 661. Plaintiff Lizabeth Linn owned a residence, which was approximately 1 1/2 miles from
28 the refinery.

1 662. Linn was present at their residence for the November 24 and 25, 2022 release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 663. Among other things, she recalls a strong smell and seeing dust on her property.

4 664. As a result of her exposure to the toxic discharges from the refinery on November 24
5 and 25, 2022, Linn was physically harmed.

6 665. Among other things, Linn began experiencing illness and symptoms that were directly
7 caused by the toxic exposure within days after the release, including breathing difficulties, itchy,
8 watery, burning eyes, fatigue, congestion, phlegm, and asthma flare-ups.

9 666. The November 24 and 25, 2022, discharge also entered Linn's residence, including a
10 strong smell and dust.

11 667. The trespass by PBF Martinez interfered with Linn's ability to use and enjoy the
12 residence and caused injury to Linn and damage to the property including by decreasing the value
13 of the property as a result of contamination.

14 668. Needless to say, the trespass by PBF Martinez to Linn's real property was
15 unauthorized.

16 669. Linn was also present at her residence for the July 2023, October 2023, and December
17 2023 releases.

18 670. In each instance, she was exposed to toxins from the refinery's discharges.

19 671. As a result of her exposure to the 2023 discharges from the refinery, Linn was
20 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
21 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
22 and congestion that were directly caused by the reoccurring discharges in 2023.

23 672. The 2023 discharges also entered Linn's residence, including dust and a strong smell.

24 673. The trespasses by PBF Martinez interfered with Linn's ability to use and enjoy the
25 residence and caused injury to Linn and damage to the property including by decreasing the value
26 of the property as a result of contamination.

27 674. Needless to say, the trespasses by PBF Martinez to Linn's real property were
28 unauthorized in each instance.

1 **38. Plaintiff Kathy Lowe.**

2 675. At all times relevant to this action, Plaintiff Kathy Lowe was over the age of 18 and
3 was a resident of Martinez, California.

4 676. Plaintiff Kathy Lowe owned a residence, which was approximately 1/2 mile from the
5 refinery.

6 677. Lowe was present at their residence for the November 24 and 25, 2022 release from
7 the refinery, and was exposed to the toxic discharge from the refinery.

8 678. Among other things, she recalls a strong smell.

9 679. As a result of her exposure to the toxic discharges from the refinery on November 24
10 and 25, 2022, Lowe was physically harmed.

11 680. Among other things, Lowe began experiencing illness and symptoms that were directly
12 caused by the toxic exposure within days after the release, including sore throat, coughing, itchy,
13 watery, and burning eyes.

14 681. The November 24 and 25, 2022, discharge also entered Lowe's residence, including a
15 strong smell.

16 682. The trespass by PBF Martinez interfered with Lowe's ability to use and enjoy the
17 residence and caused injury to Lowe and damage to the property including by decreasing the value
18 of the property as a result of contamination.

19 683. Needless to say, the trespass by PBF Martinez to Lowe's real property was
20 unauthorized.

21 684. Lowe was also present at her residence for the July 2023, October 2023, and December
22 2023 releases.

23 685. In each instance, she was exposed to toxins from the refinery's discharges.

24 686. As a result of her exposure to the 2023 discharges from the refinery, Lowe was
25 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
26 chest pain, dizziness, vertigo, sore throat, coughing, rash, hives, headaches, sinus pain, pressure,
27 fatigue, bloody nose, congestion, body aches, earaches, ear infections, heartburn, dehydration, and
28 fainting that were directly caused by the reoccurring discharges in 2023.

1 687. The 2023 discharges also entered Lowe's residence, including a strong smell.

2 688. The trespasses by PBF Martinez interfered with Lowe's ability to use and enjoy the
3 residence and caused injury to Lowe and damage to the property including by decreasing the value
4 of the property as a result of contamination.

5 689. Needless to say, the trespasses by PBF Martinez to Lowe's real property were
6 unauthorized in each instance.

7 **39. Plaintiff Dean Lumia.**

8 690. At all times relevant to this action, Plaintiff Dean Lumia was over the age of 18 and
9 was a resident of Martinez, California.

10 691. Plaintiff Dean Lumia owned a residence, which was approximately 1 mile from the
11 refinery.

12 692. Lumia was present at their residence for the November 24 and 25, 2022 release from
13 the refinery, and was exposed to the toxic discharge from the refinery.

14 693. As a result of his exposure to the toxic discharges from the refinery on November 24
15 and 25, 2022, Lumia was physically harmed.

16 694. Among other things, Lumia began experiencing illness and symptoms that were
17 directly caused by the toxic exposure within days after the release, including itchy, watery, burning
18 eyes, headaches, sinus pain, pressure, and congestion.

19 695. The November 24 and 25, 2022, discharge also entered Lumia's residence.

20 696. The trespass by PBF Martinez interfered with Lumia's ability to use and enjoy the
21 residence and caused injury to Lumia and damage to the property including by decreasing the value
22 of the property as a result of contamination.

23 697. Needless to say, the trespass by PBF Martinez to Lumia's real property was
24 unauthorized.

25 698. Lumia was also present at his residence for the July 2023, October 2023, and December
26 2023 releases.

27 699. In each instance, he was exposed to toxins from the refinery's discharges.
28

1 700. As a result of his exposure to the 2023 discharges from the refinery, Lumia was
2 physically harmed, including developing and/or worsening symptoms of itchy, watery, burning
3 eyes, headaches, congestion, and phlegm that were directly caused by the reoccurring discharges
4 in 2023.

5 701. The 2023 discharges also entered Lumia's residence.

6 702. The trespasses by PBF Martinez interfered with Lumia's ability to use and enjoy the
7 residence and caused injury to Lumia and damage to the property including by decreasing the value
8 of the property as a result of contamination.

9 703. Needless to say, the trespasses by PBF Martinez to Lumia's real property were
10 unauthorized in each instance.

11 **40. Plaintiff Diana Luna.**

12 704. At all times relevant to this action, Plaintiff Diana Luna was over the age of 18 and was
13 a resident of Martinez, California.

14 705. Plaintiff Diana Luna owned a residence, which was approximately 1 mile from the
15 refinery.

16 706. Luna was present at their residence for the November 24 and 25, 2022 release from the
17 refinery, and was exposed to the toxic discharge from the refinery.

18 707. Among other things, she recalls a strong smell.

19 708. As a result of her exposure to the toxic discharges from the refinery on November 24
20 and 25, 2022, Luna was physically harmed.

21 709. Among other things, Luna began experiencing illness and symptoms that were directly
22 caused by the toxic exposure within days after the release, including sore throat, coughing, nausea,
23 vomiting, headaches, fatigue, congestion, body aches, and fainting.

24 710. The November 24 and 25, 2022, discharge also entered Luna's residence, including a
25 strong smell.

26 711. The trespass by PBF Martinez interfered with Luna's ability to use and enjoy the
27 residence and caused injury to Luna and damage to the property including by decreasing the value
28 of the property as a result of contamination.

1 712. Needless to say, the trespass by PBF Martinez to Luna's real property was
2 unauthorized.

3 713. Luna was also present at her residence for the July 2023, October 2023, and December
4 2023 releases.

5 714. In each instance, she was exposed to toxins from the refinery's discharges.

6 715. As a result of her exposure to the 2023 discharges from the refinery, Luna was
7 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
8 dizziness, vertigo, nausea, vomiting, headaches, and congestion that were directly caused by the
9 reoccurring discharges in 2023.

10 716. The 2023 discharges also entered Luna's residence, including a strong smell.

11 717. The trespasses by PBF Martinez interfered with Luna's ability to use and enjoy the
12 residence and caused injury to Luna and damage to the property including by decreasing the value
13 of the property as a result of contamination.

14 718. Needless to say, the trespasses by PBF Martinez to Luna's real property was
15 unauthorized in each instance.

16 719. Additionally, the health effects on Luna from the discharges have caused her to suffer
17 lost wages, income, and/or business opportunities.

18 **41. Plaintiff Anna Martinez.**

19 720. At all times relevant to this action, Plaintiff Anna Martinez was over the age of 18 and
20 was a resident of Martinez, California.

21 721. Plaintiff Anna Martinez owned a residence, which was approximately 1 1/2 miles from
22 the refinery.

23 722. Martinez was present at their residence for the November 24 and 25, 2022 release from
24 the refinery, and was exposed to the toxic discharge from the refinery.

25 723. As a result of her exposure to the toxic discharges from the refinery on November 24
26 and 25, 2022, Martinez was physically harmed.

27 724. Among other things, Martinez began experiencing illness and symptoms that were
28 directly caused by the toxic exposure within a few weeks after the release, including breathing

1 difficulties, chest pain, sore throat, coughing, itchy, watery, burning eyes, rash, hives, and asthma
2 flare-ups.

3 725. The November 24 and 25, 2022, discharge also entered Martinez's residence.

4 726. The trespass by PBF Martinez interfered with Martinez's ability to use and enjoy the
5 residence and caused injury to Martinez and damage to the property, including by decreasing the
6 value of the property as a result of contamination.

7 727. Needless to say, the trespass by PBF Martinez to Martinez's real property was
8 unauthorized.

9 728. Martinez was also present at her residence for the July 2023, October 2023, and
10 December 2023 releases.

11 729. In each instance, she was exposed to toxins from the refinery's discharges.

12 730. As a result of her exposure to the 2023 discharges from the refinery, Martinez was
13 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
14 chest pain, sore throat, coughing, itchy, watery, burning eyes, rash, hives, and asthma flare-ups that
15 were directly caused by the reoccurring discharges in 2023.

16 731. The 2023 discharges also entered Martinez's residence.

17 732. The trespasses by PBF Martinez interfered with Martinez's ability to use and enjoy the
18 residence and caused injury to Martinez and damage to the property, including by decreasing the
19 value of the property as a result of contamination.

20 733. Needless to say, the trespasses by PBF Martinez to Martinez's real property were
21 unauthorized in each instance.

22 **42. Plaintiff Kristin McCray.**

23 734. At all times relevant to this action, Plaintiff Kristin McCray was over the age of 18 and
24 was a resident of Martinez, California.

25 735. Plaintiff Kristin McCray owned a residence, which was approximately 1 mile from the
26 refinery.

27 736. McCray was present at their residence for the November 24 and 25, 2022 release from
28 the refinery, and was exposed to the toxic discharge from the refinery.

1 737. Among other things, she recalls seeing dust and smelling a strong odor.

2 738. As a result of her exposure to the toxic discharges from the refinery on November 24
3 and 25, 2022, McCray was physically harmed.

4 739. Among other things, McCray began experiencing illness and symptoms that were
5 directly caused by the toxic exposure within days after the release, including memory issues, brain
6 fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, headaches, fatigue, difficulty
7 sleeping, body aches, stomach pain, heartburn, and diarrhea.

8 740. The November 24 and 25, 2022, discharge also entered McCray's residence, including
9 dust and a strong smell.

10 741. The trespass by PBF Martinez interfered with McCray's ability to use and enjoy the
11 residence and caused injury to McCray and damage to the property including by decreasing the
12 value of the property as a result of contamination.

13 742. Needless to say, the trespass by PBF Martinez to McCray's real property was
14 unauthorized.

15 743. McCray was also present at her residence for the July 2023, October 2023, and
16 December 2023 releases.

17 744. In each instance, she was exposed to toxins from the refinery's discharges.

18 745. As a result of her exposure to the 2023 discharges from the refinery, McCray was
19 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
20 chest pain, memory issues, brain fog, dizziness, vertigo, nausea, vomiting, itchy, watery, burning
21 eyes, headaches, fatigue, difficulty sleeping, body aches, ear aches, ear infections, stomach pain,
22 diarrhea, fainting, and loss of balance that were directly caused by the reoccurring discharges in
23 2023.

24 746. The 2023 discharges also entered McCray's residence, including dust and a strong
25 smell.

26 747. The trespasses by PBF Martinez interfered with McCray's ability to use and enjoy the
27 residence and caused injury to McCray and damage to the property including by decreasing the
28 value of the property as a result of contamination.

1 748. Needless to say, the trespasses by PBF Martinez to McCray's real property were
2 unauthorized in each instance.

3 **43. Plaintiff Richard McDonald.**

4 749. At all times relevant to this action, Plaintiff Richard McDonald was over the age of 18
5 and was a resident of Martinez, California.

6 750. Plaintiff Richard McDonald owned a residence, which was approximately 1/4 mile
7 from the refinery.

8 751. McDonald was present at their residence for the November 24 and 25, 2022 release
9 from the refinery, and was exposed to the toxic discharge from the refinery.

10 752. As a result of his exposure to the toxic discharges from the refinery on November 24
11 and 25, 2022, McDonald was physically harmed.

12 753. Among other things, McDonald began experiencing illness and symptoms that were
13 directly caused by the toxic exposure within a month after the release, including breathing
14 difficulties.

15 754. The November 24 and 25, 2022, discharge also entered McDonald's residence.

16 755. The trespass by PBF Martinez interfered with McDonald's ability to use and enjoy the
17 residence and caused injury to McDonald and damage to the property including by decreasing the
18 value of the property as a result of contamination.

19 756. Needless to say, the trespass by PBF Martinez to McDonald's real property was
20 unauthorized.

21 757. McDonald was also present at his residence for the July 2023, October 2023, and
22 December 2023 releases.

23 758. In each instance, he was exposed to toxins from the refinery's discharges.

24 759. As a result of his exposure to the 2023 discharges from the refinery, McDonald was
25 physically harmed, including developing and/or worsening symptoms of chest pains, sinus pain,
26 pressure, congestion, and heartburn that were directly caused by the reoccurring discharges in 2023.

27 760. The 2023 discharges also entered McDonald's residence.
28

1 761. The trespasses by PBF Martinez interfered with Mcdonald's ability to use and enjoy
2 the residence and caused injury to Mcdonald and damage to the property including by decreasing
3 the value of the property as a result of contamination.

4 762. Needless to say, the trespasses by PBF Martinez to Mcdonald's real property were
5 unauthorized in each instance.

6 763. Additionally, the health effects on Mcdonald from the discharges have caused him to
7 suffer lost wages, income, and/or business opportunities.

8 **44. Plaintiff Timothy Mitchell.**

9 764. At all times relevant to this action, Plaintiff Timothy Mitchell was over the age of 18
10 and was a resident of Martinez, California.

11 765. Plaintiff Timothy Mitchell owned a residence, which was approximately 2 miles from
12 the refinery.

13 766. Mitchell was present at their residence for the November 24 and 25, 2022 release from
14 the refinery, and was exposed to the toxic discharge from the refinery.

15 767. Among other things, he recalls a strong smell in the air and seeing dust on his vehicle.

16 768. As a result of his exposure to the toxic discharges from the refinery on November 24
17 and 25, 2022, Mitchell was physically harmed.

18 769. Among other things, Mitchell began experiencing illness and symptoms that were
19 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
20 chest pain, memory issues, brain fog, sore throat, coughing, nausea, vomiting, itchy, watery,
21 burning eyes, headaches, sinus pain, pressure, congestion, difficulty sleeping, body aches, and
22 phlegm.

23 770. The November 24 and 25, 2022, discharge also entered Mitchell's residence, including
24 a strong smell and dust.

25 771. The trespass by PBF Martinez interfered with Mitchell's ability to use and enjoy the
26 residence and caused injury to Mitchell and damage to the property including by decreasing the
27 value of the property as a result of contamination.

1 772. Needless to say, the trespass by PBF Martinez to Mitchell's real property was
2 unauthorized.

3 773. Mitchell was also present at his residence for the July 2023, October 2023, and
4 December 2023 releases.

5 774. In each instance, he was exposed to toxins from the refinery's discharges.

6 775. As a result of his exposure to the 2023 discharges from the refinery, Mitchell was
7 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
8 fatigue, and congestion that were directly caused by the reoccurring discharges in 2023.

9 776. The 2023 discharges also entered Mitchell's residence, including dust and a strong
10 smell.

11 777. The trespasses by PBF Martinez interfered with Mitchell's ability to use and enjoy the
12 residence and caused injury to Mitchell and damage to the property, including by decreasing the
13 value of the property as a result of contamination.

14 778. Needless to say, the trespasses by PBF Martinez to Mitchell's real property were
15 unauthorized in each instance.

16 **45. Plaintiff Rosita Molina.**

17 779. At all times relevant to this action, Plaintiff Rosita Molina was over the age of 18 and
18 was a resident of Martinez, California.

19 780. Plaintiff Rosita Molina owned a residence, which was approximately 1/2 mile from the
20 refinery.

21 781. Molina was present at their residence for the November 24 and 25, 2022 release from
22 the refinery, and was exposed to the toxic discharge from the refinery.

23 782. Among other things, she recalls seeing dust on her car.

24 783. As a result of her exposure to the toxic discharges from the refinery on November 24
25 and 25, 2022, Molina was physically harmed.

26 784. Among other things, Molina began experiencing illness and symptoms that were
27 directly caused by the toxic exposure within days after the release, including breathing difficulties,
28 dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, rash, hives, headaches, sinus

1 pain. pressure, fatigue, congestion, difficulty sleeping, body aches, earaches, ear infections,
2 phlegm, and chest tightness.

3 785. The November 24 and 25, 2022, discharge also entered Molina's residence, including
4 dust.

5 786. The trespass by PBF Martinez interfered with Molina's ability to use and enjoy the
6 residence and caused injury to Molina and damage to the property, including by decreasing the
7 value of the property as a result of contamination.

8 787. Needless to say, the trespass by PBF Martinez to Molina's real property was
9 unauthorized.

10 788. Molina was also present at her residence for the July 2023, October 2023, and
11 December 2023 releases.

12 789. In each instance, she was exposed to toxins from the refinery's discharges.

13 790. As a result of her exposure to the 2023 discharges from the refinery, Molina was
14 physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore
15 throat, coughing, headaches, congestion, and phlegm that were directly caused by the reoccurring
16 discharges in 2023.

17 791. The 2023 discharges also entered Molina's residence, including dust.

18 792. The trespasses by PBF Martinez interfered with Molina's ability to use and enjoy the
19 residence and caused injury to Molina and damage to the property including by decreasing the value
20 of the property as a result of contamination.

21 793. Needless to say, the trespasses by PBF Martinez to Molina's real property were
22 unauthorized in each instance.

23 **46. Plaintiff Jennifer Moore.**

24 794. At all times relevant to this action, Plaintiff Jennifer Moore was over the age of 18 and
25 was a resident of Martinez, California.

26 795. Plaintiff Jennifer Moore owned a residence, which was approximately 1/4 mile from
27 the refinery.
28

1 796. Moore was present at their residence for the November 24 and 25, 2022 release from
2 the refinery, and was exposed to the toxic discharge from the refinery.

3 797. Among other things, she recalls a strong smell and seeing ash and dust on her vehicles,
4 plants, and her house.

5 798. As a result of her exposure to the toxic discharges from the refinery on November 24
6 and 25, 2022, Moore was physically harmed.

7 799. Among other things, Moore began experiencing illness and symptoms that were
8 directly caused by the toxic exposure within days after the release, including breathing difficulties,
9 dizziness, vertigo, nausea, vomiting, headaches, sinus pain, pressure, fatigue, and body aches.

10 800. The November 24 and 25, 2022, discharge also entered Moore's residence, including
11 dust, ashes, and a strong smell.

12 801. The trespass by PBF Martinez interfered with Moore's ability to use and enjoy the
13 residence and caused injury to Moore and damage to the property including by decreasing the value
14 of the property as a result of contamination.

15 802. Needless to say, the trespass by PBF Martinez to Moore's real property was
16 unauthorized.

17 803. Moore was also present at her residence for the July 2023, October 2023, and
18 December 2023 releases.

19 804. In each instance, she was exposed to toxins from the refinery's discharges.

20 805. As a result of her exposure to the 2023 discharges from the refinery, Moore was
21 physically harmed, including developing and/or worsening symptoms of dizziness and vertigo that
22 were directly caused by the reoccurring discharges in 2023.

23 806. The 2023 discharges also entered Moore's residence, including ash, dust, and a strong
24 smell.

25 807. The trespasses by PBF Martinez interfered with Moore's ability to use and enjoy the
26 residence and caused injury to Moore and damage to the property including by decreasing the value
27 of the property as a result of contamination.

1 808. Needless to say, the trespasses by PBF Martinez to Moore's real property were
2 unauthorized in each instance.

3 809. Additionally, the health effects on Moore from the discharges have caused her to suffer
4 lost wages, income, and/or business opportunities.

5 **47. Plaintiff Daniel Napier.**

6 810. At all times relevant to this action, Plaintiff Daniel Napier was over the age of 18 and
7 was a resident of Martinez, California.

8 811. Plaintiff Daniel Napier owned a residence, which was approximately 1/4 mile from the
9 refinery.

10 812. Napier was present at their residence for the November 24 and 25, 2022 release from
11 the refinery, and was exposed to the toxic discharge from the refinery.

12 813. As a result of his exposure to the toxic discharges from the refinery on November 24
13 and 25, 2022, Napier was physically harmed.

14 814. Among other things, Napier began experiencing illness and symptoms that were
15 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
16 chest pain, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches, sinus
17 pain, pressure, fatigue, difficulty sleeping, phlegm, heartburn, and loss of balance.

18 815. The November 24 and 25, 2022, discharge also entered Napier's residence.

19 816. The trespass by PBF Martinez interfered with Napier's ability to use and enjoy the
20 residence and caused injury to Napier and damage to the property including by decreasing the value
21 of the property as a result of contamination.

22 817. Needless to say, the trespass by PBF Martinez to Napier's real property was
23 unauthorized.

24 818. Napier was also present at his residence for the July 2023, October 2023, and December
25 2023 releases.

26 819. In each instance, he was exposed to toxins from the refinery's discharges.

27 820. As a result of his exposure to the 2023 discharges from the refinery, Napier was
28 physically harmed, including developing and/or worsening symptoms of breathing difficulties,

1 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, headaches, sinus
2 pain, pressure, fatigue, body aches, phlegm, heartburn, dehydration, fever, diarrhea, and loss of
3 balance that were directly caused by the reoccurring discharges in 2023.

4 821. The 2023 discharges also entered Napier's residence.

5 822. The trespasses by PBF Martinez interfered with Napier's ability to use and enjoy the
6 residence and caused injury to Napier and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 823. Needless to say, the trespasses by PBF Martinez to Napier's real property were
9 unauthorized in each instance.

10 824. Additionally, the health effects on Napier from the discharges have caused him to
11 suffer lost wages, income, and/or business opportunities.

12 **48. Plaintiff Lisa Osage.**

13 825. At all times relevant to this action, Plaintiff Lisa Osage was over the age of 18 and was
14 a resident of Martinez, California.

15 826. Plaintiff Lisa Osage owned a residence, which was approximately 1/2 mile from the
16 refinery.

17 827. Osage was present at their residence for the November 24 and 25, 2022 release from
18 the refinery, and was exposed to the toxic discharge from the refinery.

19 828. Among other things, she recalls seeing dust.

20 829. The November 24 and 25, 2022, discharge also entered Osage's residence, including
21 dust.

22 830. The trespass by PBF Martinez interfered with Osage's ability to use and enjoy the
23 residence and caused injury to Osage and damage to the property including by decreasing the value
24 of the property as a result of contamination.

25 831. Needless to say, the trespass by PBF Martinez to Osage's real property was
26 unauthorized.

27 832. Osage was also present at her residence for the July 2023, October 2023, and December
28 2023 releases.

1 833. In each instance, she was exposed to toxins from the refinery's discharges, and as a
2 result of those exposures now has a significantly higher probability of developing a wide range of
3 medical conditions, including cancer.

4 834. The 2023 discharges also entered Osage's residence, including dust.

5 835. The trespasses by PBF Martinez interfered with Osage's ability to use and enjoy the
6 residence and caused injury to Osage and damage to the property including by decreasing the value
7 of the property as a result of contamination.

8 836. Needless to say, the trespasses by PBF Martinez to Osage's real property was
9 unauthorized in each instance.

10 **49. Plaintiff Steven Padilla.**

11 837. At all times relevant to this action, Plaintiff Steven Padilla was over the age of 18 and
12 was a resident of Martinez, California.

13 838. Plaintiff Steven Padilla owned a residence, which was approximately 1/4 mile from the
14 refinery.

15 839. Padilla was present at their residence for the November 24 and 25, 2022 release from
16 the refinery, and was exposed to the toxic discharge from the refinery.

17 840. Among other things, he recalls a strong smell and seeing dust.

18 841. As a result of his exposure to the toxic discharges from the refinery on November 24
19 and 25, 2022, Padilla was physically harmed.

20 842. Among other things, Padilla began experiencing illness and symptoms that were
21 directly caused by the toxic exposure within days after the release, including memory issues, brain
22 fog, sore throat, coughing, itchy, watery, and burning eyes.

23 843. The November 24 and 25, 2022, discharge also entered Padilla's residence, including
24 a strong smell and dust.

25 844. The trespass by PBF Martinez interfered with Padilla's ability to use and enjoy the
26 residence and caused injury to Padilla and damage to the property including by decreasing the value
27 of the property as a result of contamination.

1 845. Needless to say, the trespass by PBF Martinez to Padilla's real property was
2 unauthorized.

3 846. Padilla was also present at his residence for the July 2023, October 2023, and
4 December 2023 releases.

5 847. In each instance, he was exposed to toxins from the refinery's discharges.

6 848. As a result of his exposure to the 2023 discharges from the refinery, Padilla was
7 physically harmed, including developing and/or worsening symptoms of chest pain, memory
8 issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning
9 eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body
10 aches, phlegm, coughing up blood, stomach pain, asthma flare-ups, heartburn, dehydration,
11 diarrhea, and loss of balance that were directly caused by the reoccurring discharges in 2023.

12 849. The 2023 discharges also entered Padilla's residence, including dust and a strong smell.

13 850. The trespasses by PBF Martinez interfered with Padilla's ability to use and enjoy the
14 residence and caused injury to Padilla and damage to the property including by decreasing the value
15 of the property as a result of contamination.

16 851. Needless to say, the trespasses by PBF Martinez to Padilla's real property were
17 unauthorized in each instance.

18 **50. Plaintiff Clover Porche.**

19 852. At all times relevant to this action, Plaintiff Clover Porche was over the age of 18 and
20 was a resident of Martinez, California.

21 853. Plaintiff Clover Porche owned a residence, which was approximately 2 miles from the
22 refinery.

23 854. Porche was present at their residence for the November 24 and 25, 2022 release from
24 the refinery, and was exposed to the toxic discharge from the refinery.

25 855. Among other things, she recalls a strong odor and seeing ash on her car and property.

26 856. As a result of her exposure to the toxic discharges from the refinery on November 24
27 and 25, 2022, Porche was physically harmed.
28

1 857. Among other things, Porche began experiencing illness and symptoms that were
2 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
3 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery,
4 burning eyes, headaches, sinus pain, pressure, fatigue, bloody nose, phlegm, stomach pain,
5 heartburn, and diarrhea.

6 858. The November 24 and 25, 2022, discharge also entered Porche's residence, including
7 a strong smell and ash.

8 859. The trespass by PBF Martinez interfered with Porche's ability to use and enjoy the
9 residence and caused injury to Porche and damage to the property including by decreasing the value
10 of the property as a result of contamination.

11 860. Needless to say, the trespass by PBF Martinez to Porche's real property was
12 unauthorized.

13 861. Porche was also present at Porche's residence for the July 2023, October 2023, and
14 December 2023 releases.

15 862. In each instance, she was exposed to toxins from the refinery's discharges.

16 863. As a result of her exposure to the 2023 discharges from the refinery, Porche was
17 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
18 chest pain, itchy, watery, burning eyes, headaches, fatigue, and asthma flare-ups that were directly
19 caused by the reoccurring discharges in 2023.

20 864. The 2023 discharges also entered Porche's residence, including a strong smell and ash.

21 865. The trespasses by PBF Martinez interfered with Porche's ability to use and enjoy the
22 residence and caused injury to Porche and damage to the property including by decreasing the value
23 of the property as a result of contamination.

24 866. Needless to say, the trespasses by PBF Martinez to Porche's real property were
25 unauthorized in each instance.

26 **51. Plaintiff Rosemarie Ratto.**

27 867. At all times relevant to this action, Plaintiff Rosemarie Ratto was over the age of 18
28 and was a resident of Martinez, California.

1 868. Plaintiff Rosemarie Ratto owned a residence, which was approximately 1/2 mile from
2 the refinery.

3 869. Ratto was present at their residence for the November 24 and 25, 2022 release from the
4 refinery, and was exposed to the toxic discharge from the refinery.

5 870. Among other things, she recalls dust on her vehicles and dust coming into her house.

6 871. As a result of her exposure to the toxic discharges from the refinery on November 24
7 and 25, 2022, Ratto was physically harmed.

8 872. Among other things, Ratto began experiencing illness and symptoms that were directly
9 caused by the toxic exposure immediately after the release, including breathing difficulties, itchy,
10 watery, burning eyes, fatigue, and body aches.

11 873. The November 24 and 25, 2022, discharge also entered Ratto's residence, including
12 dust.

13 874. The trespass by PBF Martinez interfered with Ratto's ability to use and enjoy the
14 residence and caused injury to Ratto and damage to the property including by decreasing the value
15 of the property as a result of contamination.

16 875. Needless to say, the trespass by PBF Martinez to Ratto's real property was
17 unauthorized.

18 876. Ratto was also present at her residence for the July 2023, October 2023, and December
19 2023 releases.

20 877. In each instance, she was exposed to toxins from the refinery's discharges.

21 878. As a result of her exposure to the 2023 discharges from the refinery, Ratto was
22 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
23 itchy, watery, burning eyes, and difficulty sleeping that were directly caused by the reoccurring
24 discharges in 2023.

25 879. The 2023 discharges also entered Ratto's residence, including dust.

26 880. The trespasses by PBF Martinez interfered with Ratto's ability to use and enjoy the
27 residence and caused injury to Ratto and damage to the property including by decreasing the value
28 of the property as a result of contamination.

1 881. Needless to say, the trespasses by PBF Martinez to Ratto's real property were
2 unauthorized in each instance.

3 **52. Plaintiff Consuela Reyola.**

4 882. At all times relevant to this action, Plaintiff Consuela Reyola was over the age of 18
5 and was a resident of Martinez, California.

6 883. Plaintiff Consuela Reyola owned a residence, which was approximately 1 1/2 miles
7 from the refinery.

8 884. Reyola was present at their residence for the November 24 and 25, 2022 release from
9 the refinery, and was exposed to the toxic discharge from the refinery.

10 885. Among other things, she recalls a strong smell and seeing dust.

11 886. As a result of her exposure to the toxic discharges from the refinery on November 24
12 and 25, 2022, Reyola was physically harmed.

13 887. Among other things, Reyola began experiencing illness and symptoms that were
14 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
15 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
16 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion,
17 difficulty sleeping, body aches, stomach pain, asthma flare-up, fever, and diarrhea.

18 888. The November 24 and 25, 2022, discharge also entered Reyola's residence, including
19 strong smell and dust.

20 889. The trespass by PBF Martinez interfered with Reyola's ability to use and enjoy the
21 residence and caused injury to Reyola and damage to the property, including by decreasing the
22 value of the property as a result of contamination.

23 890. Needless to say, the trespass by PBF Martinez to Reyola's real property was
24 unauthorized.

25 891. Reyola was also present at her residence for the July 2023, October 2023, and
26 December 2023 releases.

27 892. In each instance, she was exposed to toxins from the refinery's discharges.
28

1 893. As a result of her exposure to the 2023 discharges from the refinery, Reyola was
2 physically harmed, including developing and/or worsening symptoms of chest pain, memory
3 issues, brain fog, dizziness, vertigo, sore throat, coughing, and headaches that were directly caused
4 by the reoccurring discharges in 2023.

5 894. The 2023 discharges also entered Reyola's residence, including a strong smell and dust.

6 895. The trespasses by PBF Martinez interfered with Reyola's ability to use and enjoy the
7 residence and caused injury to Reyola and damage to the property including by decreasing the value
8 of the property as a result of contamination.

9 896. Needless to say, the trespasses by PBF Martinez to Reyola's real property was
10 unauthorized in each instance.

11 897. Additionally, the health effects on Reyola from the discharges have caused her to suffer
12 lost wages, income, and/or business opportunities.

13 **53. Plaintiff Carol Rose.**

14 898. At all times relevant to this action, Plaintiff Carol Rose was over the age of 18 and was
15 a resident of Martinez, California.

16 899. Plaintiff Carol Rose owned a residence, which was approximately 1 mile from the
17 refinery.

18 900. Rose was present at their residence for the November 24 and 25, 2022 release from the
19 refinery, and was exposed to the toxic discharge from the refinery.

20 901. Among other things, she recalls seeing ashes on all of her vehicles and smelling a
21 strong odor.

22 902. As a result of her exposure to the toxic discharges from the refinery on November 24
23 and 25, 2022, Rose was physically harmed.

24 903. Among other things, Rose began experiencing illness and symptoms that were directly
25 caused by the toxic exposure within a few months after the release, including sore throat and
26 coughing.

27 904. The November 24 and 25, 2022, discharge also entered Rose's residence, including
28 sooty ash and smell.

1 905. The trespass by PBF Martinez interfered with Rose's ability to use and enjoy the
2 residence and caused injury to Rose and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 906. Needless to say, the trespass by PBF Martinez to Rose's real property was
5 unauthorized.

6 907. Rose was also present at her residence for the July 2023, October 2023, and December
7 2023 releases.

8 908. In each instance, she was exposed to toxins from the refinery's discharges.

9 909. As a result of her exposure to the 2023 discharges from the refinery, Rose was
10 physically harmed, including developing and/or worsening symptoms of coughing, sore throat, and
11 asthma flare-ups that were directly caused by the reoccurring discharges in 2023.

12 910. The 2023 discharges also entered Rose's residence, including ashes and a strong smell.

13 911. The trespasses by PBF Martinez interfered with Rose's ability to use and enjoy the
14 residence and caused injury to Rose and damage to the property including by decreasing the value
15 of the property as a result of contamination.

16 912. Needless to say, the trespasses by PBF Martinez to Rose's real property were
17 unauthorized in each instance.

18 **54. Plaintiff Carmelo M. Salgado.**

19 913. At all times relevant to this action, Plaintiff Carmelo M. Salgado was over the age of
20 18 and was a resident of Martinez, California.

21 914. Plaintiff Carmelo M. Salgado owned a residence, which was approximately 2 miles
22 from the refinery.

23 915. Salgado was present at their residence for the November 24 and 25, 2022 release from
24 the refinery, and was exposed to the toxic discharge from the refinery.

25 916. Among other things, he recalls seeing ash and dust on his car and backyard.

26 917. As a result of his exposure to the toxic discharges from the refinery on November 24
27 and 25, 2022, Salgado was physically harmed.

1 918. Among other things, Salgado began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within a month after the release, including breathing
3 difficulties, sore throat, coughing, rash, and hives.

4 919. The November 24 and 25, 2022, discharge also entered Salgado's residence, including
5 ash and dust.

6 920. The trespass by PBF Martinez interfered with Salgado's ability to use and enjoy the
7 residence and caused injury to Salgado and damage to the property including by decreasing the
8 value of the property as a result of contamination.

9 921. Needless to say, the trespass by PBF Martinez to Salgado's real property was
10 unauthorized.

11 922. Salgado was also present at his residence for the July 2023, October 2023, and
12 December 2023 releases.

13 923. In each instance, he was exposed to toxins from the refinery's discharges.

14 924. As a result of his exposure to the 2023 discharges from the refinery, Salgado was
15 physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore
16 throat, coughing, rash, and hives directly caused by the reoccurring discharges in 2023.

17 925. The 2023 discharges also entered Salgado's residence, including ash and dust.

18 926. The trespasses by PBF Martinez interfered with Salgado's ability to use and enjoy the
19 residence and caused injury to Salgado and damage to the property, including by decreasing the
20 value of the property as a result of contamination.

21 927. Needless to say, the trespasses by PBF Martinez to Salgado's real property were
22 unauthorized in each instance.

23 **55. Plaintiff Leonard Serpa.**

24 928. At all times relevant to this action, Plaintiff Leonard Serpa was over the age of 18 and
25 was a resident of Martinez, California.

26 929. Plaintiff Leonard Serpa owned a residence, which was approximately 1 mile from the
27 refinery.
28

1 930. Serpa was present at their residence for the November 24 and 25, 2022 release from
2 the refinery, and was exposed to the toxic discharge from the refinery.

3 931. Among other things, he recalls seeing dust on his vehicles.

4 932. As a result of his exposure to the toxic discharges from the refinery on November 24
5 and 25, 2022, Serpa was physically harmed.

6 933. Among other things, Serpa began experiencing illness and symptoms that were directly
7 caused by the toxic exposure within days after the release, including breathing difficulties, sore
8 throat, coughing, rash, hives, headaches, body aches, heartburn, and dehydration.

9 934. The November 24 and 25, 2022, discharge also entered Serpa's residence, including
10 dust.

11 935. The trespass by PBF Martinez interfered with Serpa's ability to use and enjoy the
12 residence and caused injury to Serpa and damage to the property including by decreasing the value
13 of the property as a result of contamination.

14 936. Needless to say, the trespass by PBF Martinez to Serpa's real property was
15 unauthorized.

16 937. Serpa was also present at his residence for the July 2023, October 2023, and December
17 2023 releases.

18 938. In each instance, he was exposed to toxins from the refinery's discharges.

19 939. As a result of his exposure to the 2023 discharges from the refinery, Serpa was
20 physically harmed, including developing and/or worsening symptoms of dizziness, vertigo,
21 breathing difficulties, sore throat, coughing, rash, hives, headaches, body aches, heartburn, and
22 dehydration that were directly caused by the reoccurring discharges in 2023.

23 940. The 2023 discharges also entered Serpa's residence, including dust.

24 941. The trespasses by PBF Martinez interfered with Serpa's ability to use and enjoy the
25 residence and caused injury to Serpa and damage to the property including by decreasing the value
26 of the property as a result of contamination.

27 942. Needless to say, the trespasses by PBF Martinez to Serpa's real property were
28 unauthorized in each instance.

1 943. Additionally, the health effects on Serpa from the discharges have caused him to suffer
2 lost wages, income, and/or business opportunities.

3 **56. Plaintiff Christine Shannon.**

4 944. At all times relevant to this action, Plaintiff Christine Shannon was over the age of 18
5 and was a resident of Martinez, California.

6 945. Plaintiff Christine Shannon owned a residence, which was approximately 2 miles from
7 the refinery.

8 946. Shannon was present at their residence for the November 24 and 25, 2022 release from
9 the refinery, and was exposed to the toxic discharge from the refinery.

10 947. Among other things, she recalls seeing dust on her car.

11 948. As a result of her exposure to the toxic discharges from the refinery on November 24
12 and 25, 2022, Shannon was physically harmed.

13 949. Among other things, Shannon began experiencing illness and symptoms that were
14 directly caused by the toxic exposure within a few weeks after the release, including breathing
15 difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, headaches, sinus
16 pain, pressure, fatigue, congestion, difficulty sleeping, phlegm, asthma flare-up, and loss of
17 balance.

18 950. The November 24 and 25, 2022, discharge also entered Shannon's residence, including
19 dust.

20 951. The trespass by PBF Martinez interfered with Shannon's ability to use and enjoy the
21 residence and caused injury to Shannon and damage to the property including by decreasing the
22 value of the property as a result of contamination.

23 952. Needless to say, the trespass by PBF Martinez to Shannon's real property was
24 unauthorized.

25 953. Shannon was also present at her residence for the July 2023, October 2023, and
26 December 2023 releases.

27 954. In each instance, she was exposed to toxins from the refinery's discharges.
28

1 955. As a result of her exposure to the 2023 discharges from the refinery, Shannon was
2 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
3 chest pain, itchy, watery, burning eyes, headaches, burning eyes, headaches, and fatigue that were
4 directly caused by the reoccurring discharges in 2023.

5 956. The 2023 discharges also entered Shannon's residence, including dust.

6 957. The trespasses by PBF Martinez interfered with Shannon's ability to use and enjoy the
7 residence and caused injury to Shannon and damage to the property including by decreasing the
8 value of the property as a result of contamination.

9 958. Needless to say, the trespasses by PBF Martinez to Shannon's real property were
10 unauthorized in each instance.

11 **57. Plaintiff Kara Silverfoote**

12 959. At all times relevant to this action, Plaintiff Kara Silverfoote was over the age of 18
13 and was a resident of Martinez, California.

14 960. Plaintiff Kara Silverfoote owned a residence, which was approximately 1 1/2 miles
15 from the refinery.

16 961. Silverfoote was present at their residence for the November 24 and 25, 2022 release
17 from the refinery, and was exposed to the toxic discharge from the refinery.

18 962. As a result of her exposure to the toxic discharges from the refinery on November 24
19 and 25, 2022, Silverfoote was physically harmed.

20 963. Among other things, Silverfoote began experiencing illness and symptoms that were
21 directly caused by the toxic exposure immediately after the release, including memory issues, brain
22 fog, nausea and vomiting, headaches, and fatigue.

23 964. The November 24 and 25, 2022, discharge also entered Silverfoote's residence.

24 965. The trespass by PBF Martinez interfered with Silverfoote's ability to use and enjoy the
25 residence and caused injury to Silverfoote and damage to the property including by decreasing the
26 value of the property as a result of contamination.

27 966. Needless to say, the trespass by PBF Martinez to Silverfoote's real property was
28 unauthorized.

1 **58. Plaintiff Sheldon Slad.**

2 967. At all times relevant to this action, Plaintiff Sheldon Slad was over the age of 18 and
3 was a resident of Martinez, California.

4 968. Plaintiff Sheldon Slad owned a residence, which was approximately 1/4 mile from the
5 refinery.

6 969. Slad was present at their residence for the November 24 and 25, 2022 release from the
7 refinery, and was exposed to the toxic discharge from the refinery.

8 970. Among other things, he recalls seeing dust on his property.

9 971. As a result of his exposure to the toxic discharges from the refinery on November 24
10 and 25, 2022, Slad was physically harmed.

11 972. Among other things, Slad began experiencing illness and symptoms that were directly
12 caused by the toxic exposure within a few weeks after the release, including breathing difficulties,
13 fatigue, congestion, difficulty sleeping, asthma flare-up, and loss of balance.

14 973. The November 24 and 25, 2022, discharge also entered Slad's residence, including
15 dust.

16 974. The trespass by PBF Martinez interfered with Slad's ability to use and enjoy the
17 residence and caused injury to Slad and damage to the property including by decreasing the value
18 of the property as a result of contamination.

19 975. Needless to say, the trespass by PBF Martinez to Slad's real property was unauthorized.

20 976. Slad was also present at his residence for the July 2023, October 2023, and December
21 2023 releases.

22 977. In each instance, he was exposed to toxins from the refinery's discharges.

23 978. As a result of his exposure to the 2023 discharges from the refinery, Slad was
24 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
25 fatigue, congestion, difficulty sleeping, asthma flare-up, and loss of balance that were directly
26 caused by the reoccurring discharges in 2023.

27 979. The 2023 discharges also entered Slad's residence, including dust.

1 980. The trespasses by PBF Martinez interfered with Slad's ability to use and enjoy the
2 residence and caused injury to Slad and damage to the property including by decreasing the value
3 of the property as a result of contamination.

4 981. Needless to say, the trespasses by PBF Martinez to Slad's real property were
5 unauthorized in each instance.

6 982. Additionally, the health effects on Slad from the discharges have caused him to suffer
7 lost wages, income, and/or business opportunities.

8 **59. Plaintiff John Sommer.**

9 983. At all times relevant to this action, Plaintiff John Sommer was over the age of 18 and
10 was a resident of Martinez, California.

11 984. Plaintiff John Sommer owned a residence, which was approximately 1/4 mile from the
12 refinery.

13 985. Sommer was present at their residence for the November 24 and 25, 2022 release from
14 the refinery, and was exposed to the toxic discharge from the refinery.

15 986. Among other things, he recalls a strong odor.

16 987. As a result of his exposure to the toxic discharges from the refinery on November 24
17 and 25, 2022, Sommer was physically harmed.

18 988. Among other things, Sommer began experiencing illness and symptoms that were
19 directly caused by the toxic exposure within days after the release, including breathing difficulties,
20 chest pain, headaches, and body aches.

21 989. The November 24 and 25, 2022, discharge also entered Sommer's residence, including
22 a strong smell.

23 990. The trespass by PBF Martinez interfered with Sommer's ability to use and enjoy the
24 residence and caused injury to Sommer and damage to the property including by decreasing the
25 value of the property as a result of contamination.

26 991. Needless to say, the trespass by PBF Martinez to Sommer's real property was
27 unauthorized.
28

1 992. Sommer was also present at his residence for the July 2023, October 2023, and
2 December 2023 releases.

3 993. In each instance, he was exposed to toxins from the refinery's discharges.

4 994. As a result of his exposure to the 2023 discharges from the refinery, Sommer was
5 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
6 bloody nose, headaches, and body aches that were directly caused by the reoccurring discharges in
7 2023.

8 995. The 2023 discharges also entered Sommer's residence, including a strong smell.

9 996. The trespasses by PBF Martinez interfered with Sommer's ability to use and enjoy the
10 residence and caused injury to Sommer and damage to the property including by decreasing the
11 value of the property as a result of contamination.

12 997. Needless to say, the trespasses by PBF Martinez to Sommer's real property were
13 unauthorized in each instance.

14 998. Additionally, the health effects on Sommer from the discharges have caused him to
15 suffer lost wages, income, and/or business opportunities.

16 **60. Plaintiff Salina Stephenson.**

17 999. At all times relevant to this action, Plaintiff Salina Stephenson was over the age of 18
18 and was a resident of Martinez, California.

19 1000. Plaintiff Salina Stephenson owned a residence, which was approximately 1 mile
20 from the refinery.

21 1001. Stephenson was present at their residence for the November 24 and 25, 2022 release
22 from the refinery, and was exposed to the toxic discharge from the refinery.

23 1002. Among other things, she recalls seeing dust on her cars.

24 1003. As a result of her exposure to the toxic discharges from the refinery on November
25 24 and 25, 2022, Stephenson was physically harmed.

26 1004. Among other things, Stephenson began experiencing illness and symptoms that
27 were directly caused by the toxic exposure within days after the release, including breathing
28 difficulties, sore throat, coughing, congestion, and asthma flare-up.

1005. The November 24 and 25, 2022, discharge also entered Stephenson's residence, including dust.

1006. The trespass by PBF Martinez interfered with Stephenson's ability to use and enjoy the residence and caused injury to Stephenson and damage to the property including by decreasing the value of the property as a result of contamination.

1007. Needless to say, the trespass by PBF Martinez to Stephenson's real property was unauthorized.

1008. Stephenson was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1009. In each instance, she was exposed to toxins from the refinery's discharges.

1010. As a result of her exposure to the 2023 discharges from the refinery, Stephenson was physically harmed, including developing and/or worsening symptoms of breathing difficulties, memory issues, brain fog, and asthma flare-ups that were directly caused by the reoccurring discharges in 2023.

1011. The 2023 discharges also entered Stephenson's residence, including dust.

1012. The trespasses by PBF Martinez interfered with Stephenson's ability to use and enjoy the residence and caused injury to Stephenson and damage to the property including by decreasing the value of the property as a result of contamination.

1013. Needless to say, the trespasses by PBF Martinez to Stephenson's real property were unauthorized in each instance.

61. Plaintiff Teri Stoneham.

1014. At all times relevant to this action, Plaintiff Teri Stoneham was over the age of 18 and was a resident of Martinez, California.

1015. Plaintiff Teri Stoneham owned a residence, which was approximately 1 1/2 miles from the refinery.

1016. Stoneham was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1017. Among other things, she recalls seeing ash on her plants.

1018. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Stoneham was physically harmed.

1019. Among other things, Stoneham began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including sore throat, coughing, and headaches.

1020. The November 24 and 25, 2022, discharge also entered Stoneham's residence, including ash.

1021. The trespass by PBF Martinez interfered with Stoneham's ability to use and enjoy the residence and caused injury to Stoneham and damage to the property, including by decreasing the value of the property as a result of contamination.

1022. Needless to say, the trespass by PBF Martinez to Stoneham's real property was unauthorized.

1023. Stoneham was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1024. In each instance, she was exposed to toxins from the refinery's discharges.

1025. As a result of her exposure to the 2023 discharges from the refinery, Stoneham was physically harmed, including developing and/or worsening symptoms of breathing difficulties, dizziness, vertigo, and headaches that were directly caused by the reoccurring discharges in 2023.

1026. The 2023 discharges also entered Stoneham's residence, including ash.

1027. The trespasses by PBF Martinez interfered with Stoneham's ability to use and enjoy the residence and caused injury to Stoneham and damage to the property including by decreasing the value of the property as a result of contamination.

1028. Needless to say, the trespasses by PBF Martinez to Stoneham's real property was unauthorized in each instance.

62. Plaintiff Christopher Thompson.

1029. At all times relevant to this action, Plaintiff Christopher Thompson was over the age of 18 and was a resident of Martinez, California.

1 1030. Plaintiff Christopher Thompson owned a residence, which was approximately 1
2 mile from the refinery.

3 1031. Thompson was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 1032. Among other things, he recalls seeing dust on his car and smelling a strong odor.

6 1033. As a result of his exposure to the toxic discharges from the refinery on November
7 24 and 25, 2022, Thompson was physically harmed.

8 1034. Among other things, Thompson began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within a few months after the release, including breathing
10 difficulties, chest pain, memory issues, brain fog, headaches, and heart failure.

11 1035. The November 24 and 25, 2022, discharge also entered Thompson's residence,
12 including dust and strong odor.

13 1036. The trespass by PBF Martinez interfered with Thompson's ability to use and enjoy
14 the residence and caused injury to Thompson and damage to the property including by decreasing
15 the value of the property as a result of contamination.

16 1037. Needless to say, the trespass by PBF Martinez to Thompson's real property was
17 unauthorized.

18 1038. Thompson was also present at his residence for the July 2023, October 2023, and
19 December 2023 releases.

20 1039. In each instance, he was exposed to toxins from the refinery's discharges.

21 1040. As a result of his exposure to the 2023 discharges from the refinery, Thompson was
22 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
23 chest pain, memory issues, brain fog, headaches, and congestion that were directly caused by the
24 reoccurring discharges in 2023.

25 1041. The 2023 discharges also entered Thompson's residence, including dust and a strong
26 odor.

1 1042. The trespasses by PBF Martinez interfered with Thompson's ability to use and enjoy
2 the residence and caused injury to Thompson and damage to the property including by decreasing
3 the value of the property as a result of contamination.

4 1043. Needless to say, the trespasses by PBF Martinez to Thompson's real property were
5 unauthorized in each instance.

6 1044. Additionally, the health effects on Thompson from the discharges have caused him
7 to suffer lost wages, income, and/or business opportunities.

8 **63. Plaintiff Donna Vanni.**

9 1045. At all times relevant to this action, Plaintiff Donna Vanni was over the age of 18
10 and was a resident of Martinez, California.

11 1046. Plaintiff Donna Vanni owned a residence, which was approximately 1/2 mile from
12 the refinery.

13 1047. Vanni was present at their residence for the November 24 and 25, 2022 release from
14 the refinery, and was exposed to the toxic discharge from the refinery.

15 1048. Among other things, she recalls seeing dust on top of her car and on her property.

16 1049. As a result of her exposure to the toxic discharges from the refinery on November
17 24 and 25, 2022, Vanni was physically harmed.

18 1050. Among other things, Vanni began experiencing illness and symptoms that were
19 directly caused by the toxic exposure within days after the release, including breathing difficulties,
20 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
21 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion,
22 difficulty sleeping, body aches, ear aches, ear infections, phlegm, stomach pain, asthma flare-up,
23 heartburn, dehydration, fever, liver count elevated, fainting, and loss of balance.

24 1051. The November 24 and 25, 2022, discharge also entered Vanni's residence, including
25 dust.

26 1052. The trespass by PBF Martinez interfered with Vanni's ability to use and enjoy the
27 residence and caused injury to Vanni and damage to the property including by decreasing the value
28 of the property as a result of contamination.

1053. Needless to say, the trespass by PBF Martinez to Vanni's real property was unauthorized.

1054. Vanni was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1055. In each instance, she was exposed to toxins from the refinery's discharges.

1056. As a result of her exposure to the 2023 discharges from the refinery, Vanni was physically harmed, including developing and/or worsening symptoms of breathing difficulties, chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches, ear aches, ear infections, phlegm, stomach pain, asthma flare-up, heartburn, dehydration, fever, liver count elevated, fainting, and loss of balance that were directly caused by the reoccurring discharges in 2023.

1057. The 2023 discharges also entered Vanni's residence, including dust.

1058. The trespasses by PBF Martinez interfered with Vanni's ability to use and enjoy the residence and caused injury to Vanni and damage to the property including by decreasing the value of the property as a result of contamination.

1059. Needless to say, the trespasses by PBF Martinez to Vanni's real property was unauthorized in each instance.

64. Plaintiff Lucas Vernon.

1060. At all times relevant to this action, Plaintiff Lucas Vernon was over the age of 18 and was a resident of Martinez, California.

1061. Plaintiff Lucas Vernon owned a residence, which was approximately 1/2 mile from the refinery.

1062. Vernon was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1063. Among other things, he recalls a strong odor and seeing ash and dust on top of his vehicles and yard.

1 1064. As a result of his exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Vernon was physically harmed.

3 1065. Among other things, Vernon began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within a few weeks after the release, including breathing
5 difficulties, chest pain, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain,
6 pressure, fatigue, body aches, heartburn, dehydration, and diarrhea.

7 1066. The November 24 and 25, 2022, discharge also entered Vernon's residence,
8 including dust, ash, and a strong smell.

9 1067. The trespass by PBF Martinez interfered with Vernon's ability to use and enjoy the
10 residence and caused injury to Vernon and damage to the property including by decreasing the
11 value of the property as a result of contamination.

12 1068. Needless to say, the trespass by PBF Martinez to Vernon's real property was
13 unauthorized.

14 1069. Vernon was also present at his residence for the July 2023, October 2023, and
15 December 2023 releases.

16 1070. In each instance, he was exposed to toxins from the refinery's discharges.

17 1071. As a result of his exposure to the 2023 discharges from the refinery, Vernon was
18 physically harmed, including developing and/or worsening symptoms of itchy, watery, burning
19 eyes, and headaches that were directly caused by the reoccurring discharges in 2023.

20 1072. The 2023 discharges also entered Vernon's residence, including dust, ash, and a
21 strong smell.

22 1073. The trespasses by PBF Martinez interfered with Vernon's ability to use and enjoy
23 the residence and caused injury to Vernon and damage to the property including by decreasing the
24 value of the property as a result of contamination.

25 1074. Needless to say, the trespasses by PBF Martinez to Vernon's real property were
26 unauthorized in each instance.

1 **65. Plaintiff Denise Waters.**

2 1075. At all times relevant to this action, Plaintiff Denise Waters was over the age of 18
3 and was a resident of Martinez, California.

4 1076. Plaintiff Denise Waters owned a residence, which was approximately 2 miles from
5 the refinery.

6 1077. Waters was present at their residence for the November 24 and 25, 2022 release
7 from the refinery, and was exposed to the toxic discharge from the refinery.

8 1078. Among other things, she recalls a strange smell and ash on her car.

9 1079. As a result of her exposure to the toxic discharges from the refinery on November
10 24 and 25, 2022, Waters was physically harmed.

11 1080. Among other things, Waters began experiencing illness and symptoms that were
12 directly caused by the toxic exposure within days after the release, including breathing difficulties,
13 chest pain, memory issues, brain fog, sore throat, coughing, itchy, watery, burning eyes, headaches,
14 sinus pain, pressure, congestion, and difficulty sleeping.

15 1081. The November 24 and 25, 2022, discharge also entered Waters' residence, including
16 ash and a strong smell.

17 1082. The trespass by PBF Martinez interfered with Waters' ability to use and enjoy the
18 residence and caused injury to Waters and damage to the property including by decreasing the value
19 of the property as a result of contamination.

20 1083. Needless to say, the trespass by PBF Martinez to Waters' real property was
21 unauthorized.

22 1084. Waters was also present at her residence for the July 2023, October 2023, and
23 December 2023 releases.

24 1085. In each instance, she was exposed to toxins from the refinery's discharges.

25 1086. As a result of her exposure to the 2023 discharges from the refinery, Waters was
26 physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore
27 throat, coughing, headaches, and congestion that were directly caused by the reoccurring discharges
28 in 2023.

1087. The 2023 discharges also entered Waters' residence, including a strong smell and ash.

1088. The trespasses by PBF Martinez interfered with Waters' ability to use and enjoy the residence and caused injury to Waters and damage to the property, including by decreasing the value of the property as a result of contamination.

1089. Needless to say, the trespasses by PBF Martinez to Waters' real property were unauthorized in each instance.

66. Plaintiff Deborah Wignall.

1090. At all times relevant to this action, Plaintiff Deborah Wignall was over the age of 18 and was a resident of Martinez, California.

1091. Plaintiff Deborah Wignall owned a residence, which was approximately 1 mile from the refinery.

1092. Wignall was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1093. Among other things, she recalled her truck having an oily residue on the paint and the windows.

1094. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Wignall was physically harmed.

1095. Among other things, Wignall began experiencing illness and symptoms that were directly caused by the toxic exposure within a week after the release, including sinus pain and pressure.

1096. The November 24 and 25, 2022, discharge also entered Wignall's residence, including the residue.

1097. The trespass by PBF Martinez interfered with Wignall's ability to use and enjoy the residence and caused injury to Wignall and damage to the property, including by decreasing the value of the property as a result of contamination.

1098. Needless to say, the trespass by PBF Martinez to Wignall's real property was unauthorized.

1 1099. Wignall was also present at her residence for the July 2023, October 2023, and
2 December 2023 releases.

3 1100. In each instance, she was exposed to toxins from the refinery's discharges.

4 1101. As a result of her exposure to the 2023 discharges from the refinery, Wignall was
5 physically harmed, including developing and/or worsening symptoms of sinus issues that were
6 directly caused by the reoccurring discharges in 2023.

7 1102. The 2023 discharges also entered Wignall's residence, including residue

8 1103. The trespasses by PBF Martinez interfered with Wignall's ability to use and enjoy
9 the residence and caused injury to Wignall and damage to the property, including by decreasing the
10 value of the property as a result of contamination.

11 1104. Needless to say, the trespasses by PBF Martinez to Wignall's real property were
12 unauthorized in each instance.

13 **67. Plaintiff Allen Wilkinson.**

14 1105. At all times relevant to this action, Plaintiff Allen Wilkinson was over the age of 18
15 and was a resident of Martinez, California.

16 1106. Plaintiff Allen Wilkinson owned a residence, which was approximately 1/4 mile
17 from the refinery.

18 1107. Wilkinson was present at their residence for the November 24 and 25, 2022 release
19 from the refinery, and was exposed to the toxic discharge from the refinery.

20 1108. As a result of his exposure to the toxic discharges from the refinery on November
21 24 and 25, 2022, Wilkinson was physically harmed.

22 1109. Among other things, Wilkinson began experiencing illness and symptoms that were
23 directly caused by the toxic exposure within days after the release, including breathing difficulties,
24 sore throat, coughing, and headaches.

25 1110. The November 24 and 25, 2022, discharge also entered Wilkinson's residence.

26 1111. The trespass by PBF Martinez interfered with Wilkinson's ability to use and enjoy
27 the residence and caused injury to Wilkinson and damage to the property including by decreasing
28 the value of the property as a result of contamination.

1112. Needless to say, the trespass by PBF Martinez to Wilkinson's real property was unauthorized.

1113. Wilkinson was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1114. In each instance, he was exposed to toxins from the refinery's discharges.

1115. As a result of his exposure to the 2023 discharges from the refinery, Wilkinson was physically harmed, including developing and/or worsening symptoms of breathing difficulties, sore throat, and coughing that were directly caused by the reoccurring discharges in 2023.

1116. The 2023 discharges also entered Wilkinson's residence.

1117. The trespasses by PBF Martinez interfered with Wilkinson's ability to use and enjoy the residence and caused injury to Wilkinson and damage to the property including by decreasing the value of the property as a result of contamination.

1118. Needless to say, the trespasses by PBF Martinez to Wilkinson's real property were unauthorized in each instance.

1119. Additionally, the health effects on Wilkinson from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

68. Plaintiff Andrea Wright.

1120. At all times relevant to this action, Plaintiff Andrea Wright was over the age of 18 and was a resident of Martinez, California.

1121. Plaintiff Andrea Wright owned a residence, which was approximately 1/2 mile from the refinery.

1122. Wright was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1123. Among other things, she recalls a strong smell and dust on her property.

1124. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Wright was physically harmed.

1125. Among other things, Wright began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, sore throat, coughing, headaches, fatigue, congestion, and dehydration.

1126. The November 24 and 25, 2022, discharge also entered Wright's residence, including dust and a strong smell.

1127. The trespass by PBF Martinez interfered with Wright's ability to use and enjoy the residence and caused injury to Wright and damage to the property including by decreasing the value of the property as a result of contamination.

1128. Needless to say, the trespass by PBF Martinez to Wright's real property was unauthorized.

1129. Wright was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1130. In each instance, she was exposed to toxins from the refinery's discharges.

1131. As a result of her exposure to the 2023 discharges from the refinery, Wright was physically harmed, including developing and/or worsening symptoms of sore throat, breathing difficulties, coughing, itchy, watery, burning eyes and headaches that were directly caused by the reoccurring discharges in 2023.

1132. The 2023 discharges also entered Wright's residence, including dust and a strong smell.

1133. The trespasses by PBF Martinez interfered with Wright's ability to use and enjoy the residence and caused injury to Wright and damage to the property including by decreasing the value of the property as a result of contamination.

1134. Needless to say, the trespasses by PBF Martinez to Wright's real property was unauthorized in each instance.

B. Renter Plaintiffs.

1135. Plaintiffs Verdell Anderson, Samuel Allen Bethell, Jr., Byron Garcia-Rubio, Frank Granata, Mary Lou Lambert, Michael Lee, Yolanda Levingston, Nancy Lowe, Francelle Lusetti, Mikayla Major, Robert Manning, Dorothy Mathewson, Marilyn McGinn, Catharine McKeever,

1 Felicia Mitchell, Sunny Montgomery, Cheryl Moore, Alfonze Moore, Jr., Craig Murdah, Elizabeth
2 Newman, Donald Phillips, Pamela Pope, Richard Reynolds, Holly Rico, Manuel Rincon, Fallon
3 Roberts, Daniel Rochin, Jr., Bethany Root, Christine Roush, Brandon Rupprecht, Myra Saulovich,
4 Michael Saunders, Melinda Savory, Ryan Schrum, Nicole Schwinn, Evan Seronello, Patricia
5 Sharp, Patricia Sherry, Seaair Spear, Neil Stanton, Mark Supachana, Flora Susoev, Marianna
6 Tendick, Ronald Thomas, Steven Thomas, Sarah Thurwachter-King, Lonnay Tinsley, Shon
7 Tinsley, Lynnda Tozier, John Valenzuela, Donna Vera, Shane Wignall, Harold Williams, Henry
8 Williams, Brian Wind, and Joseph Wing are referred to collectively as the “Renter Plaintiffs.”

9 **1. Plaintiff Verdell Anderson.**

10 1136. At all times relevant to this action, Plaintiff Verdell Anderson was over the age of
11 18 and was a resident of Martinez, California.

12 1137. Plaintiff Verdell Anderson rented a residence, which was approximately 1 mile from
13 the refinery.

14 1138. Anderson was present at their residence for the November 24 and 25, 2022 release
15 from the refinery, and was exposed to the toxic discharge from the refinery.

16 1139. As a result of her exposure to the toxic discharges from the refinery on November
17 24 and 25, 2022, Anderson was physically harmed.

18 1140. Among other things, Anderson began experiencing illness and symptoms that were
19 directly caused by the toxic exposure within days after the release, including breathing difficulties,
20 sore throat, coughing, itchy, watery, burning eyes, fatigue, congestion, difficulty sleeping, and
21 phlegm.

22 1141. The November 24 and 25, 2022, discharge also entered Anderson’s residence.

23 1142. The trespass by PBF Martinez interfered with Anderson’s ability to use and enjoy
24 the residence and caused injury to Anderson and damage to the property.

25 1143. Needless to say, the trespass by PBF Martinez to Anderson’s real property was
26 unauthorized.

27 1144. Anderson was also present at her residence for the July 2023, October 2023, and
28 December 2023 releases.

1145. In each instance, she was exposed to toxins from the refinery's discharges.

1146. As a result of her exposure to the 2023 discharges from the refinery, Anderson was physically harmed, including developing and/or worsening symptoms of coughing, eye irritation, phlegm, congestion, difficulty sleeping, body aches, fatigue, phlegm, difficulty breathing, and sore throat that were directly caused by the reoccurring discharges in 2023.

1147. The 2023 discharges also entered Anderson's residence.

1148. The trespasses by PBF Martinez interfered with Anderson's ability to use and enjoy the residence and caused injury to Anderson and damage to the property.

1149. Needless to say, the trespasses by PBF Martinez to Anderson's real property was unauthorized in each instance.

2. Samuel Allen Bethell, Jr.

1150. At all times relevant to this action, Plaintiff Samuel Allen Bethell, Jr. was over the age of 18 and was a resident of Martinez, California.

1151. Plaintiff Samuel Allen Bethell, Jr. rented a residence, which was approximately 1 mile from the refinery.

1152. Bethell was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1153. Among other things, he recalls smelling a strong odor and seeing dust on the vehicles and on windowsills in the house.

1154. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Bethell was physically harmed.

1155. Among other things, Bethell began experiencing illness and symptoms that were directly caused by the toxic exposure within a week after the release, including sore throat, coughing, itchy, watery, burning eyes, sinus pain, pressure, congestion, earaches, ear infections, and phlegm.

1156. The November 24 and 25, 2022, discharge also entered Bethell's residence, including dust.

1 1157. The trespass by PBF Martinez interfered with Bethell's ability to use and enjoy the
2 residence and caused injury to Bethell and damage to the property.

3 1158. Needless to say, the trespass by PBF Martinez to Bethell's real property was
4 unauthorized.

5 1159. Bethell was also present at his residence for the July 2023, October 2023, and
6 December 2023 releases.

7 1160. In each instance, he was exposed to toxins from the refinery's discharges.

8 1161. As a result of his exposure to the 2023 discharges from the refinery, Bethell was
9 physically harmed, including developing and/or worsening symptoms of respiratory problems and
10 bacterial infection that were directly caused by the reoccurring discharges in 2023.

11 1162. The 2023 discharges also entered Bethell's residence, including a strong smell and
12 dust.

13 1163. The trespasses by PBF Martinez interfered with Bethell's ability to use and enjoy
14 the residence and caused injury to Bethell and damage to the property.

15 1164. Needless to say, the trespasses by PBF Martinez to Bethell's real property were
16 unauthorized in each instance.

17 1165. Additionally, the health effects on Bethell from the discharges have caused him to
18 suffer lost wages, income, and/or business opportunities.

19 **3. Plaintiff Byron Garcia-Rubio**

20 1166. At all times relevant to this action, Plaintiff Byron Garcia-Rubio was over the age
21 of 18 and was a resident of Martinez, California.

22 1167. Plaintiff Byron Garcia-Rubio rented a residence, which was approximately 1 1/2
23 miles from the refinery.

24 1168. Garcia-Rubio was present at their residence for the November 24 and 25, 2022
25 release from the refinery, and was exposed to the toxic discharge from the refinery.

26 1169. Among other things, he saw his car covered in dust and the air smelled bad.

27 1170. As a result of his exposure to the toxic discharges from the refinery on November
28 24 and 25, 2022, Garcia-Rubio was physically harmed.

1171. Among other things, Garcia-Rubio began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including sore throat, coughing, itchy, watery, burning eyes, headaches, and congestion.

1172. The November 24 and 25, 2022, discharge also entered Garcia-Rubio's residence, including dust and the smell.

1173. The trespass by PBF Martinez interfered with Garcia-Rubio's ability to use and enjoy the residence and caused injury to Garcia-Rubio and damage to the property.

1174. Needless to say, the trespass by PBF Martinez to Garcia-Rubio's real property was unauthorized.

1175. Garcia-Rubio was also present at his residence for the December 2023 release.

1176. In the December release, he was exposed to toxins from the refinery's discharges.

1177. As a result of his exposure to the October 2023 discharge from the refinery, Garcia-Rubio was physically harmed, including developing and/or worsening symptoms of congestion, sore throat, and coughing that were directly caused by the reoccurring discharges in 2023.

1178. The 2023 discharges also entered Garcia-Rubio's residence, including the dust and bad smell.

1179. The trespasses by PBF Martinez interfered with Garcia-Rubio's ability to use and enjoy the residence and caused injury to Garcia-Rubio and damage to the property.

1180. Needless to say, the trespasses by PBF Martinez to Garcia-Rubio's real property were unauthorized in each instance.

4. Frank Granata

1181. At all times relevant to this action, Plaintiff Frank Granata was over the age of 18 and was a resident of Martinez, California.

1182. Plaintiff Frank Granata rented a residence, which was approximately 1/4 mile from the refinery.

1183. Granata was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1184. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Granata was physically harmed.

1185. Among other things, Granata began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, memory issues, brain fog, sore throat, coughing, nausea and vomiting, itchy, watery, burning eyes, headaches, congestion, body aches, and asthma flare-up.

1186. The November 24 and 25, 2022, discharge also entered Granata's residence.

1187. The trespass by PBF Martinez interfered with Granata's ability to use and enjoy the residence and caused injury to Granata and damage to the property.

1188. Needless to say, the trespass by PBF Martinez to Granata's real property was unauthorized.

1189. Granata was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1190. In each instance, he was exposed to toxins from the refinery's discharges.

1191. As a result of his exposure to the 2023 discharges from the refinery, Granata was physically harmed, including developing and/or worsening symptoms of difficulty breathing, brain fog, sore throat, coughing, eye irritation, skin irritation, nausea, sinus pressure and pain, congestion, difficulty breathing, and body aches that were directly caused by the reoccurring discharges in 2023.

1192. The 2023 discharges also entered Granata's residence.

1193. The trespasses by PBF Martinez interfered with Granata's ability to use and enjoy the residence and caused injury to Granata and damage to the property.

1194. Needless to say, the trespasses by PBF Martinez to Granata's real property were unauthorized in each instance.

5. Plaintiff Mary Lou Lambert.

1195. At all times relevant to this action, Plaintiff Mary Lou Lambert was over the age of 18 and was a resident of Martinez, California.

1 1196. Plaintiff Mary Lou Lambert rented a residence, which was approximately 1/4 mile
2 from the refinery.

3 1197. Lambert was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 1198. Among other things, she saw residue on her property and vehicle.

6 1199. As a result of her exposure to the toxic discharges from the refinery on November
7 24 and 25, 2022, Lambert was physically harmed.

8 1200. Among other things, Lambert began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within a week after the release, including breathing
10 difficulties, itchy, watery, burning eyes, headaches, fatigue, congestion, and difficulty sleeping.

11 1201. The November 24 and 25, 2022, discharge also entered Lambert's residence,
12 including residue.

13 1202. The trespass by PBF Martinez interfered with Lambert's ability to use and enjoy the
14 residence and caused injury to Lambert and damage to the property.

15 1203. Needless to say, the trespass by PBF Martinez to Lambert's real property was
16 unauthorized.

17 1204. Lambert was also present at her residence for the July 2023, October 2023, and
18 December 2023 releases.

19 1205. In each instance, she was exposed to toxins from the refinery's discharges.

20 1206. As a result of her exposure to the 2023 discharges from the refinery, Lambert was
21 physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest
22 discomfort, headaches, sinus issues, headaches, and eye irritation that were directly caused by the
23 reoccurring discharges in 2023.

24 1207. The 2023 discharges also entered Lambert's residence, including residue.

25 1208. The trespasses by PBF Martinez interfered with Lambert's ability to use and enjoy
26 the residence and caused injury to Lambert and damage to the property.

27 1209. Needless to say, the trespasses by PBF Martinez to Lambert's real property were
28 unauthorized in each instance.

1210. Additionally, the health effects on Lambert from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

6. Plaintiff Michael Lee.

1211. At all times relevant to this action, Plaintiff Michael Lee was over the age of 18 and was a resident of Martinez, California.

1212. Plaintiff Michael Lee rented a residence, which was approximately 2 miles from the refinery.

1213. Lee was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1214. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Lee was physically harmed.

1215. Among other things, Lee began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches, ear aches, ear infections, stomach pain, asthma flare-up, heartburn, dehydration, diarrhea, fainting, and loss of balance.

1216. The November 24 and 25, 2022, discharge also entered Lee's residence.

1217. The trespass by PBF Martinez interfered with Lee's ability to use and enjoy the residence and caused injury to Lee and damage to the property.

1218. Needless to say, the trespass by PBF Martinez to Lee's real property was unauthorized.

1219. Lee was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1220. In each instance, he was exposed to toxins from the refinery's discharges.

1221. As a result of his exposure to the 2023 discharges from the refinery, Lee was physically harmed, including developing and/or worsening symptoms of headaches, dizziness,

1 panic attacks, heavy chest, fatigue, insomnia, stomach issues, diarrhea, and coughing that were
2 directly caused by the reoccurring discharges in 2023.

3 1222. The 2023 discharges also entered Lee's residence.

4 1223. The trespasses by PBF Martinez interfered with Lee's ability to use and enjoy the
5 residence and caused injury to Lee and damage to the property.

6 1224. Needless to say, the trespasses by PBF Martinez to Lee's real property were
7 unauthorized in each instance.

8 1225. Additionally, the health effects on Lee from the discharges have caused him to suffer
9 lost wages, income, and/or business opportunities.

10 **7. Plaintiff Yolanda Levingston.**

11 1226. At all times relevant to this action, Plaintiff Yolanda Levingston was over the age
12 of 18 and was a resident of Martinez, California.

13 1227. Plaintiff Yolanda Levingston rented a residence, which was approximately 1 1/2
14 miles from the refinery.

15 1228. Levingston was present at their residence for the November 24 and 25, 2022 release
16 from the refinery, and was exposed to the toxic discharge from the refinery.

17 1229. Among other things, she saw ash on her car.

18 1230. As a result of her exposure to the toxic discharges from the refinery on November
19 24 and 25, 2022, Levingston was physically harmed.

20 1231. Among other things, Levingston began experiencing illness and symptoms that were
21 directly caused by the toxic exposure immediately after the release, including dizziness, vertigo,
22 sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, and pressure.

23 1232. The November 24 and 25, 2022, discharge also entered Levingston's residence,
24 including ash.

25 1233. The trespass by PBF Martinez interfered with Levingston's ability to use and enjoy
26 the residence and caused injury to Levingston and damage to the property.

27 1234. Needless to say, the trespass by PBF Martinez to Levingston's real property was
28 unauthorized.

1235. Levingston was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1236. In each instance, she was exposed to toxins from the refinery's discharges.

1237. As a result of her exposure to the 2023 discharges from the refinery, Levingston was physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest pain, brain fog, sore throat, coughing, headaches, sinus pain and pressure, fatigue, difficulty sleeping, and body aches that were directly caused by the reoccurring discharges in 2023.

1238. The 2023 discharges also entered Levingston's residence.

1239. The trespasses by PBF Martinez interfered with Levingston's ability to use and enjoy the residence and caused injury to Levingston and damage to the property.

1240. Needless to say, the trespasses by PBF Martinez to Levingston's real property was unauthorized in each instance.

1241. Additionally, the health effects on Levingston from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

8. Plaintiff Nancy Lowe.

1242. At all times relevant to this action, Plaintiff Nancy Lowe was over the age of 18 and was a resident of Martinez, California.

1243. Plaintiff Nancy Lowe rented a residence, which was approximately 1 mile from the refinery.

1244. Lowe was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1245. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Lowe was physically harmed.

1246. Among other things, Lowe began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including memory issues, brain fog, sore throat, coughing, headaches, and sinus pain and pressure.

1247. The November 24 and 25, 2022, discharge also entered Lowe's residence.

1248. The trespass by PBF Martinez interfered with Lowe's ability to use and enjoy the residence and caused injury to Lowe and damage to the property.

1249. Needless to say, the trespass by PBF Martinez to Lowe's real property was unauthorized.

1250. Lowe was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1251. In each instance, she was exposed to toxins from the refinery's discharges.

1252. As a result of her exposure to the 2023 discharges from the refinery, Lowe was physically harmed, including developing and/or worsening symptoms of sore throat, coughing, sinus issues, headaches, dizziness, brain fog, and difficulty sleeping that were directly caused by the reoccurring discharges in 2023.

1253. The 2023 discharges also entered Lowe's residence.

1254. The trespasses by PBF Martinez interfered with Lowe's ability to use and enjoy the residence and caused injury to Lowe and damage to the property.

1255. Needless to say, the trespasses by PBF Martinez to Lowe's real property were unauthorized in each instance.

1256. Additionally, the health effects on Lowe from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

9. Plaintiff Francelle Lusetti.

1257. At all times relevant to this action, Plaintiff Francelle Lusetti was over the age of 18 and was a resident of Martinez, California.

1258. Plaintiff Francelle Lusetti rented a residence, which was approximately 1/4 mile from the refinery.

1259. Lusetti was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1260. Among other things, she saw thick black smoke that smelled like burning plastic.

1261. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Lusetti was physically harmed.

1 1262. Among other things, Lusetti began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within days after the release, including memory issues, brain
3 fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
4 headaches, congestion, and difficulty sleeping.

5 1263. The November 24 and 25, 2022, discharge also entered Lusetti's residence,
6 including smoke.

7 1264. The trespass by PBF Martinez interfered with Lusetti's ability to use and enjoy the
8 residence and caused injury to Lusetti and damage to the property.

9 1265. Needless to say, the trespass by PBF Martinez to Lusetti's real property was
10 unauthorized.

11 1266. Lusetti was also present at her residence for the July 2023, October 2023, and
12 December 2023 releases.

13 1267. In each instance, she was exposed to toxins from the refinery's discharges.

14 1268. As a result of her exposure to the 2023 discharges from the refinery, Lusetti was
15 physically harmed, including developing and/or worsening symptoms that were directly caused by
16 the reoccurring discharges in 2023.

17 1269. The 2023 discharges also entered Lusetti's residence, including dust.

18 1270. The trespasses by PBF Martinez interfered with Lusetti's ability to use and enjoy
19 the residence and caused injury to Lusetti and damage to the property.

20 1271. Needless to say, the trespasses by PBF Martinez to Lusetti's real property was
21 unauthorized in each instance.

22 **10. Plaintiff Mikayla Major.**

23 1272. At all times relevant to this action, Plaintiff Mikayla Major was over the age of 18
24 and was a resident of Martinez, California.

25 1273. Plaintiff Mikayla Major rented a residence, which was approximately 1 mile from
26 the refinery.

27 1274. Major was present at their residence for the November 24 and 25, 2022 release from
28 the refinery, and was exposed to the toxic discharge from the refinery.

1275. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Major was physically harmed.

1276. Among other things, Major began experiencing illness and symptoms that were directly caused by the toxic exposure within a week after the release, including headaches and fatigue.

1277. The November 24 and 25, 2022, discharge also entered Major's residence.

1278. The trespass by PBF Martinez interfered with Major's ability to use and enjoy the residence and caused injury to Major and damage to the property.

1279. Needless to say, the trespass by PBF Martinez to Major's real property was unauthorized.

1280. Major was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1281. In each instance, she was exposed to toxins from the refinery's discharges.

1282. As a result of her exposure to the 2023 discharges from the refinery, Major was physically harmed, including developing and/or worsening symptoms of headaches and coughing that were directly caused by the reoccurring discharges in 2023.

1283. The 2023 discharges also entered Major's residence.

1284. The trespasses by PBF Martinez interfered with Major's ability to use and enjoy the residence and caused injury to Major and damage to the property.

1285. Needless to say, the trespasses by PBF Martinez to Major's real property were unauthorized in each instance.

11. Plaintiff Robert Manning.

1286. At all times relevant to this action, Plaintiff Robert Manning was over the age of 18 and was a resident of Martinez, California.

1287. Plaintiff Robert Manning rented a residence, which was approximately 1 mile from the refinery.

1288. Manning was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1 1289. Among other things, he noticed dust on his porch, which killed his plants.

2 1290. As a result of his exposure to the toxic discharges from the refinery on November
3 24 and 25, 2022, Manning was physically harmed.

4 1291. Among other things, Manning began experiencing illness and symptoms that were
5 directly caused by the toxic exposure within a week after the release, including breathing
6 difficulties, chest pain, memory issues, brain fog, sore throat, coughing, itchy, watery, burning eyes,
7 headaches, fatigue, congestion, difficulty sleeping, body aches, phlegm, stomach pain, heartburn,
8 and diarrhea.

9 1292. The November 24 and 25, 2022, discharge also entered Manning's residence,
10 including dust.

11 1293. The trespass by PBF Martinez interfered with Manning's ability to use and enjoy
12 the residence and caused injury to Manning and damage to the property.

13 1294. Needless to say, the trespass by PBF Martinez to Manning's real property was
14 unauthorized.

15 1295. Manning was also present at his residence for the July 2023, October 2023, and
16 December 2023 releases.

17 1296. In each instance, he was exposed to toxins from the refinery's discharges.

18 1297. As a result of his exposure to the 2023 discharges from the refinery, Manning was
19 physically harmed, including developing and/or worsening symptoms of respiratory issues, sore
20 throat, coughing, congestion, and headaches that were directly caused by the reoccurring discharges
21 in 2023.

22 1298. The 2023 discharges also entered Manning's residence, including black dust.

23 1299. The trespasses by PBF Martinez interfered with Manning's ability to use and enjoy
24 the residence and caused injury to Manning and damage to the property.

25 1300. Needless to say, the trespasses by PBF Martinez to Manning's real property were
26 unauthorized in each instance.

27 1301. Additionally, the health effects on Manning from the discharges have caused him to
28 suffer lost wages, income, and/or business opportunities.

1 **12. Plaintiff Dorothy Mathewson.**

2 1302. At all times relevant to this action, Plaintiff Dorothy Mathewson was over the age
3 of 18 and was a resident of Martinez, California.

4 1303. Plaintiff Dorothy Mathewson rented a residence, which was approximately 2 miles
5 from the refinery.

6 1304. Mathewson was present at their residence for the November 24 and 25, 2022 release
7 from the refinery, and was exposed to the toxic discharge from the refinery.

8 1305. Among other things, she recalled a funny smell and the dust.

9 1306. As a result of her exposure to the toxic discharges from the refinery on November
10 24 and 25, 2022, Mathewson was physically harmed.

11 1307. Among other things, Mathewson began experiencing illness and symptoms that
12 were directly caused by the toxic exposure Within days after the release, including breathing
13 difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, fatigue, congestion,
14 difficulty sleeping, and asthma flare-ups.

15 1308. The November 24 and 25, 2022, discharge also entered Mathewson's residence,
16 including smell and dust.

17 1309. The trespass by PBF Martinez interfered with Mathewson's ability to use and enjoy
18 the residence and caused injury to Mathewson and damage to the property.

19 1310. Needless to say, the trespass by PBF Martinez to Mathewson's real property was
20 unauthorized.

21 1311. Additionally, the health effects on Mathewson from the discharges have caused her
22 to suffer lost wages, income, and/or business opportunities.

23 **13. Plaintiff Marilyn McGinn.**

24 1312. At all times relevant to this action, Plaintiff Marilyn McGinn was over the age of 18
25 and was a resident of Martinez, California.

26 1313. Plaintiff Marilyn McGinn rented a residence, which was approximately 1/4 mile
27 from the refinery.
28

1 1314. McGinn was present at their residence for the November 24 and 25, 2022 release
2 from the refinery, and was exposed to the toxic discharge from the refinery.

3 1315. Among other things, she recalls hearing a loud noise, and that it smelled really bad,
4 with fire coming out of one of the pillars at the refinery. The noises sounded like a loud rumbling
5 sound.

6 1316. As a result of her exposure to the toxic discharges from the refinery on November
7 24 and 25, 2022, McGinn was physically harmed.

8 1317. Among other things, McGinn began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within days after the release, including breathing difficulties,
10 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery,
11 burning eyes, headaches, sinus pain, pressure, fatigue, bloody nose, congestion, difficulty sleeping,
12 body aches, phlegm, coughing up blood, stomach pain, dehydration, and loss of balance.

13 1318. The November 24 and 25, 2022, discharge also entered McGinn's residence,
14 including noise and smell.

15 1319. The trespass by PBF Martinez interfered with McGinn's ability to use and enjoy the
16 residence and caused injury to McGinn and damage to the property.

17 1320. Needless to say, the trespass by PBF Martinez to McGinn's real property was
18 unauthorized.

19 1321. McGinn was also present at her residence for the July 2023, October 2023, and
20 December 2023 releases.

21 1322. In each instance, she was exposed to toxins from the refinery's discharges.

22 1323. As a result of her exposure to the 2023 discharges from the refinery, McGinn was
23 physically harmed, including developing and/or worsening symptoms of chest pain, difficulty
24 breathing, brain fog, dizziness, coughing, sore throat, nausea, skin irritation, headaches, sinus
25 pressure and pain, and fatigue that were directly caused by the reoccurring discharges in 2023.

26 1324. The 2023 discharges also entered McGinn's residence, including ash and smell.

27 1325. The trespasses by PBF Martinez interfered with McGinn's ability to use and enjoy
28 the residence and caused injury to McGinn and damage to the property.

1 1326. Needless to say, the trespasses by PBF Martinez to McGinn's real property were
2 unauthorized in each instance.

3 1327. Additionally, the health effects on McGinn from the discharges have caused her to
4 suffer lost wages, income, and/or business opportunities.

5 **14. Plaintiff Catharine McKeever.**

6 1328. At all times relevant to this action, Plaintiff Catharine McKeever was over the age
7 of 18 and was a resident of Martinez, California.

8 1329. Plaintiff Catharine McKeever rented a residence, which was approximately 2 miles
9 from the refinery.

10 1330. McKeever was present at their residence for the November 24 and 25, 2022 release
11 from the refinery, and was exposed to the toxic discharge from the refinery.

12 1331. As a result of her exposure to the toxic discharges from the refinery on November
13 24 and 25, 2022, McKeever was physically harmed.

14 1332. Among other things, McKeever began experiencing illness and symptoms that were
15 directly caused by the toxic exposure within days after the release, including memory issues, brain
16 fog, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue,
17 difficulty sleeping, and body aches.

18 1333. The November 24 and 25, 2022, discharge also entered McKeever's residence.

19 1334. The trespass by PBF Martinez interfered with McKeever's ability to use and enjoy
20 the residence and caused injury to McKeever and damage to the property.

21 1335. Needless to say, the trespass by PBF Martinez to McKeever's real property was
22 unauthorized.

23 1336. McKeever was also present at her residence for the July 2023, October 2023, and
24 December 2023 releases.

25 1337. In each instance, she was exposed to toxins from the refinery's discharges.

26 1338. As a result of her exposure to the 2023 discharges from the refinery, McKeever was
27 physically harmed, including developing and/or worsening symptoms of coughing, sinus issues,
28

1 difficulty breathing, memory issues, dizziness, headaches, congestion, fatigue, body aches, and
2 difficulty sleeping that were directly caused by the reoccurring discharges in 2023.

3 1339. The 2023 discharges also entered McKeever's residence.

4 1340. The trespasses by PBF Martinez interfered with McKeever's ability to use and enjoy
5 the residence and caused injury to McKeever and damage to the property.

6 1341. Needless to say, the trespasses by PBF Martinez to McKeever's real property were
7 unauthorized in each instance.

8 1342. Additionally, the health effects on McKeever from the discharges have caused her
9 to suffer lost wages, income, and/or business opportunities.

10 **15. Plaintiff Felicia Mitchell.**

11 1343. At all times relevant to this action, Plaintiff Felicia Mitchell was over the age of 18
12 and was a resident of Martinez, California.

13 1344. Plaintiff Felicia Mitchell rented a residence, which was approximately 1/4 mile from
14 the refinery.

15 1345. Mitchell was present at their residence for the November 24 and 25, 2022 release
16 from the refinery, and was exposed to the toxic discharge from the refinery.

17 1346. Among other things, she recalled a bad smell and had to close all the windows.

18 1347. As a result of her exposure to the toxic discharges from the refinery on November
19 24 and 25, 2022, Mitchell was physically harmed.

20 1348. Among other things, Mitchell began experiencing illness and symptoms that were
21 directly caused by the toxic exposure immediately after the release, including sore throat, coughing,
22 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, and stomach pain.

23 1349. The November 24 and 25, 2022, discharge also entered Mitchell's residence,
24 including the smell

25 1350. The trespass by PBF Martinez interfered with Mitchell's ability to use and enjoy the
26 residence and caused injury to Mitchell and damage to the property.

27 1351. Needless to say, the trespass by PBF Martinez to Mitchell's real property was
28 unauthorized.

1352. Mitchell was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1353. In each instance, she was exposed to toxins from the refinery's discharges.

1354. As a result of her exposure to the 2023 discharges from the refinery, Mitchell was physically harmed, including developing and/or worsening symptoms of eye irritation, skin irritation, coughing, congestion, and headaches that were directly caused by the reoccurring discharges in 2023.

1355. The 2023 discharges also entered Mitchell's residence.

1356. The trespasses by PBF Martinez interfered with Mitchell's ability to use and enjoy the residence and caused injury to Mitchell and damage to the property.

1357. Needless to say, the trespasses by PBF Martinez to Mitchell's real property were unauthorized in each instance.

16. Plaintiff Sunny Montgomery.

1358. At all times relevant to this action, Plaintiff Sunny Montgomery was over the age of 18 and was a resident of Martinez, California.

1359. Plaintiff Sunny Montgomery rented a residence, which was approximately 1/4 mile from the refinery.

1360. Montgomery was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1361. Among other things, she saw and heard an extremely loud and large flame which rattled the windows. She recalls the entire sky glowing orange and a strong smell.

1362. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Montgomery was physically harmed.

1363. Among other things, Montgomery began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including memory issues, brain fog, sore throat, coughing, headaches, sinus pain and pressure, fatigue, congestion, earaches, and ear infections.

1 1364. The November 24 and 25, 2022, discharge also entered Montgomery's residence,
2 including the noise, and smell.

3 1365. The trespass by PBF Martinez interfered with Montgomery's ability to use and enjoy
4 the residence and caused injury to Montgomery and damage to the property.

5 1366. Needless to say, the trespass by PBF Martinez to Montgomery's real property was
6 unauthorized.

7 1367. Montgomery was also present at her residence for the July 2023 and October 2023
8 releases.

9 1368. In each instance, she was exposed to toxins from the refinery's discharges.

10 1369. As a result of her exposure to the 2023 discharges from the refinery, Montgomery
11 was physically harmed, including developing and/or worsening symptoms of migraines that were
12 directly caused by the reoccurring discharges in 2023.

13 1370. The 2023 discharges also entered Montgomery's residence, including the smell.

14 1371. The trespasses by PBF Martinez interfered with Montgomery's ability to use and
15 enjoy the residence and caused injury to Montgomery and damage to the property.

16 1372. Needless to say, the trespasses by PBF Martinez to Montgomery's real property was
17 unauthorized in each instance.

18 1373. Additionally, the health effects on Montgomery from the discharges have caused
19 her to suffer lost wages, income, and/or business opportunities.

20 **17. Plaintiff Cheryl Moore.**

21 1374. At all times relevant to this action, Plaintiff Cheryl Moore was over the age of 18
22 and was a resident of Martinez, California.

23 1375. Plaintiff Cheryl Moore rented a residence, which was approximately 1/4 mile from
24 the refinery.

25 1376. Moore was present at their residence for the November 24 and 25, 2022 release from
26 the refinery, and was exposed to the toxic discharge from the refinery.

27 1377. As a result of her exposure to the toxic discharges from the refinery on November
28 24 and 25, 2022, Moore was physically harmed.

1 1378. Among other things, Moore began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within days after the release, including breathing difficulties,
3 sore throat, coughing, itchy, watery, burning eyes, sinus pain, pressure, and phlegm.

4 1379. The November 24 and 25, 2022, discharge also entered Moore's residence.

5 1380. The trespass by PBF Martinez interfered with Moore's ability to use and enjoy the
6 residence and caused injury to Moore and damage to the property.

7 1381. Needless to say, the trespass by PBF Martinez to Moore's real property was
8 unauthorized.

9 1382. Moore was also present at her residence for the July 2023, October 2023, and
10 December 2023 releases.

11 1383. In each instance, she was exposed to toxins from the refinery's discharges.

12 1384. As a result of her exposure to the 2023 discharges from the refinery, Moore was
13 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
14 itchy, watery, burning eyes, and headaches that were directly caused by the reoccurring discharges
15 in 2023.

16 1385. The 2023 discharges also entered Moore's residence.

17 1386. The trespasses by PBF Martinez interfered with Moore's ability to use and enjoy the
18 residence and caused injury to Moore and damage to the property.

19 1387. Needless to say, the trespasses by PBF Martinez to Moore's real property were
20 unauthorized in each instance.

21 **18. Plaintiff Alfonze Moore, Jr.**

22 1388. At all times relevant to this action, Plaintiff Alfonze Moore, Jr. was over the age of
23 18 and was a resident of Martinez, California.

24 1389. Plaintiff Alfonze Moore, Jr. rented a residence, which was approximately 1/4 mile
25 from the refinery.

26 1390. Moore was present at their residence for the November 24 and 25, 2022 release from
27 the refinery, and was exposed to the toxic discharge from the refinery.
28

1391. Among other things, he recalls seeing dust on his vehicle, patio, and inside their home.

1392. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Moore was physically harmed.

1393. Among other things, Moore began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, chest pain, sore throat, coughing, nausea, vomiting, sinus pain, pressure, congestion, and asthma flare-ups.

1394. The November 24 and 25, 2022, discharge also entered Moore's residence, including dust.

1395. The trespass by PBF Martinez interfered with Moore's ability to use and enjoy the residence and caused injury to Moore and damage to the property.

1396. Needless to say, the trespass by PBF Martinez to Moore's real property was unauthorized.

1397. Moore was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1398. In each instance, he was exposed to toxins from the refinery's discharges.

1399. As a result of his exposure to the 2023 discharges from the refinery, Moore was physically harmed, including developing and/or worsening symptoms of breathing difficulties and asthma flare-ups that were directly caused by the reoccurring discharges in 2023.

1400. The 2023 discharges also entered Moore's residence, including dust.

1401. The trespasses by PBF Martinez interfered with Moore's ability to use and enjoy the residence and caused injury to Moore and damage to the property.

1402. Needless to say, the trespasses by PBF Martinez to Moore's real property were unauthorized in each instance.

19. Plaintiff Craig Murdah.

1403. At all times relevant to this action, Plaintiff Craig Murdah was over the age of 18 and was a resident of Martinez, California.

1 1404. Plaintiff Craig Murdah rented a residence, which was approximately 2 miles from
2 the refinery.

3 1405. Murdah was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 1406. Among other things, he recalls seeing dust on cars.

6 1407. As a result of his exposure to the toxic discharges from the refinery on November
7 24 and 25, 2022, Murdah was physically harmed.

8 1408. Among other things, Murdah began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within days after the release, including breathing difficulties,
10 sore throat, coughing, itchy, watery, burning eyes, headaches, congestion, and difficulty sleeping.

11 1409. The November 24 and 25, 2022, discharge also entered Murdah's residence,
12 including dust.

13 1410. The trespass by PBF Martinez interfered with Murdah's ability to use and enjoy the
14 residence and caused injury to Murdah and damage to the property.

15 1411. Needless to say, the trespass by PBF Martinez to Murdah's real property was
16 unauthorized.

17 1412. Murdah was also present at his residence for the July 2023, October 2023, and
18 December 2023 releases.

19 1413. In each instance, he was exposed to toxins from the refinery's discharges.

20 1414. As a result of his exposure to the 2023 discharges from the refinery, Murdah was
21 physically harmed, including developing and/or worsening symptoms of difficulty breathing,
22 wheezing, shortness of breath, congestion, coughing, burning eyes, sore throat, headaches, and
23 trouble sleeping that were directly caused by the reoccurring discharges in 2023.

24 1415. The 2023 discharges also entered Murdah's residence, including dust.

25 1416. The trespasses by PBF Martinez interfered with Murdah's ability to use and enjoy
26 the residence and caused injury to Murdah and damage to the property.

27 1417. Needless to say, the trespasses by PBF Martinez to Murdah's real property were
28 unauthorized in each instance.

20. Plaintiff Elizabeth Newman.

1418. At all times relevant to this action, Plaintiff Elizabeth Newman was over the age of 18 and was a resident of Martinez, California.

1419. Plaintiff Elizabeth Newman rented a residence, which was approximately 1/4 mile from the refinery.

1420. Newman was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1421. Among other things, she recalls a strong smell and seeing dust on her car.

1422. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Newman was physically harmed.

1423. Among other things, Newman began experiencing illness and symptoms that were directly caused by the toxic exposure Immediately after the release, including memory issues, brain fog, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, bloody nose, difficulty sleeping, body aches, phlegm, coughing up blood, heartburn, dehydration, and diarrhea.

1424. The November 24 and 25, 2022, discharge also entered Newman's residence, including a strong smell and dust.

1425. The trespass by PBF Martinez interfered with Newman's ability to use and enjoy the residence and caused injury to Newman and damage to the property.

1426. Needless to say, the trespass by PBF Martinez to Newman's real property was unauthorized.

1427. Newman was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1428. In each instance, she was exposed to toxins from the refinery's discharges.

1429. As a result of her exposure to the 2023 discharges from the refinery, Newman was physically harmed, including developing and/or worsening symptoms of chest pain, memory issues, brain fog, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, hives, headaches, fatigue, bloody nose, congestion, difficulty sleeping, body aches, phlegm, stomach pain,

1 heartburn, dehydration, diarrhea, and loss of balance that were directly caused by the reoccurring
2 discharges in 2023.

3 1430. The 2023 discharges also entered Newman's residence, including a strong smell and
4 dust.

5 1431. The trespasses by PBF Martinez interfered with Newman's ability to use and enjoy
6 the residence and caused injury to Newman and damage to the property.

7 1432. Needless to say, the trespasses by PBF Martinez to Newman's real property were
8 unauthorized in each instance.

9 1433. Additionally, the health effects on Newman from the discharges have caused her to
10 suffer lost wages, income, and/or business opportunities.

11 **21. Plaintiff Donald Phillips.**

12 1434. At all times relevant to this action, Plaintiff Donald Phillips was over the age of 18
13 and was a resident of Martinez, California.

14 1435. Plaintiff Donald Phillips rented a residence, which was approximately 1/4 mile from
15 the refinery.

16 1436. Phillips was present at their residence for the November 24 and 25, 2022 release
17 from the refinery, and was exposed to the toxic discharge from the refinery.

18 1437. Among other things, he recalls seeing dust and ash all over his neighborhood.

19 1438. As a result of his exposure to the toxic discharges from the refinery on November
20 24 and 25, 2022, Phillips was physically harmed.

21 1439. Among other things, Phillips began experiencing illness and symptoms that were
22 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
23 sore throat, coughing, nausea, vomiting, headaches, fatigue, congestion, difficulty sleeping, body
24 aches, dehydration, and diarrhea.

25 1440. The November 24 and 25, 2022, discharge also entered Phillips' residence,
26 including ash and dust.

27 1441. The trespass by PBF Martinez interfered with Phillips' ability to use and enjoy the
28 residence and caused injury to Phillips and damage to the property.

1 1442. Needless to say, the trespass by PBF Martinez to Phillips' real property was
2 unauthorized.

3 1443. Phillips was also present at his residence for the July 2023, October 2023, and
4 December 2023 releases.

5 1444. In each instance, he was exposed to toxins from the refinery's discharges.

6 1445. As a result of his exposure to the 2023 discharges from the refinery, Phillips was
7 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
8 chest pain, sore throat, coughing, nausea, vomiting, headaches, fatigue, and phlegm that were
9 directly caused by the reoccurring discharges in 2023.

10 1446. The 2023 discharges also entered Phillips' residence, including ash and dust.

11 1447. The trespasses by PBF Martinez interfered with Phillips' ability to use and enjoy the
12 residence and caused injury to Phillips and damage to the property.

13 1448. Needless to say, the trespasses by PBF Martinez to Phillips' real property were
14 unauthorized in each instance.

15 **22. Plaintiff Pamela Pope.**

16 1449. At all times relevant to this action, Plaintiff Pamela Pope was over the age of 18 and
17 was a resident of Martinez, California.

18 1450. Plaintiff Pamela Pope rented a residence, which was approximately 1 1/2 miles from
19 the refinery.

20 1451. Pope was present at their residence for the November 24 and 25, 2022 release from
21 the refinery, and was exposed to the toxic discharge from the refinery.

22 1452. Among other things, she recalls seeing dust and smoke.

23 1453. As a result of her exposure to the toxic discharges from the refinery on November
24 24 and 25, 2022, Pope was physically harmed.

25 1454. Among other things, Pope began experiencing illness and symptoms that were
26 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
27 chest pain, asthma flare-ups, dizziness, vertigo, sore throat, coughing, headaches, and fatigue.
28

1 1455. The November 24 and 25, 2022, discharge also entered Pope's residence, including
2 dust and smoke.

3 1456. The trespass by PBF Martinez interfered with Pope's ability to use and enjoy the
4 residence and caused injury to Pope and damage to the property.

5 1457. Needless to say, the trespass by PBF Martinez to Pope's real property was
6 unauthorized.

7 1458. Pope was also present at her residence for the July 2023, October 2023, and
8 December 2023 releases.

9 1459. In each instance, she was exposed to toxins from the refinery's discharges.

10 1460. As a result of her exposure to the 2023 discharges from the refinery, Pope was
11 physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest
12 discomfort, headaches, and asthma flare ups that were directly caused by the reoccurring discharges
13 in 2023.

14 1461. The 2023 discharges also entered Pope's residence, including dust and smoke.

15 1462. The trespasses by PBF Martinez interfered with Pope's ability to use and enjoy the
16 residence and caused injury to Pope and damage to the property.

17 1463. Needless to say, the trespasses by PBF Martinez to Pope's real property was
18 unauthorized in each instance.

19 **23. Plaintiff Richard Reynolds.**

20 1464. At all times relevant to this action, Plaintiff Richard Reynolds was over the age of
21 18 and was a resident of Martinez, California.

22 1465. Plaintiff Richard Reynolds rented a residence, which was approximately 2 miles
23 from the refinery.

24 1466. Reynolds was present at their residence for the November 24 and 25, 2022 release
25 from the refinery, and was exposed to the toxic discharge from the refinery.

26 1467. Among other things, he recalls seeing dust on vehicles.

27 1468. As a result of his exposure to the toxic discharges from the refinery on November
28 24 and 25, 2022, Reynolds was physically harmed.

1 1469. Among other things, Reynolds began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within a week after the release, including breathing
3 difficulties, chest pain, memory issues, brain fog, sore throat, coughing, congestion, difficulty
4 sleeping, asthma flare-up, and dehydration.

5 1470. The November 24 and 25, 2022, discharge also entered Reynolds' residence,
6 including dust.

7 1471. The trespass by PBF Martinez interfered with Reynolds' ability to use and enjoy the
8 residence and caused injury to Reynolds and damage to the property.

9 1472. Needless to say, the trespass by PBF Martinez to Reynolds' real property was
10 unauthorized.

11 1473. Reynolds was also present at his residence for the July 2023, October 2023, and
12 December 2023 releases.

13 1474. In each instance, he was exposed to toxins from the refinery's discharges.

14 1475. As a result of his exposure to the 2023 discharges from the refinery, Reynolds was
15 physically harmed, including developing and/or worsening symptoms of sore throat and coughing
16 that were directly caused by the reoccurring discharges in 2023.

17 1476. The 2023 discharges also entered Reynolds' residence, including dust.

18 1477. The trespasses by PBF Martinez interfered with Reynolds' ability to use and enjoy
19 the residence and caused injury to Reynolds and damage to the property.

20 1478. Needless to say, the trespasses by PBF Martinez to Reynolds' real property were
21 unauthorized in each instance.

22 **24. Plaintiff Holly Rico.**

23 1479. At all times relevant to this action, Plaintiff Holly Rico was over the age of 18 and
24 was a resident of Martinez, California.

25 1480. Plaintiff Holly Rico rented a residence, which was approximately 2 miles from the
26 refinery.

27 1481. Rico was present at their residence for the November 24 and 25, 2022 release from
28 the refinery, and was exposed to the toxic discharge from the refinery.

1 1482. As a result of her exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Rico was physically harmed.

3 1483. Among other things, Rico began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within days after the release, including breathing difficulties,
5 chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, rash, hives,
6 headaches, sinus pain, pressure, bloody nose, congestion, body aches, ear aches, ear infections,
7 phlegm, heartburn, dehydration, diarrhea, and loss of balance.

8 1484. The November 24 and 25, 2022, discharge also entered Rico's residence.

9 1485. 7 The trespass by PBF Martinez interfered with Rico's ability to use and enjoy the
10 residence and caused injury to Rico and damage to the property.

11 1486. Needless to say, the trespass by PBF Martinez to Rico's real property was
12 unauthorized.

13 1487. Rico was also present at her residence for the July 2023, October 2023, and
14 December 2023 releases.

15 1488. In each instance, she was exposed to toxins from the refinery's discharges.

16 1489. As a result of her exposure to the 2023 discharges from the refinery, Rico was
17 physically harmed, including developing and/or worsening symptoms of migraines, dizziness,
18 irritated skin, bronchitis, and sinus infection that were directly caused by the reoccurring discharges
19 in 2023.

20 1490. The 2023 discharges also entered Rico's residence.

21 1491. The trespasses by PBF Martinez interfered with Rico's ability to use and enjoy the
22 residence and caused injury to Rico and damage to the property.

23 **1492.** Needless to say, the trespasses by PBF Martinez to Rico's real property were
24 unauthorized in each instance.

25 **25. Plaintiff Manuel Rincon.**

26 1493. At all times relevant to this action, Plaintiff Manuel Rincon was over the age of 18
27 and was a resident of Martinez, California.
28

1 1494. Plaintiff Manuel Rincon rented a residence, which was approximately 1/2 mile from
2 the refinery.

3 1495. Rincon was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 1496. As a result of his exposure to the toxic discharges from the refinery on November
6 24 and 25, 2022, Rincon was physically harmed.

7 1497. Among other things, Rincon began experiencing illness and symptoms that were
8 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
9 chest pain, dizziness, vertigo, nausea, vomiting, headaches, sinus pain, pressure, congestion,
10 difficulty sleeping, and asthma flare-up.

11 1498. The November 24 and 25, 2022, discharge also entered Rincon's residence.

12 1499. The trespass by PBF Martinez interfered with Rincon's ability to use and enjoy the
13 residence and caused injury to Rincon and damage to the property.

14 1500. Needless to say, the trespass by PBF Martinez to Rincon's real property was
15 unauthorized.

16 1501. Rincon was also present at his residence for the July 2023, October 2023, and
17 December 2023 releases.

18 1502. In each instance, he was exposed to toxins from the refinery's discharges.

19 1503. As a result of his exposure to the 2023 discharges from the refinery, Rincon was
20 physically harmed, including developing and/or worsening symptoms of breathing difficulties,
21 chest pain, sore throat, coughing, itchy, watery, burning eyes, headaches, and asthma flare-ups that
22 were directly caused by the reoccurring discharges in 2023.

23 1504. The 2023 discharges also entered Rincon's residence.

24 1505. The trespasses by PBF Martinez interfered with Rincon's ability to use and enjoy
25 the residence and caused injury to Rincon and damage to the property.

26 1506. Needless to say, the trespasses by PBF Martinez to Rincon's real property were
27 unauthorized in each instance.
28

1507. Additionally, the health effects on Rincon from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

26. Plaintiff Fallon Roberts.

1508. At all times relevant to this action, Plaintiff Fallon Roberts was over the age of 18 and was a resident of Martinez, California.

1509. Plaintiff Fallon Roberts rented a residence, which was approximately 1 1/2 miles from the refinery.

1510. Roberts was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1511. Among other things, she recalls smelling a foul odor and seeing dust on vehicles and on furniture outside.

1512. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Roberts was physically harmed.

1513. Among other things, Roberts began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, memory issues, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, body aches, ear aches, ear infections, stomach pain, diarrhea, congestion, difficulty sleeping, dehydration, fever, fainting, and loss of balance.

1514. The November 24 and 25, 2022, discharge also entered Roberts' residence, including a foul odor and dust.

1515. The trespass by PBF Martinez interfered with Roberts' ability to use and enjoy the residence and caused injury to Roberts and damage to the property.

1516. Needless to say, the trespass by PBF Martinez to Roberts' real property was unauthorized.

1517. Roberts was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1518. In each instance, she was exposed to toxins from the refinery's discharges.

1519. As a result of her exposure to the 2023 discharges from the refinery, Roberts was physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest pain, nausea, itchy and watery eyes, skin irritation, headaches, sinus pain and pressure, fatigue, body aches, fever, diarrhea, and loss of balance that were directly caused by the reoccurring discharges in 2023.

1520. The 2023 discharges also entered Roberts' residence, including a foul smell and dust.

1521. The trespasses by PBF Martinez interfered with Roberts' ability to use and enjoy the residence and caused injury to Roberts and damage to the property.

1522. Needless to say, the trespasses by PBF Martinez to Roberts' real property was unauthorized in each instance.

27. Plaintiff Daniel Rochin, Jr.

1523. At all times relevant to this action, Plaintiff Daniel Rochin, Jr. was over the age of 18 and was a resident of Martinez, California.

1524. Plaintiff Danel Rochin, Jr. rented a residence, which was approximately 1 1/2 miles from the refinery.

1525. Rochin was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1526. Among other things, he recalls seeing smoke coming out from the refinery and a dust on the property including on the cars.

1527. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Rochin was physically harmed.

1528. Among other things, Rochin, Jr. began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, sore throat, coughing, and itchy, watery, and burning eyes.

1529. The November 24 and 25, 2022, discharge also entered Rochin Jr.'s residence, including smoke and dust.

1530. The trespass by PBF Martinez interfered with Rochin Jr.'s ability to use and enjoy the residence and caused injury to Rochin and damage to the property.

1531. Needless to say, the trespass by PBF Martinez to Rochin Jr.'s real property was unauthorized.

1532. Rochin Jr. was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1533. In each instance, he was exposed to toxins from the refinery's discharges.

1534. As a result of his exposure to the 2023 discharges from the refinery, Rochin Jr. was physically harmed, including developing and/or worsening symptoms of sinus issues, skin irritation, difficulty breathing, heartburn and loss of balance that were directly caused by the reoccurring discharges in 2023.

1535. The 2023 discharges also entered Rochin Jr.'s residence, including smoke and dust.

1536. The trespasses by PBF Martinez interfered with Rochin Jr.'s ability to use and enjoy the residence and caused injury to Rochin Jr. and damage to the property.

1537. Needless to say, the trespasses by PBF Martinez to Rochin Jr.'s real property were unauthorized in each instance.

1538. Additionally, the health effects on Rochin Jr. from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

28. Plaintiff Bethany Root.

1539. At all times relevant to this action, Plaintiff Bethany Root was over the age of 18 and was a resident of Martinez, California.

1540. Plaintiff Bethany Root rented a residence, which was approximately 1 mile from the refinery.

1541. Root was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1542. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Root was physically harmed.

1543. Among other things, Root began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including dizziness, vertigo, nausea, vomiting, itchy, watery, burning eyes, headaches, fatigue, body aches, stomach pain, and loss of balance.

1544. The November 24 and 25, 2022, discharge also entered Root's residence.

1545. The trespass by PBF Martinez interfered with Root's ability to use and enjoy the residence and caused injury to Root and damage to the property.

1546. Needless to say, the trespass by PBF Martinez to Root's real property was unauthorized.

1547. Additionally, the health effects on Root from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

29. Plaintiff Christine Roush.

1548. At all times relevant to this action, Plaintiff Christine Roush was over the age of 18 and was a resident of Martinez, California.

1549. Plaintiff Christine Roush rented a residence, which was approximately 1 mile from the refinery.

1550. Roush was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1551. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Roush was physically harmed.

1552. Among other things, Roush began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, and fatigue.

1553. The November 24 and 25, 2022, discharge also entered Roush's residence.

1554. The trespass by PBF Martinez interfered with Roush's ability to use and enjoy the residence and caused injury to Roush and damage to the property.

1555. Needless to say, the trespass by PBF Martinez to Roush's real property was unauthorized.

1556. Roush was also present at her residence for the July 2023 releases.

1557. In each instance, she was exposed to toxins from the refinery's discharges.

1558. As a result of her exposure to the 2023 discharges from the refinery, Roush was physically harmed, including developing and/or worsening symptoms of shortness of breath and light headedness that were directly caused by the reoccurring discharges in 2023.

1559. The July 2023 discharges also entered Roush's residence.

1560. The trespasses by PBF Martinez interfered with Roush's ability to use and enjoy the residence and caused injury to Roush and damage to the property.

1561. Needless to say, the trespasses by PBF Martinez to Roush's real property were unauthorized in each instance.

1562. Additionally, the health effects on Roush from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

30. Plaintiff Brandon Rupprecht.

1563. At all times relevant to this action, Plaintiff Brandon Rupprecht was over the age of 18 and was a resident of Martinez, California.

1564. Plaintiff Brandon Rupprecht rented a residence, which was approximately 1 1/2 miles from the refinery.

1565. Rupprecht was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1566. Among other things, he saw dust in the air.

1567. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Rupprecht was physically harmed.

1568. Among other things, Rupprecht began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, dizziness, vertigo, sore throat, and coughing.

1569. The November 24 and 25, 2022, discharge also entered Rupprecht's residence, including dust.

1570. The trespass by PBF Martinez interfered with Rupprecht's ability to use and enjoy the residence and caused injury to Rupprecht and damage to the property.

1571. Needless to say, the trespass by PBF Martinez to Rupprecht's real property was unauthorized.

1572. Rupprecht was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1573. In each instance, he was exposed to toxins from the refinery's discharges.

1574. As a result of his exposure to the 2023 discharges from the refinery, Rupprecht was physically harmed, including developing and/or worsening symptoms of coughing and breathing difficulties that were directly caused by the reoccurring discharges in 2023.

1575. The 2023 discharges also entered Rupprecht's residence, including dust.

1576. The trespasses by PBF Martinez interfered with Rupprecht's ability to use and enjoy the residence and caused injury to Rupprecht and damage to the property.

1577. Needless to say, the trespasses by PBF Martinez to Rupprecht's real property were unauthorized in each instance.

1578. Additionally, the health effects on Rupprecht from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

31. Plaintiff Myra Saulovich.

1579. At all times relevant to this action, Plaintiff Myra Saulovich was over the age of 18 and was a resident of Martinez, California.

1580. Plaintiff Myra Saulovich rented a residence, which was approximately 2 1/2 miles from the refinery.

1581. Saulovich was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1582. Among other things, she recalls seeing dust covering vehicles and yards of the neighborhood and smelling a sulfur-like odor.

1583. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Saulovich was physically harmed.

1584. Among other things, Saulovich began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, and congestion.

1585. The November 24 and 25, 2022, discharge also entered Saulovich's residence, including dust and odor,

1586. The trespass by PBF Martinez interfered with Saulovich's ability to use and enjoy the residence and caused injury to Saulovich and damage to the property.

1587. Needless to say, the trespass by PBF Martinez to Saulovich's real property was unauthorized.

1588. Saulovich was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1589. In each instance, she was exposed to toxins from the refinery's discharges.

1590. As a result of her exposure to the 2023 discharges from the refinery, Saulovich was physically harmed, including developing and/or worsening symptoms of severe asthma, breathing difficulties, headaches, dry throat, phlegm, nausea and vomiting that were directly caused by the reoccurring discharges in 2023.

1591. The 2023 discharges also entered Saulovich's residence, including dust and a bad smell.

1592. The trespasses by PBF Martinez interfered with Saulovich's ability to use and enjoy the residence and caused injury to Saulovich and damage to the property.

1593. Needless to say, the trespasses by PBF Martinez to Saulovich's real property were unauthorized in each instance.

1594. Additionally, the health effects on Saulovich from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

32. Plaintiff Michael Saunders.

1595. At all times relevant to this action, Plaintiff Michael Saunders was over the age of 18 and was a resident of Martinez, California.

1596. Plaintiff Michael Saunders rented a residence, which was approximately 1 1/2 miles from the refinery.

1597. Saunders was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1598. Among other things, he recalls seeing dust on vehicles and the sky being hazy.

1599. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Saunders was physically harmed.

1600. Among other things, Saunders began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches, sinus pain, pressure, and congestion.

1601. The November 24 and 25, 2022, discharge also entered Saunders' residence, including dust.

1602. The trespass by PBF Martinez interfered with Saunders' ability to use and enjoy the residence and caused injury to Saunders and damage to the property.

1603. Needless to say, the trespass by PBF Martinez to Saunders' real property was unauthorized.

1604. Additionally, the health effects on Saunders from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

33. Plaintiff Melinda Savory.

1605. At all times relevant to this action, Plaintiff Melinda Savory was over the age of 18 and was a resident of Martinez, California.

1606. Plaintiff Melinda Savory rented a residence, which was approximately 1 mile from the refinery.

1607. Savory was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1608. Among other things, she recalls a rumbling and hearing and seeing the flames shooting from the stack at the refinery.

1 1609. As a result of her exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Savory was physically harmed.

3 1610. Among other things, Savory began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within days after the release, including breathing difficulties,
5 sore throat, coughing, sinus pain, pressure, congestion, phlegm, and asthma flare-up.

6 1611. The November 24 and 25, 2022, discharge also entered Savory's residence.

7 1612. The trespass by PBF Martinez interfered with Savory's ability to use and enjoy the
8 residence and caused injury to Savory and damage to the property.

9 1613. Needless to say the trespass by PBF Martinez to Savory's real property was
10 unauthorized.

11 1614. Savory was also present at her residence for the December 2023 release.

12 1615. In each instance, she was exposed to toxins from the refinery's discharges.

13 1616. As a result of her exposure to the 2023 discharge from the refinery, Savory was
14 physically harmed, including developing and/or worsening symptoms of coughing, earaches, and
15 other respiratory issues that were directly caused by the reoccurring discharge in 2023.

16 1617. The 2023 discharges also entered Savory's residence.

17 1618. The trespasses by PBF Martinez interfered with Savory's ability to use and enjoy
18 the residence and caused injury to Savory and damage to the property.

19 1619. Needless to say, the trespasses by PBF Martinez to Savory's real property were
20 unauthorized in each instance.

21 **34. Plaintiff Ryan Schrum.**

22 1620. At all times relevant to this action, Plaintiff Ryan Schrum was over the age of 18
23 and was a resident of Martinez, California.

24 1621. Plaintiff Ryan Schrum rented a residence, which was approximately 1 1/2 miles
25 from the refinery.

26 1622. Schrum was present at their residence for the November 24 and 25, 2022 release
27 from the refinery, and was exposed to the toxic discharge from the refinery.

28 1623. Among other things, he recalls seeing dust.

1 1624. As a result of his exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Schrum was physically harmed.

3 1625. Among other things, Schrum began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within days after the release, including breathing difficulties,
5 chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, rash, hives,
6 headaches, fatigue, congestion, difficulty sleeping, phlegm, and dehydration.

7 1626. The November 24 and 25, 2022, discharge also entered Schrum's residence,
8 including dust.

9 1627. The trespass by PBF Martinez interfered with Schrum's ability to use and enjoy the
10 residence and caused injury to Schrum and damage to the property.

11 1628. Needless to say, the trespass by PBF Martinez to Schrum's real property was
12 unauthorized.

13 1629. Schrum was also present at his residence for the July 2023, October 2023, and
14 December 2023 releases.

15 1630. In each instance, he was exposed to toxins from the refinery's discharges.

16 1631. As a result of his exposure to the 2023 discharges from the refinery, Schrum was
17 physically harmed, including developing and/or worsening symptoms of difficulty breathing, itchy
18 eyes, coughing, headaches, skin irritation, lightheadedness, and dizziness that were directly caused
19 by the reoccurring discharges in 2023.

20 1632. The 2023 discharges also entered Schrum's residence, including dust.

21 1633. The trespasses by PBF Martinez interfered with Schrum's ability to use and enjoy
22 the residence and caused injury to Schrum and damage to the property.

23 1634. Needless to say, the trespasses by PBF Martinez to Schrum's real property were
24 unauthorized in each instance.

25 1635. Additionally, the health effects on Schrum from the discharges have caused him to
26 suffer lost wages, income, and/or business opportunities.

35. Plaintiff Nicole Schwinn

1636. At all times relevant to this action, Plaintiff Nicole Schwinn was over the age of 18 and was a resident of Martinez, California.

1637. Plaintiff Nicole Schwinn rented a residence, which was approximately 1 1/2 miles from the refinery.

1638. Schwinn was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1639. Among other things, she recalls her car was dusty and there was a weird smell in the air.

1640. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Schwinn was physically harmed.

1641. Among other things, Schwinn began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain and pressure, congestion, and difficulty sleeping.

1642. The November 24 and 25, 2022, discharge also entered Schwinn's residence, including the dust and weird smell.

1643. The trespass by PBF Martinez interfered with Schwinn's ability to use and enjoy the residence and caused injury to Schwinn and damage to the property.

1644. Needless to say, the trespass by PBF Martinez to Schwinn's real property was unauthorized.

1645. Schwinn was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1646. In each instance, she was exposed to toxins from the refinery's discharges.

1647. As a result of her exposure to the 2023 discharges from the refinery, Schwinn was physically harmed, including developing and/or worsening symptoms of headaches and congestion that were directly caused by the reoccurring discharges in 2023.

1648. The 2023 discharges also entered Schwinn's residence, including the odor.

1649. The trespasses by PBF Martinez interfered with Schwinn's ability to use and enjoy the residence and caused injury to Schwinn and damage to the property.

1650. Needless to say, the trespasses by PBF Martinez to Schwinn's real property were unauthorized in each instance.

36. Plaintiff Evan Seronello.

1651. At all times relevant to this action, Plaintiff Evan Seronello was over the age of 18 and was a resident of Pacheco, California.

1652. Plaintiff Evan Seronello rented a residence near Martinez, which was approximately 4 miles from the refinery.

1653. Seronello was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1654. Among other things, he recalls seeing dust on the property.

1655. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Seronello was physically harmed.

1656. Among other things, Seronello began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches, ear aches, ear infections, fever, diarrhea, and loss of balance.

1657. The November 24 and 25, 2022, discharge also entered Seronello's residence, including dust.

1658. The trespass by PBF Martinez interfered with Seronello's ability to use and enjoy the residence and caused injury to Seronello and damage to the property.

1659. Needless to say, the trespass by PBF Martinez to Seronello's real property was unauthorized.

1660. Seronello was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1661. In each instance, he was exposed to toxins from the refinery's discharges.

1662. As a result of his exposure to the 2023 discharges from the refinery, Seronello was physically harmed, including developing and/or worsening symptoms of coughing, labored breathing, and congestion that were directly caused by the reoccurring discharges in 2023.

1663. The 2023 discharges also entered Seronello's residence, including dust.

1664. The trespasses by PBF Martinez interfered with Seronello's ability to use and enjoy the residence and caused injury to Seronello and damage to the property.

1665. Needless to say, the trespasses by PBF Martinez to Seronello's real property were unauthorized in each instance.

1666. Additionally, the health effects on Seronello from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

37. Plaintiff Patricia Sharp.

1667. At all times relevant to this action, Plaintiff Patricia Sharp was over the age of 18 and was a resident of Martinez, California.

1668. Plaintiff Patricia Sharp rented a residence, which was approximately 1/4 mile from the refinery.

1669. Sharp was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1670. Among other things, she recalls hearing extremely loud rumbling sounds and seeing flaring.

1671. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Sharp was physically harmed.

1672. Among other things, Sharp began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including sore throat, coughing, and headaches.

1673. The November 24 and 25, 2022, discharge also entered Sharp's residence, including noise.

1674. The trespass by PBF Martinez interfered with Sharp's ability to use and enjoy the residence and caused injury to Sharp and damage to the property.

1 1675. Needless to say, the trespass by PBF Martinez to Sharp's real property was
2 unauthorized.

3 1676. Sharp was also present at her residence for the July 2023, October 2023, and
4 December 2023 releases.

5 1677. In each instance, she was exposed to toxins from the refinery's discharges.

6 1678. As a result of her exposure to the 2023 discharges from the refinery, Sharp was
7 physically harmed, including developing and/or worsening symptoms of coughing and headaches
8 that were directly caused by the reoccurring discharges in 2023.

9 1679. The 2023 discharges also entered Sharp's residence.

10 1680. The trespasses by PBF Martinez interfered with Sharp's ability to use and enjoy the
11 residence and caused injury to Sharp and damage to the property.

12 1681. Needless to say, the trespasses by PBF Martinez to Sharp's real property were
13 unauthorized in each instance.

14 **38. Plaintiff Patricia Sherry.**

15 1682. At all times relevant to this action, Plaintiff Patricia Sherry was over the age of 18
16 and was a resident of Martinez, California.

17 1683. Plaintiff Patricia Sherry rented a residence, which was approximately 1 mile from
18 the refinery.

19 1684. Sherry was present at their residence for the November 24 and 25, 2022 release from
20 the refinery, and was exposed to the toxic discharge from the refinery.

21 1685. As a result of her exposure to the toxic discharges from the refinery on November
22 24 and 25, 2022, Sherry was physically harmed.

23 1686. Among other things, Sherry began experiencing illness and symptoms that were
24 directly caused by the toxic exposure immediately after the release, including sore throat, coughing,
25 headaches, sinus pain, pressure, congestion, earaches, ear infections, and phlegm.

26 1687. The November 24 and 25, 2022, discharge also entered Sherry's residence.

27 1688. The trespass by PBF Martinez interfered with Sherry's ability to use and enjoy the
28 residence and caused injury to Sherry and damage to the property.

1 1689. Needless to say, the trespass by PBF Martinez to Sherry's real property was
2 unauthorized.

3 1690. Sherry was also present at her residence for the July 2023, October 2023, and
4 December 2023 releases.

5 1691. In each instance, she was exposed to toxins from the refinery's discharges.

6 1692. As a result of her exposure to the 2023 discharges from the refinery, Sherry was
7 physically harmed, including developing and/or worsening symptoms of headaches, congestion,
8 ear itching, and itchy eyes that were directly caused by the reoccurring discharges in 2023.

9 1693. The 2023 discharges also entered Sherry's residence.

10 1694. The trespasses by PBF Martinez interfered with Sherry's ability to use and enjoy the
11 residence and caused injury to Sherry and damage to the property.

12 1695. Needless to say, the trespasses by PBF Martinez to Sherry's real property were
13 unauthorized in each instance.

14 **39. Plaintiff Seair Spear.**

15 1696. At all times relevant to this action, Plaintiff Seair Spear was over the age of 18 and
16 was a resident of Martinez, California.

17 1697. Plaintiff Seair Spear rented a residence, which was approximately 2 miles from the
18 refinery.

19 1698. Spear was present at their residence for the November 24 and 25, 2022 release from
20 the refinery, and was exposed to the toxic discharge from the refinery.

21 1699. Among other things, recalls seeing dust on the property.

22 1700. As a result of her exposure to the toxic discharges from the refinery on November
23 24 and 25, 2022, Spear was physically harmed.

24 1701. Among other things, Spear began experiencing illness and symptoms that were
25 directly caused by the toxic exposure within a week after the release, including breathing
26 difficulties, chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes,
27 headaches, fatigue, difficulty sleeping, body aches, earaches, ear infections, and asthma flare-ups.
28

1 1702. The November 24 and 25, 2022, discharge also entered Spear's residence, including
2 dust.

3 1703. The trespass by PBF Martinez interfered with Spear's ability to use and enjoy the
4 residence and caused injury to Spear and damage to the property.

5 1704. Needless to say, the trespass by PBF Martinez to Spear's real property was
6 unauthorized.

7 1705. Spear was also present at her residence for the July 2023, October 2023, and
8 December 2023 releases.

9 1706. In each instance, she was exposed to toxins from the refinery's discharges.

10 1707. As a result of his exposure to the 2023 discharges from the refinery, Spear was
11 physically harmed, including developing and/or worsening symptoms of coughing, shortness of
12 breath, headaches, congestion, fatigue and nausea that were directly caused by the reoccurring
13 discharges in 2023.

14 1708. The 2023 discharges also entered Spear's residence, including dust.

15 1709. The trespasses by PBF Martinez interfered with Spear's ability to use and enjoy the
16 residence and caused injury to Spear and damage to the property.

17 1710. Needless to say, the trespasses by PBF Martinez to Spear's real property were
18 unauthorized in each instance.

19 1711. Additionally, the health effects on Spear from the discharges have caused her to
20 suffer lost wages, income, and/or business opportunities.

21 **40. Plaintiff Neil Stanton.**

22 1712. At all times relevant to this action, Plaintiff Neil Stanton was over the age of 18 and
23 was a resident of Martinez, California.

24 1713. Plaintiff Neil Stanton rented a residence, which was approximately 1 mile from the
25 refinery.

26 1714. Stanton was present at their residence for the November 24 and 25, 2022 release
27 from the refinery, and was exposed to the toxic discharge from the refinery.

28 1715. Among other things, he recalls seeing dust all over the property and vehicles.

1716. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Stanton was physically harmed.

1717. Among other things, Stanton began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, memory issues, brain fog, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, stomach pain, and loss of balance.

1718. The November 24 and 25, 2022, discharge also entered Stanton's residence, including dust.

1719. The trespass by PBF Martinez interfered with Stanton's ability to use and enjoy the residence and caused injury to Stanton and damage to the property.

1720. Needless to say the trespass by PBF Martinez to Stanton's real property was unauthorized.

1721. Stanton was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1722. In each instance, he was exposed to toxins from the refinery's discharges.

1723. As a result of his exposure to the 2023 discharges from the refinery, Stanton was physically harmed, including developing and/or worsening symptoms of insomnia, allergy and cold symptoms, and headaches that were directly caused by the reoccurring discharges in 2023.

1724. The 2023 discharges also entered Stanton's residence, including dust.

1725. The trespasses by PBF Martinez interfered with Stanton's ability to use and enjoy the residence and caused injury to Stanton and damage to the property.

1726. Needless to say, the trespasses by PBF Martinez to Stanton's real property were unauthorized in each instance.

41. Plaintiff Mark Supachana.

1727. At all times relevant to this action, Plaintiff Mark Supachana was over the age of 18 and was a resident of Martinez, California.

1728. Plaintiff Mark Supachana rented a residence, which was approximately 2 miles from the refinery.

1 1729. Supachana was present at their residence for the November 24 and 25, 2022 release
2 from the refinery, and was exposed to the toxic discharge from the refinery.

3 1730. As a result of his exposure to the toxic discharges from the refinery on November
4 24 and 25, 2022, Supachana was physically harmed.

5 1731. Among other things, Supachana began experiencing illness and symptoms that were
6 directly caused by the toxic exposure within a few months after the release, including breathing
7 difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery,
8 burning eyes, headaches, sinus pain, pressure, fatigue, bloody nose, congestion, difficulty sleeping,
9 body aches, heartburn, dehydration, diarrhea, loss of balance, and bone pain.

10 1732. The November 24 and 25, 2022, discharge also entered Supachana's residence.

11 1733. The trespass by PBF Martinez interfered with Supachana's ability to use and enjoy
12 the residence and caused injury to Supachana and damage to the property.

13 1734. Needless to say, the trespass by PBF Martinez to Supachana's real property was
14 unauthorized.

15 1735. Supachana was also present at his residence for the July 2023, October 2023, and
16 December 2023 releases.

17 1736. In each instance, he was exposed to toxins from the refinery's discharges.

18 1737. As a result of his exposure to the 2023 discharges from the refinery, Supachana was
19 physically harmed, including developing and/or worsening symptoms of shortness of breath,
20 difficulty breathing, weakness in legs, and heart issues that were directly caused by the reoccurring
21 discharges in 2023.

22 1738. The 2023 discharges also entered Supachana's residence.

23 1739. The trespasses by PBF Martinez interfered with Supachana's ability to use and enjoy
24 the residence and caused injury to Supachana and damage to the property.

25 1740. Needless to say, the trespasses by PBF Martinez to Supachana's real property were
26 unauthorized in each instance.

27 1741. Additionally, the health effects on Supachana from the discharges have caused him
28 to suffer lost wages, income, and/or business opportunities.

42. Plaintiff Flora Susoev.

1742. At all times relevant to this action, Plaintiff Flora Susoev was over the age of 18 and was a resident of Martinez, California.

1743. Plaintiff Flora Susoev rented a residence, which was approximately 1 mile from the refinery.

1744. Susoev was present at her residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1745. Among other things, she recalls seeing dust on cars and around the residence.

1746. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Susoev was physically harmed.

1747. Among other things, Susoev began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, sinus pain, pressure, earaches, and ear infections.

1748. The November 24 and 25, 2022, discharge also entered Susoev's residence, including dust and a bad smell.

1749. The trespass by PBF Martinez interfered with Susoev's ability to use and enjoy the residence and caused injury to Susoev and damage to the property.

1750. Needless to say, the trespass by PBF Martinez to Susoev's real property was unauthorized.

1751. Susoev was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1752. In each instance, she was exposed to toxins from the refinery's discharges.

1753. As a result of her exposure to the 2023 discharges from the refinery, Susoev was physically harmed, including developing and/or worsening symptoms of coughing and breathing irritation that were directly caused by the reoccurring discharges in 2023.

1754. The 2023 discharges also entered Susoev's residence, including dust and a bad smell.

1755. The trespasses by PBF Martinez interfered with Susoev's ability to use and enjoy the residence and caused injury to Susoev and damage to the property.

1756. Needless to say, the trespasses by PBF Martinez to Susoev's real property were unauthorized in each instance.

43. Plaintiff Marianna Tendick.

1757. At all times relevant to this action, Plaintiff Marianna Tendick was over the age of 18 and was a resident of Martinez, California.

1758. Plaintiff Marianna Tendick rented a residence, which was approximately 2 1/2 miles from the refinery.

1759. Tendick was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1760. Among other things, she recalls seeing dust on vehicles.

1761. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Tendick was physically harmed.

1762. Among other things, Tendick began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, chest pain, itchy, watery, burning eyes, headaches, sinus pain, pressure, congestion, phlegm, and asthma flare-up.

1763. The November 24 and 25, 2022, discharge also entered Tendick's residence, including dust.

1764. The trespass by PBF Martinez interfered with Tendick's ability to use and enjoy the residence and caused injury to Tendick and damage to the property.

1765. Needless to say, the trespass by PBF Martinez to Tendick's real property was unauthorized.

1766. Tendick was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1767. In each instance, she was exposed to toxins from the refinery's discharges.

1768. As a result of her exposure to the 2023 discharges from the refinery, Tendick was physically harmed, including developing and/or worsening symptoms migraines and asthma flare ups that were directly caused by the reoccurring discharges in 2023.

1769. The 2023 discharges also entered Tendick's residence, including dust.

1770. The trespasses by PBF Martinez interfered with Tendick's ability to use and enjoy the residence and caused injury to Tendick and damage to the property.

1771. Needless to say, the trespasses by PBF Martinez to Tendick's real property were unauthorized in each instance.

1772. Additionally, the health effects on Tendick from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

44. Plaintiff Ronald Thomas.

1773. At all times relevant to this action, Plaintiff Ronald Thomas was over the age of 18 and was a resident of Martinez, California.

1774. Plaintiff Ronald Thomas rented a residence, which was approximately 1/2 mile from the refinery.

1775. Thomas was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1776. Among other things, he recalls hearing a loud roaring sound, seeing flames at the refinery and dust everywhere.

1777. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Thomas was physically harmed.

1778. Among other things, Thomas began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, sore throat, coughing, itchy, watery, burning eyes, rash, hives, headaches, fatigue, congestion, difficulty sleeping, body aches, phlegm, stomach pain, heartburn, dehydration, and loss of balance.

1779. The November 24 and 25, 2022, discharge also entered Thomas' residence, including dust.

1780. The trespass by PBF Martinez interfered with Thomas' ability to use and enjoy the residence and caused injury to Thomas and damage to the property.

1781. Needless to say, the trespass by PBF Martinez to Thomas' real property was unauthorized.

1782. Thomas was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1783. In each instance, he was exposed to toxins from the refinery's discharges.

1784. As a result of his exposure to the 2023 discharges from the refinery, Thomas was physically harmed, including developing and/or worsening symptoms difficulty breathing, headaches, dry cough, chest pain, brain fog, memory issues, dizziness, nausea, trouble sleeping, sinus pressure, watery and burning eyes, skin irritation, diarrhea, and dehydration that were directly caused by the reoccurring discharges in 2023.

1785. The 2023 discharges also entered Thomas' residence, including dust.

1786. The trespasses by PBF Martinez interfered with Thomas' ability to use and enjoy the residence and caused injury to Thomas and damage to the property.

1787. Needless to say, the trespasses by PBF Martinez to Thomas' real property were unauthorized in each instance.

45. Plaintiff Steven Thomas.

1788. At all times relevant to this action, Plaintiff Steven Thomas was over the age of 18 and was a resident of Martinez, California.

1789. Plaintiff Steven Thomas rented a residence, which was approximately 2 miles from the refinery.

1790. Thomas was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1791. Among other things, he recalls a chemical smell and seeing dust on vehicles and coming through the vent.

1792. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Thomas was physically harmed.

1793. Among other things, Thomas began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, difficulty sleeping, and loss of balance.

1794. The November 24 and 25, 2022, discharge also entered Thomas' residence, including smells and dust.

1795. The trespass by PBF Martinez interfered with Thomas' ability to use and enjoy the residence and caused injury to Thomas and damage to the property.

1796. Needless to say, the trespass by PBF Martinez to Thomas' real property was unauthorized.

1797. Thomas was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1798. In each instance, he was exposed to toxins from the refinery's discharges.

1799. As a result of his exposure to the 2023 discharges from the refinery, Thomas was physically harmed, including developing and/or worsening symptoms of difficulty breathing, feeling dizzy, eye irritation, and sleep difficulties that were directly caused by the reoccurring discharges in 2023.

1800. The 2023 discharges also entered Thomas' residence, including toxic smells and dust.

1801. The trespasses by PBF Martinez interfered with Thomas' ability to use and enjoy the residence and caused injury to Thomas and damage to the property.

1802. Needless to say, the trespasses by PBF Martinez to Thomas' real property were unauthorized in each instance.

1803. Additionally, the health effects on Thomas from the discharges have caused him to suffer lost wages, income, and/or business opportunities.

46. Plaintiff Sarah Thurwachter-King.

1804. At all times relevant to this action, Plaintiff Sarah Thurwachter-King was over the age of 18 and was a resident of Martinez, California.

1805. Plaintiff Sarah Thurwachter-King rented a residence, which was approximately 2 miles from the refinery.

1806. Thurwachter-King was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1807. Among other things, she recalls seeing dust everywhere.

1808. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Thurwachter-King was physically harmed.

1809. Among other things, Thurwachter-King began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, difficulty sleeping, body aches, phlegm, and dehydration.

1810. The November 24 and 25, 2022, discharge also entered Thurwachter-King's residence, including dust.

1811. The trespass by PBF Martinez interfered with Thurwachter-King's ability to use and enjoy the residence and caused injury to Thurwachter-King and damage to the property.

1812. Needless to say, the trespass by PBF Martinez to Thurwachter-King's real property was unauthorized.

1813. Thurwachter-King was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1814. In each instance, she was exposed to toxins from the refinery's discharges.

1815. As a result of her exposure to the 2023 discharges from the refinery, Thurwachter-King was physically harmed, including developing and/or worsening symptoms of throat irritation, headache, and eye irritation that were directly caused by the reoccurring discharges in 2023.

1816. The 2023 discharges also entered Thurwachter-King's residence, including dust.

1817. The trespasses by PBF Martinez interfered with Thurwachter-King's ability to use and enjoy the residence and caused injury to Thurwachter-King and damage to the property.

1818. Needless to say, the trespasses by PBF Martinez to Thurwachter-King's real property were unauthorized in each instance.

1819. Additionally, the health effects on Thurwachter-King from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

47. Plaintiff Lonnay Tinsley.

1820. At all times relevant to this action, Plaintiff Lonnay Tinsley was over the age of 18 and was a resident of Martinez, California.

1821. Plaintiff Lonnay Tinsley rented a residence, which was approximately 1 3/4 miles from the refinery.

1822. Tinsley was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1823. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Tinsley was physically harmed.

1824. Among other things, Tinsley began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, memory issues, brain fog, dizziness, vertigo, itchy, watery, burning eyes, headaches, and fatigue.

1825. The November 24 and 25, 2022, discharge also entered Tinsley's residence.

1826. The trespass by PBF Martinez interfered with Tinsley's ability to use and enjoy the residence and caused injury to Tinsley and damage to the property.

1827. Needless to say, the trespass by PBF Martinez to Tinsley's real property was unauthorized.

1828. Additionally, the health effects on Tinsley from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

48. Plaintiff Shon Tinsley.

1829. At all times relevant to this action, Plaintiff Shon Tinsley was over the age of 18 and was a resident of Martinez, California.

1 1830. Plaintiff Shon Tinsley rented a residence, which was approximately 2 miles from
2 the refinery.

3 1831. Tinsley was present at their residence for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 1832. Among other things, he was outside when the ash and smell made his eyes start
6 burning.

7 1833. As a result of his exposure to the toxic discharges from the refinery on November
8 24 and 25, 2022, Tinsley was physically harmed.

9 1834. Among other things, Tinsley began experiencing illness and symptoms that were
10 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
11 memory issues, brain fog, dizziness, vertigo, nausea, vomiting, itchy, watery, burning eyes,
12 headaches, sinus pain, pressure, and difficulty sleeping.

13 1835. The November 24 and 25, 2022, discharge also entered Tinsley's residence,
14 including the smell and ash.

15 1836. The trespass by PBF Martinez interfered with Tinsley's ability to use and enjoy the
16 residence and caused injury to Tinsley and damage to the property.

17 1837. Needless to say, the trespass by PBF Martinez to Tinsley's real property was
18 unauthorized.

19 1838. Tinsley was also present at his residence for the July 2023, October 2023, and
20 December 2023 releases.

21 1839. In each instance, he was exposed to toxins from the refinery's discharges.

22 1840. As a result of his exposure to the 2023 discharges from the refinery, Tinsley was
23 physically harmed, including developing and/or worsening symptoms of eye irritation, difficulty
24 breathing, sneezing, nausea, and fatigue that were directly caused by the reoccurring discharges in
25 2023.

26 1841. The 2023 discharges also entered Tinsley's residence.

27 1842. The trespasses by PBF Martinez interfered with Tinsley's ability to use and enjoy
28 the residence and caused injury to Tinsley and damage to the property.

1843. Needless to say, the trespasses by PBF Martinez to Tinsley's real property were unauthorized in each instance.

1844. Additionally, the health effects on Tinsley from the discharges have caused Tinsley's to suffer lost wages, income, and/or business opportunities.

49. Plaintiff Lynnda Tozier.

1845. At all times relevant to this action, Plaintiff Lynnda Tozier was over the age of 18 and was a resident of Martinez, California.

1846. Plaintiff Lynnda Tozier rented a residence, which was approximately 1 mile from the refinery.

1847. Tozier was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1848. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Tozier was physically harmed.

1849. Among other things, Tozier began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, congestion, and body aches.

1850. The November 24 and 25, 2022, discharge also entered Tozier's residence.

1851. The trespass by PBF Martinez interfered with Tozier's ability to use and enjoy the residence and caused injury to Tozier and damage to the property.

1852. Needless to say, the trespass by PBF Martinez to Tozier's real property was unauthorized.

1853. Tozier was also present at her residence for the July 2023, October 2023, and December 2023 releases.

1854. In each instance, she was exposed to toxins from the refinery's discharges.

1855. As a result of her exposure to the 2023 discharges from the refinery, Tozier was physically harmed, including developing and/or worsening symptoms of trouble breathing, asthma flare up, and loss of balance that were directly caused by the reoccurring discharges in 2023.

1856. The 2023 discharges also entered Tozier's residence.

1857. The trespasses by PBF Martinez interfered with Tozier's ability to use and enjoy the residence and caused injury to Tozier and damage to the property.

1858. Needless to say, the trespasses by PBF Martinez to Tozier's real property were unauthorized in each instance.

50. Plaintiff John Valenzuela.

1859. At all times relevant to this action, Plaintiff John Valenzuela was over the age of 18 and was a resident of Martinez, California.

1860. Plaintiff John Valenzuela rented a residence, which was approximately 1/4 mile from the refinery.

1861. Valenzuela was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1862. Among other things, he recalls seeing dust and the smell of gas.

1863. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Valenzuela was physically harmed.

1864. Among other things, Valenzuela began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, chest pain, sore throat, coughing, headaches, sinus pain, pressure, bloody nose, congestion, difficulty sleeping, phlegm, and heartburn.

1865. The November 24 and 25, 2022, discharge also entered Valenzuela's residence, including dust.

1866. The trespass by PBF Martinez interfered with Valenzuela's ability to use and enjoy the residence and caused injury to Valenzuela and damage to the property.

1867. Needless to say, the trespass by PBF Martinez to Valenzuela's real property was unauthorized.

1868. Valenzuela was also present at his residence for the July 2023, October 2023, and December 2023 releases.

1869. In each instance, he was exposed to toxins from the refinery's discharges.

1870. As a result of his exposure to the 2023 discharges from the refinery, Valenzuela was physically harmed, including developing and/or worsening symptoms of sore throat, coughing, trouble sleeping, congestion, sinus pressure, headaches, itchy and watery eyes, and bloody nose that were directly caused by the reoccurring discharges in 2023.

1871. The 2023 discharges also entered Valenzuela's residence, including a smell of gas and dust.

1872. The trespasses by PBF Martinez interfered with Valenzuela's ability to use and enjoy the residence and caused injury to Valenzuela and damage to the property.

1873. Needless to say, the trespasses by PBF Martinez to Valenzuela's real property were unauthorized in each instance.

51. Plaintiff Donna Vera.

1874. At all times relevant to this action, Plaintiff Donna Vera was over the age of 18 and was a resident of Martinez, California.

1875. Plaintiff Donna Vera rented a residence, which was approximately 2 miles from the refinery.

1876. Vera was present at their residence for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1877. Among other things, she recalls seeing dust and smelling a foul odor.

1878. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Vera was physically harmed.

1879. Among other things, Vera began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches, earaches, ear infections, phlegm, asthma flare-up, and dehydration.

1880. The November 24 and 25, 2022, discharge also entered Vera's residence, including a foul smell and dust.

1881. The trespass by PBF Martinez interfered with Vera's ability to use and enjoy the residence and caused injury to Vera and damage to the property.

1 1882. Needless to say, the trespass by PBF Martinez to Vera's real property was
2 unauthorized.

3 1883. Vera was also present at her residence for the July 2023, October 2023, and
4 December 2023 releases.

5 1884. In each instance, she was exposed to toxins from the refinery's discharges.

6 1885. As a result of her exposure to the 2023 discharges from the refinery, Vera was
7 physically harmed, including developing and/or worsening symptoms of brain fog, difficulty
8 breathing, watery eyes, headaches, and fatigue that were directly caused by the reoccurring
9 discharges in 2023.

10 1886. The 2023 discharges also entered Vera's residence, including a foul smell and dust.

11 1887. The trespasses by PBF Martinez interfered with Vera's ability to use and enjoy the
12 residence and caused injury to Vera and damage to the property.

13 1888. Needless to say, the trespasses by PBF Martinez to Vera's real property were
14 unauthorized in each instance.

15 **52. Plaintiff Shane Wignall.**

16 1889. At all times relevant to this action, Plaintiff Shane Wignall was over the age of 18
17 and was a resident of Martinez, California.

18 1890. Plaintiff Shane Wignall rented a residence, which was approximately 1/4 mile from
19 the refinery.

20 1891. Wignall was present at their residence for the November 24 and 25, 2022 release
21 from the refinery, and was exposed to the toxic discharge from the refinery.

22 1892. Among other things, he recalls a sulfur smell and ash on his car.

23 1893. As a result of his exposure to the toxic discharges from the refinery on November
24 24 and 25, 2022, Wignall was physically harmed.

25 1894. Among other things, Wignall began experiencing illness and symptoms that were
26 directly caused by the toxic exposure within days after the release, including sore throat, coughing,
27 itchy, watery, burning eyes, sinus pain, pressure, and congestion.
28

1 1895. The November 24 and 25, 2022, discharge also entered Wignall's residence,
2 including sulfur smell and ash.

3 1896. The trespass by PBF Martinez interfered with Wignall's ability to use and enjoy the
4 residence and caused injury to Wignall and damage to the property.

5 1897. Needless to say, the trespass by PBF Martinez to Wignall's real property was
6 unauthorized.

7 1898. Wignall was also present at his residence for the July 2023, October 2023, and
8 December 2023 releases.

9 1899. In each instance, he was exposed to toxins from the refinery's discharges.

10 1900. As a result of his exposure to the 2023 discharges from the refinery, Wignall was
11 physically harmed, including developing and/or worsening symptoms of sinus issues that were
12 directly caused by the reoccurring discharges in 2023.

13 1901. The 2023 discharges also entered Wignall's residence, including the smell and ash.

14 1902. The trespasses by PBF Martinez interfered with Wignall's ability to use and enjoy
15 the residence and caused injury to Wignall and damage to the property.

16 1903. Needless to say, the trespasses by PBF Martinez to Wignall's real property were
17 unauthorized in each instance.

18 1904. Additionally, the health effects on Wignall from the discharges have caused him to
19 suffer lost wages, income, and/or business opportunities.

20 **53. Plaintiff Harold Williams.**

21 1905. At all times relevant to this action, Plaintiff Harold Williams was over the age of 18
22 and was a resident of Martinez, California.

23 1906. Plaintiff Harold Williams rented a residence, which was approximately 1 1/2 miles
24 from the refinery.

25 1907. Williams was present at their residence for the November 24 and 25, 2022 release
26 from the refinery, and was exposed to the toxic discharge from the refinery.

27 1908. As a result of his exposure to the toxic discharges from the refinery on November
28 24 and 25, 2022, Williams was physically harmed.

1 1909. Among other things, Williams began experiencing illness and symptoms that were
2 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
3 chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, sinus pain,
4 pressure, fatigue, difficulty sleeping, body aches, earaches, ear infections, fever, and diarrhea.

5 1910. The November 24 and 25, 2022, discharge also entered Williams' residence.

6 1911. The trespass by PBF Martinez interfered with Williams' ability to use and enjoy the
7 residence and caused injury to Williams and damage to the property.

8 1912. Needless to say, the trespass by PBF Martinez to Williams' real property was
9 unauthorized.

10 1913. Williams was also present at his residence for the July 2023, October 2023, and
11 December 2023 releases.

12 1914. In each instance, he was exposed to toxins from the refinery's discharges.

13 1915. As a result of his exposure to the 2023 discharges from the refinery, Williams was
14 physically harmed, including developing and/or worsening symptoms of coughing, difficulty
15 breathing, fatigue, chest pain, and headaches that were directly caused by the reoccurring
16 discharges in 2023.

17 1916. The 2023 discharges also entered Williams' residence.

18 1917. The trespasses by PBF Martinez interfered with Williams' ability to use and enjoy
19 the residence and caused injury to Williams and damage to the property.

20 1918. Needless to say, the trespasses by PBF Martinez to Williams' real property were
21 unauthorized in each instance.

22 **54. Plaintiff Henry Williams.**

23 1919. At all times relevant to this action, Plaintiff Henry Williams was over the age of 18
24 and was a resident of Martinez, California.

25 1920. Plaintiff Henry Williams rented a residence, which was approximately 2 miles from
26 the refinery.

27 1921. Williams was present at their residence for the November 24 and 25, 2022 release
28 from the refinery, and was exposed to the toxic discharge from the refinery.

1 1922. As a result of his exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Williams was physically harmed.

3 1923. Among other things, Williams began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within days after the release, including breathing difficulties,
5 sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, bloody nose,
6 congestion, and difficulty sleeping.

7 1924. The November 24 and 25, 2022, discharge also entered Williams' residence.

8 1925. The trespass by PBF Martinez interfered with Williams' ability to use and enjoy the
9 residence and caused injury to Williams and damage to the property.

10 1926. Needless to say, the trespass by PBF Martinez to Williams' real property was
11 unauthorized.

12 **55. Plaintiff Brian Wind.**

13 1927. At all times relevant to this action, Plaintiff Brian Wind was over the age of 18 and
14 was a resident of Martinez, California.

15 1928. Plaintiff Brian Wind rented a residence, which was approximately 1 3/4 mile from
16 the refinery.

17 1929. Wind was present at their residence for the July 11, 2023, release from the refinery,
18 and was exposed to the toxic discharge from the refinery.

19 1930. Among other things, he recalls seeing dust on vehicles and everything outdoors and
20 smelling a strange smell.

21 1931. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
22 Wind was physically harmed.

23 1932. Among other things, Wind began experiencing illness and symptoms that were
24 directly caused by the toxic exposure immediately after the release, including chest pain, memory
25 issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches,
26 sinus pain, and pressure.

27 1933. The July 11, 2023, discharge also entered Wind's residence, including dust and a
28 bad smell.

1 1934. The trespass by PBF Martinez interfered with Wind's ability to use and enjoy the
2 residence and caused injury to Wind and damage to the property.

3 1935. Needless to say, the trespass by PBF Martinez to Wind's real property was
4 unauthorized.

5 1936. Wind was also present at his residence for the October 2023 and December 2023
6 releases.

7 1937. In each instance, he was exposed to toxins from the refinery's discharges.

8 1938. As a result of his exposure to the 2023 discharges from the refinery, Wind was
9 physically harmed, including developing and/or worsening symptoms of headaches, difficulty
10 breathing, congestion, and tightness of the chest that were directly caused by the reoccurring
11 discharges in 2023.

12 1939. The 2023 discharges also entered Wind's residence, including dust and a strange
13 smell.

14 1940. The trespasses by PBF Martinez interfered with Wind's ability to use and enjoy the
15 residence and caused injury to Wind and damage to the property.

16 1941. Needless to say, the trespasses by PBF Martinez to Wind's real property were
17 unauthorized in each instance.

18 1942. Additionally, the health effects on Wind from the discharges have caused him to
19 suffer lost wages, income, and/or business opportunities.

20 **56. Plaintiff Joseph Wing.**

21 1943. At all times relevant to this action, Plaintiff Joseph Wing was over the age of 18 and
22 was a resident of Martinez, California.

23 1944. Plaintiff Joseph Wing rented a residence, which was approximately 1 3/4 miles from
24 the refinery.

25 1945. Wing was present at their residence for the November 24 and 25, 2022 release from
26 the refinery, and was exposed to the toxic discharge from the refinery.

27 1946. Among other things, he recalls dust over everything and a really bad smell.
28

1 1947. As a result of his exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Wing was physically harmed.

3 1948. Among other things, Wing began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within a week after the release, including breathing
5 difficulties, memory issues, brain fog, sore throat, coughing, itchy, watery, burning eyes, rash,
6 hives, headaches, difficulty sleeping, stomach pain, diarrhea, liver count elevated, and darkening
7 around eyes and on forehead.

8 1949. The November 24 and 25, 2022, discharge also entered Wing's residence, including
9 a bad smell and dust.

10 1950. The trespass by PBF Martinez interfered with Wing's ability to use and enjoy the
11 residence and caused injury to Wing and damage to the property.

12 1951. Needless to say, the trespass by PBF Martinez to Wing's real property was
13 unauthorized.

14 1952. Wing was also present at his residence for the July 2023, October 2023, and
15 December 2023 releases.

16 1953. In each instance, he was exposed to toxins from the refinery's discharges.

17 1954. As a result of his exposure to the 2023 discharges from the refinery, Wing was
18 physically harmed, including developing and/or worsening symptoms of difficulty breathing,
19 wheezing, headaches, and sinus pressure that were directly caused by the reoccurring discharges in
20 2023.

21 1955. The 2023 discharges also entered Wing's residence, including a bad smell and dust.

22 1956. The trespasses by PBF Martinez interfered with Wing's ability to use and enjoy the
23 residence and caused injury to Wing and damage to the property.

24 1957. Needless to say, the trespasses by PBF Martinez to Wing's real property was
25 unauthorized in each instance.

26 1958. Additionally, the health effects on Wing from the discharges have caused him to
27 suffer lost wages, income, and/or business opportunities.
28

C. Non-Resident Plaintiffs.

1959. Plaintiffs Stephanie Aldridge, Bryan Andrews, Jamal Bates, Wyvone Birden, Kevin Brown, Trai Brown, Steve Burnett, Balewa Byrd, Katrina Byrd, James Cannon, Marlon Chambers, Serena Colvin, Amanda Cooley, Pamela Cunningham, Marcus Curry, Francis Davis, Michael Decarlo, Randy Dees, Lorin Ensminger, Jacqueline Etherington, Victoria Fairchild, Justin Franzen, Luke Gibbons, Oscar Godinez, Leandreanay Green, Dillayn Hammell, Lamar Hardy, Alexander Harris, Lemar Harrison, Richard Holcomb, Matthew Hupman, Kpabah Jallah, Jeff Jarmin, Zoe Jimenez, Pharrell Johnson, Latoyia Jones, Lynell Josey, Camryn Kardos, Peggy Kenney, Keith Lapating, Alex Linares, Alexis Little, Elias Lopez, Shenna Madison, Daniel Manes, Antone Mcatee, Hector Medina, Benjamin Mercado, Anthony Moore, Scott Murphy, Gilbert Noble, Julie Oliveri, Daniel Phillips, Dominic Proctor, Yasmeen Qasimi, Alesia Quincy, Michelle Rainwater, Senaida Redzic, Romeleo Rincon, Shaneeka Roberts, Shrenda Rodgers, Juanita Rodriguez, James Rogers, Albino Romero, Kathryn Ross, San Saechao, Robert Sands, Gyasi Scott, Shelby Lynn Sherman, Gail Spears, Tonya Spencer, Lashana Stareton, Richard Steggs, Geraldine Suelen, Bushra Toma, Dechante Washington, Garry Waters, LeAne Watts, Micci Wynne, and Matthew Zeiter are referred to collectively as the “Non-Resident Plaintiffs.”

1. Plaintiff Stephanie Aldridge.

1960. At all times relevant to this action, Plaintiff Stephanie Aldridge was over the age of 18 and was a resident of California.

1961. Plaintiff Stephanie Aldridge was present in Martinez for work approximately 1 1/2 miles from the refinery.

1962. Aldridge was present in Martinez for work for the July 11, 2023, release from the refinery, and was exposed to the toxic discharge from the refinery.

1963. Among other things, she recalled the smell.

1964. As a result of her exposure to the toxic discharges from the refinery on July 11, 2023, Aldridge was physically harmed.

1965. Among other things, Aldridge began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties,

1 chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches, bloody
2 nose, and asthma flare-up.

3 1966. Aldridge was also present in Martinez for work for the October 2023 and December
4 2023 releases.

5 1967. In each instance, she was exposed to toxins from the refinery's discharges.

6 1968. As a result of her exposure to the 2023 discharges from the refinery, Aldridge was
7 physically harmed, including developing and/or worsening symptoms of headache, breathing
8 problems, eye irritation, smell, sick, asthma attack, headache, and chest pains that were directly
9 caused by the reoccurring discharges in 2023.

10 1969. Additionally, the health effects on Aldridge from the discharges have caused her to
11 suffer lost wages, income, and/or business opportunities.

12 **2. Plaintiff Bryan Andrews.**

13 1970. At all times relevant to this action, Plaintiff Bryan Andrews was over the age of 18
14 and was a resident of California.

15 1971. Plaintiff Bryan Andrews was present in Martinez for work approximately 1/2 mile
16 from the refinery.

17 1972. Andrews was present in Martinez for work on the July 11, 2023, release from the
18 refinery, and was exposed to the toxic discharge from the refinery.

19 1973. Among other things, he recalls coke dust on his car.

20 1974. Andrews was also present in Martinez for work for the October 2023 and December
21 2023 releases.

22 1975. In each instance, he was exposed to toxins from the refinery's discharges.

23 1976. As a result of his exposure to the toxic discharges from the refinery on October 6,
24 2023, Andrews was physically harmed.

25 1977. Among other things, Andrews began experiencing illness and symptoms that were
26 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
27 dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, hives,
28 and phlegm.

1 1978. Additional developing and/or worsening symptoms of skin irritation, itchy eyes,
2 shortness of breath, and nausea were directly caused by the reoccurring discharges in 2023.

3 1979. Additionally, the health effects on Andrews from the discharges have caused him to
4 suffer lost wages, income, and/or business opportunities.

5 **3. Plaintiff Jamal Bates.**

6 1980. At all times relevant to this action, Plaintiff Jamal Bates was over the age of 18 and
7 was a resident of California.

8 1981. Plaintiff Jamal Bates was present in Martinez while visiting Martinez approximately
9 2 miles from the refinery.

10 1982. Bates was present in Martinez while visiting Martinez for the November 24 and 25,
11 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

12 1983. Among other things, he recalls the bad smell.

13 1984. As a result of his exposure to the toxic discharges from the refinery on November
14 24 and 25, 2022, Bates was physically harmed.

15 1985. Among other things, Bates began experiencing illness and symptoms that were
16 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
17 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
18 rash, hives, fatigue, congestion, difficulty sleeping, earaches, ear infections, heartburn, fever, liver
19 count elevated, fainting, and loss of balance.

20 1986. Bates was also present in Martinez while visiting Martinez for the July 2023,
21 October 2023, and December 2023 releases.

22 1987. In each instance, he was exposed to toxins from the refinery's discharges.

23 1988. As a result of his exposure to the 2023 discharges from the refinery, Bates was
24 physically harmed, including developing and/or worsening symptoms of watery eyes, nausea,
25 congestion, brain fog, difficulty breathing, and fatigue that were directly caused by the reoccurring
26 discharges in 2023.

27 1989. Additionally, the health effects on Bates from the discharges have caused him to
28 suffer lost wages, income, and/or business opportunities.

4. Plaintiff Wyvone Birden.

1990. At all times relevant to this action, Plaintiff Wyvone Birden was over the age of 18 and was a resident of California.

1991. Plaintiff Wyvone Birden was present near Martinez approximately 1 mile from the refinery.

1992. Birden was present near Martinez for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

1993. Among other things, he saw a lot of smoke, to the point that he thought it was on fire.

1994. As a result of his exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Birden was physically harmed.

1995. Among other things, Birden began experiencing illness and symptoms that were directly caused by the toxic exposure within a week after the release, including breathing difficulties, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches, earaches, ear infections, phlegm, stomach pain, asthma flare-up, dehydration, and loss of balance.

1996. Birden was also present near Martinez for the July 2023, October 2023, and December 2023 releases.

1997. In each instance, he was exposed to toxins from the refinery's discharges.

1998. As a result of his exposure to the 2023 discharges from the refinery, Birden was physically harmed, including developing and/or worsening symptoms of chest discomfort, skin irritation, congestion, and sore throat that were directly caused by the reoccurring discharges in 2023.

5. Plaintiff Kevin Brown.

1999. At all times relevant to this action, Plaintiff Kevin Brown was over the age of 18 and was a resident of California.

2000. Plaintiff Kevin Brown was present in Martinez for work approximately 2 miles from the refinery.

1 2001. Brown was present in Martinez for work for the July 11, 2023, release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 2002. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
4 Brown was physically harmed.

5 2003. Among other things, Brown began experiencing illness and symptoms that were
6 directly caused by the toxic exposure within a week after the release, including breathing
7 difficulties, sore throat, coughing, and congestion.

8 2004. Brown was also present in Martinez for work for October 2023 and December 2023
9 releases.

10 2005. In each instance, he was exposed to toxins from the refinery's discharges.

11 2006. Additional developing and/or worsening symptoms of coughing and difficulty
12 breathing were directly caused by the reoccurring discharges in 2023.

13 **6. Plaintiff Trai Brown.**

14 2007. At all times relevant to this action, Plaintiff Trai Brown was over the age of 18 and
15 was a resident of California.

16 2008. Plaintiff Trai Brown was present in Martinez for work approximately 1/4 mile from
17 the refinery.

18 2009. Brown was present in Martinez for work for the November 24 and 25, 2022 release
19 from the refinery, and was exposed to the toxic discharge from the refinery.

20 2010. As a result of his exposure to the toxic discharges from the refinery on November
21 24 and 25, 2022, Brown was physically harmed.

22 2011. Among other things, Brown began experiencing illness and symptoms that were
23 directly caused by the toxic exposure within days after the release, including breathing difficulties,
24 chest pain, dizziness, vertigo, headaches, and loss of balance.

25 2012. Brown was also present in Martinez for work for the July 2023 and October 2023
26 releases.

27 2013. In each instance, he was exposed to toxins from the refinery's discharges.
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1 2014. As a result of his exposure to the 2023 discharges from the refinery, Brown was
2 physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest
3 pain, dizziness, headaches, and fatigue that were directly caused by the reoccurring discharges in
4 2023.

5 2015. Additionally, the health effects on Brown from the discharges have caused him to
6 suffer lost wages, income, and/or business opportunities.

7 **7. Plaintiff Steve Burnett.**

8 2016. At all times relevant to this action, Plaintiff Steve Burnett was over the age of 18
9 and was a resident of California.

10 2017. Plaintiff Steve Burnett was present in Martinez and staying in Martinez
11 approximately More than 2 miles from the refinery.

12 2018. Burnett was present in Martinez and staying in Martinez for the November 24 and
13 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

14 2019. Among other things, he heard weird sounds like when flares are high and burning
15 in the air.

16 2020. As a result of his exposure to the toxic discharges from the refinery on November
17 24 and 25, 2022, Burnett was physically harmed.

18 2021. Among other things, Burnett began experiencing illness and symptoms that were
19 directly caused by the toxic exposure within days after the release, including breathing difficulties,
20 chest pain, headaches, sore throat, coughing, fatigue, congestion, difficulty sleeping, stomach pain,
21 heartburn, and diarrhea.

22 2022. Burnett was also present in Martinez and staying in Martinez for the July 2023,
23 October 2023, and December 2023 releases.

24 2023. In each instance, he was exposed to toxins from the refinery's discharges.

25 2024. As a result of his exposure to the 2023 discharges from the refinery, Burnett was
26 physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest
27 pain, sore throat, coughing, headache, and fatigue that were directly caused by the reoccurring
28 discharges in 2023.

8. Plaintiff Balewa Byrd.

2025. At all times relevant to this action, Plaintiff Balewa Byrd was over the age of 18 and was a resident of California.

2026. Plaintiff Balewa Byrd was present in Martinez for work approximately 1/4 mile from the refinery.

2027. Byrd was present in Martinez for work for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

2028. Among other things, he recalls hearing an alarm.

2029. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023, Byrd was physically harmed.

2030. Among other things, Byrd began experiencing illness and symptoms that were directly caused by the toxic exposure within a week after the release, including breathing difficulties and chest pain.

2031. Byrd was also present in Martinez for work for the July 2023, October 2023, and December 2023 releases.

2032. In each instance, he was exposed to toxins from the refinery's discharges.

2033. As a result of his exposure to the 2023 discharges from the refinery, Byrd was physically harmed, including developing and/or worsening symptoms of chest pain and difficulty breathing that were directly caused by the reoccurring discharges in 2023.

9. Plaintiff Katrina Byrd.

2034. At all times relevant to this action, Plaintiff Katrina Byrd was over the age of 18 and was a resident of California.

2035. Plaintiff Katrina Byrd was present in Martinez for work approximately 1 1/2 miles from the refinery.

2036. Byrd was present in Martinez for work the July 11, 2023, release from the refinery, and was exposed to the toxic discharge from the refinery.

2037. Among other things, she recalled residue on her car.

1 2038. As a result of her exposure to the toxic discharges from the refinery on July 11,
2 2023, Byrd was physically harmed.

3 2039. Among other things, Byrd began experiencing illness and symptoms that were
4 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
5 chest pain, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure,
6 fatigue, congestion, difficulty sleeping, body aches, and asthma flare-up.

7 2040. Byrd was also present in Martinez for work for the October 2023 and December
8 2023 releases.

9 2041. In each instance, she was exposed to toxins from the refinery's discharges.

10 2042. Additional developing and/or worsening symptoms of difficulty breathing,
11 coughing, sore throat, and headaches were directly caused by the reoccurring discharges in 2023.

12 **10. Plaintiff James Cannon.**

13 2043. At all times relevant to this action, Plaintiff James Cannon was over the age of 18
14 and was a resident of California.

15 2044. Plaintiff James Cannon was present in Martinez and staying in Martinez
16 approximately 2 miles from the refinery.

17 2045. Cannon was present in Martinez and staying in Martinez for the November 24 and
18 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

19 2046. Among other things, he recalled a smokey smell.

20 2047. Cannon was also present in Martinez and staying in Martinez for the July 2023,
21 October 2023, and December 2023 releases.

22 2048. In each instance, he was exposed to toxins from the refinery's discharges.

23 2049. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
24 Cannon was physically harmed.

25 2050. Among other things, Cannon began experiencing illness and symptoms that were
26 directly caused by the toxic exposure within days after the release, including breathing difficulties,
27 sore throat, and coughing.

1 2051. Additional developing and/or worsening symptoms of nausea, fever, and difficulty
2 sleeping were directly caused by the reoccurring discharges in 2023.

3 **11. Plaintiff Marlon Chambers.**

4 2052. At all times relevant to this action, Plaintiff Marlon Chambers was over the age of
5 18 and was a resident of California.

6 2053. Plaintiff Marlon Chambers was present in Martinez approximately 1 1/2 miles from
7 the refinery.

8 2054. Chambers was present in Martinez for the July 11 and 22, 2023 release from the
9 refinery, and was exposed to the toxic discharge from the refinery.

10 2055. As a result of his exposure to the toxic discharges from the refinery on July 11 and
11 22, 2023, Chambers was physically harmed.

12 2056. Among other things, Chambers began experiencing illness and symptoms that were
13 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
14 chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
15 headaches, sinus pain, pressure, fatigue, congestion, body aches, asthma flare-up, heartburn, and
16 dehydration.

17 2057. Chambers was also present in Martinez for the October 2023 and December 2023
18 releases.

19 2058. In each instance, he was exposed to toxins from the refinery's discharges.

20 2059. Additional developing and/or worsening symptoms of shortness of sore throat,
21 coughing, nausea, vomiting, headaches, fatigue, congestion, and phlegm were directly caused by
22 the reoccurring discharges in 2023.

23 **12. Plaintiff Serena Colvin.**

24 2060. At all times relevant to this action, Plaintiff Serena Colvin was over the age of 18
25 and was a resident of California.

26 2061. Plaintiff Serena Colvin was present in Martinez for work approximately 1/2 mile
27 from the refinery.
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1 2062. Colvin was present in Martinez for work for the November 24, 2022, release from
2 the refinery, and was exposed to the toxic discharge from the refinery.

3 2063. Among other things, she recalls the smell of weird particles in the air.

4 2064. As a result of her exposure to the toxic discharges from the refinery on November
5 24, 2022, Colvin was physically harmed.

6 2065. Among other things, Colvin began experiencing illness and symptoms that were
7 directly caused by the toxic exposure within a week after the release, including breathing
8 difficulties, memory issues, brain fog, sore throat, coughing, itchy, watery, and burning eyes.

9 2066. Colvin was also present in Martinez for work for the July 2023 and December 2023
10 releases.

11 2067. In each instance, she was exposed to toxins from the refinery's discharges.

12 2068. As a result of her exposure to the 2023 discharges from the refinery, Colvin was
13 physically harmed, including developing and/or worsening symptoms of headaches, difficulty
14 breathing, fatigue, body aches, nausea, and asthma flare up that were directly caused by the
15 reoccurring discharges in 2023.

16 2069. Additionally, the health effects on Colvin from the discharges have caused her to
17 suffer lost wages, income, and/or business opportunities.

18 **13. Plaintiff Amanda Cooley.**

19 2070. At all times relevant to this action, Plaintiff Amanda Cooley was over the age of 18
20 and was a resident of California.

21 2071. Plaintiff Amanda Cooley was present in Martinez for work approximately 1/4 mile
22 from the refinery.

23 2072. Cooley was present in Martinez for work the July 11, 2023, release from the
24 refinery, and was exposed to the toxic discharge from the refinery.

25 2073. Among other things, she recalled the smell.

26 2074. As a result of her exposure to the toxic discharges from the refinery on July 11,
27 2023, Cooley was physically harmed.

1 2075. Among other things, Cooley began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within a few months after the release, including breathing
3 difficulties, chest pain, memory issues, brain fog, dizziness, vertigo, nausea, vomiting, rash, hives,
4 headaches, sinus pain, pressure, fatigue, body aches, earaches, ear infections, stomach pain,
5 heartburn, fainting, and loss of balance.

6 2076. Cooley was also present in Martinez for work in October 2023 and December 2023
7 releases.

8 2077. In each instance, she was exposed to toxins from the refinery's discharges.

9 2078. Additional developing and/or worsening symptoms of sore throat, coughing, chest
10 pain, sinus pain, skin irritation, and nausea were directly caused by the reoccurring discharges in
11 2023.

12 2079. Additionally, the health effects on Cooley from the discharges have caused her to
13 suffer lost wages, income, and/or business opportunities.

14 **14. Plaintiff Pamela Cunningham.**

15 2080. At all times relevant to this action, Plaintiff Pamela Cunningham was over the age
16 of 18 and was a resident of California.

17 2081. Plaintiff Pamela Cunningham was present in Martinez for work approximately 1/2
18 mile from the refinery.

19 2082. Cunningham was present in Martinez for the November 24 and 25, 2022 release
20 from the refinery, and was exposed to the toxic discharge from the refinery.

21 2083. Among other things, she recalls the smell of burning.

22 2084. Cunningham was also present in Martinez for work for the July 2023, October 2023,
23 and December 2023 releases.

24 2085. In each instance, she was exposed to toxins from the refinery's discharges.

25 2086. As a result of her exposure to the toxic discharges from the refinery on July 11,
26 2023, Cunningham was physically harmed.

1 2087. Among other things, Cunningham began experiencing illness and symptoms that
2 were directly caused by the toxic exposure within days after the release, including sore throat,
3 coughing, itchy, watery, burning eyes, sinus pain, pressure, and asthma flare-up.

4 2088. Additional developing and/or worsening symptoms of asthma flare up and coughing
5 were directly caused by the reoccurring discharges in 2023.

6 **15. Plaintiff Marcus Curry.**

7 2089. At all times relevant to this action, Plaintiff Marcus Curry was over the age of 18
8 and was a resident of California.

9 2090. Plaintiff Marcus Curry was present in Martinez for work approximately 1 mile from
10 the refinery.

11 2091. Curry was present in Martinez for work for the November 24 and 25, 2022 release
12 from the refinery, and was exposed to the toxic discharge from the refinery.

13 2092. Among other things, he recalls the chemical smell.

14 2093. As a result of his exposure to the toxic discharges from the refinery on November
15 24 and 25, 2022, Curry was physically harmed.

16 2094. Among other things, Curry began experiencing illness and symptoms that were
17 directly caused by the toxic exposure within days after the release, including breathing difficulties,
18 chest pain, sore throat, coughing, sinus pain, pressure, and congestion.

19 2095. Curry was also present in Martinez for work for the July 2023 and December 2023
20 releases.

21 2096. In each instance, he was exposed to toxins from the refinery's discharges.

22 2097. As a result of his exposure to the 2023 discharges from the refinery, Curry was
23 physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest
24 pain, sore throat, coughing, fatigue, congestion, and body aches that were directly caused by the
25 reoccurring discharges in 2023.

26 **16. Plaintiff Francis Davis.**

27 2098. At all times relevant to this action, Plaintiff Francis Davis was over the age of 18
28 and was a resident of California.

1 2099. Plaintiff Francis Davis was present in Martinez approximately 1 1/2 miles from the
2 refinery.

3 2100. Davis was present in Martinez for the July 11 and 22, 2023 release from the refinery,
4 and was exposed to the toxic discharge from the refinery.

5 2101. As a result of her exposure to the toxic discharges from the refinery on July 11 and
6 22, 2023, Davis was physically harmed.

7 2102. Among other things, Davis began experiencing illness and symptoms that were
8 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
9 memory issues, brain fog, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
10 headaches, bloody nose, congestion, difficulty sleeping, phlegm, stomach pain, heartburn,
11 dehydration, and fever.

12 2103. Davis was also present in Martinez for the October 2023 and December 2023
13 releases.

14 2104. In each instance, she was exposed to toxins from the refinery's discharges.

15 2105. Additional developing and/or worsening symptoms of coughing, phlegm, difficulty
16 breathing, headaches, sore throat, memory issues, nausea, difficulty sleeping, fever, and burning
17 eyes were directly caused by the reoccurring discharges in 2023.

18 **17. Plaintiff Michael Decarlo.**

19 2106. At all times relevant to this action, Plaintiff Michael Decarlo was over the age of 18
20 and was a resident of California.

21 2107. Plaintiff Michael Decarlo was present in Martinez and staying in Martinez
22 approximately 1/4 mile from the refinery.

23 2108. Decarlo was present in Martinez and staying in Martinez for the November 24 and
24 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

25 2109. As a result of his exposure to the toxic discharges from the refinery on November
26 24 and 25, 2022, Decarlo was physically harmed.

1 2110. Among other things, Decarlo began experiencing illness and symptoms that were
2 directly caused by the toxic exposure Immediately after the release, including breathing difficulties,
3 chest pain, memory issues, brain fog, dizziness, and vertigo.

4 2111. Decarlo was also present in Martinez and staying in Martinez for the July 2023,
5 October 2023, and December 2023 releases.

6 2112. In each instance, he was exposed to toxins from the refinery's discharges.

7 2113. As a result of his exposure to the 2023 discharges from the refinery, Decarlo was
8 physically harmed, including developing and/or worsening symptoms of chest pain, difficulty
9 breathing, headaches, stomach aches, and sore throat hat were directly caused by the reoccurring
10 discharges in 2023.

11 **18. Plaintiff Randy Dees.**

12 2114. At all times relevant to this action, Plaintiff Randy Dees was over the age of 18 and
13 was a resident of California.

14 2115. Plaintiff Randy Dees was present in Martinez and staying in Martinez approximately
15 1/4 mile from the refinery.

16 2116. Dees was present in Martinez and staying in Martinez for the November 24 and 25,
17 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

18 2117. Among other things, he witnessed the flares and ash.

19 2118. As a result of his exposure to the toxic discharges from the refinery on November
20 24 and 25, 2022, Dees was physically harmed.

21 2119. Among other things, Dees began experiencing illness and symptoms that were
22 directly caused by the toxic exposure within a few weeks after the release, including breathing
23 difficulties, chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, and burning eyes.

24 2120. Dees was also present in Martinez and staying in Martinez for the July 2023,
25 October 2023, and December 2023 releases.

26 2121. In each instance, he was exposed to toxins from the refinery's discharges.

1 2122. As a result of his exposure to the 2023 discharges from the refinery, Dees was
2 physically harmed, including developing and/or worsening symptoms coughing, phlegm, and sinus
3 pressure that were directly caused by the reoccurring discharges in 2023.

4 **19. Plaintiff Lorin Ensminger.**

5 2123. At all times relevant to this action, Plaintiff Lorin Ensminger was over the age of 18
6 and was a resident of California.

7 2124. Plaintiff Lorin Ensminger was present in Martinez while visiting in Martinez
8 approximately 2 miles from the refinery.

9 2125. Ensminger was present in Martinez while visiting in Martinez for the November 24
10 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

11 2126. Among other things, he remembers seeing a white powder on his car and a strange
12 chemical smell.

13 2127. As a result of his exposure to the toxic discharges from the refinery on November
14 24 and 25, 2022, Ensminger was physically harmed.

15 2128. Among other things, Ensminger began experiencing illness and symptoms that were
16 directly caused by the toxic exposure within days after the release, including breathing difficulties,
17 chest pain, sore throat, coughing, itchy, watery, burning eyes, rash, hives, headaches, fatigue,
18 congestion, body aches, dehydration, and loss of balance.

19 2129. Ensminger was also present in Martinez while visiting in Martinez for the July 2023,
20 October 2023, and December 2023 releases.

21 2130. In each instance, he was exposed to toxins from the refinery's discharges.

22 2131. As a result of his exposure to the 2023 discharges from the refinery, Ensminger was
23 physically harmed, including developing and/or worsening symptoms of skin irritation, headaches,
24 coughing, and sneezing that were directly caused by the reoccurring discharges in 2023.

25 **20. Plaintiff Jacqueline Etherington.**

26 2132. At all times relevant to this action, Plaintiff Jacqueline Etherington was over the age
27 of 18 and was a resident of California.

1 2133. Plaintiff Jacqueline Etherington was present in Martinez for work approximately 1/2
2 mile from the refinery.

3 2134. Etherington was present in Martinez for work the July 11, 2023, release from the
4 refinery, and was exposed to the toxic discharge from the refinery.

5 2135. As a result of her exposure to the toxic discharges from the refinery July 11, 2023,
6 Etherington was physically harmed.

7 2136. Among other things, Etherington began experiencing illness and symptoms that
8 were directly caused by the toxic exposure immediately after the release, including breathing
9 difficulties, itchy, watery, burning eyes, and tightness in chest.

10 2137. Etherington was also present in Martinez for work for the October 2023 and
11 December 2023 releases.

12 2138. In each instance, she was exposed to toxins from the refinery's discharges.

13 2139. Additional developing and/or worsening symptoms of burning eyes, shortness of
14 breath, and difficulty sleeping were directly caused by the reoccurring discharges in 2023.

15 **21. Plaintiff Victoria Fairchild.**

16 2140. At all times relevant to this action, Plaintiff Victoria Fairchild was over the age of
17 18 and was a resident of California.

18 2141. Plaintiff Victoria Fairchild was present in Martinez for work approximately 1 1/2
19 miles from the refinery.

20 2142. Fairchild was present in Martinez for work for the July 11, 2023, release from the
21 refinery, and was exposed to the toxic discharge from the refinery.

22 2143. Among other things, she recalled the dust, and the strong smell.

23 2144. As a result of her exposure to the toxic discharges from the refinery on July 11,
24 2023, Fairchild was physically harmed.

25 2145. Among other things, Fairchild began experiencing illness and symptoms that were
26 directly caused by the toxic exposure within a few weeks after the release, including headaches,
27 sinus pain, pressure, phlegm, and dehydration.

1 2146. Fairchild was also present in Martinez for work for the October 2023 and December
2 2023 releases.

3 2147. In each instance, she was exposed to toxins from the refinery's discharges.

4 2148. Additional developing and/or worsening symptoms of coughing, phlegm,
5 headaches, and nausea were directly caused by the reoccurring discharges in 2023.

6 **22. Plaintiff Justin Franzen.**

7 2149. At all times relevant to this action, Plaintiff Justin Franzen was over the age of 18
8 and was a resident of California.

9 2150. Plaintiff Justin Franzen was present in Martinez for work approximately 1 mile from
10 the refinery.

11 2151. Franzen was present in Martinez for work on the July 11, 2023, release from the
12 refinery, and was exposed to the toxic discharge from the refinery.

13 2152. Among other things, he recalls seeing black dust.

14 2153. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
15 Franzen was physically harmed.

16 2154. Among other things, Franzen began experiencing illness and symptoms that were
17 directly caused by the toxic exposure within a week after the release, including memory issues,
18 brain fog, sore throat, coughing, itchy, watery, burning eyes, headaches, earaches, ear infections,
19 and phlegm.

20 2155. Franzen was also present in Martinez for work for the October 2023 and December
21 2023 releases.

22 2156. In each instance, he was exposed to toxins from the refinery's discharges.

23 2157. Additional developing and/or worsening symptoms of difficulty breathing,
24 congestion, and coughing were directly caused by the reoccurring discharges in 2023.

25 **23. Plaintiff Luke Gibbons.**

26 2158. At all times relevant to this action, Plaintiff Luke Gibbons was over the age of 18
27 and was a resident of California.

1 2159. Plaintiff Luke Gibbons was present in Martinez and staying in Martinez
2 approximately 1 mile from the refinery.

3 2160. Gibbons was present in Martinez and staying in Martinez for the November 24 and
4 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

5 2161. Among other things, he recalls loud noises, bad smell, and ash covered on car.

6 2162. As a result of his exposure to the toxic discharges from the refinery on November
7 24 and 25, 2022, Gibbons was physically harmed.

8 2163. Among other things, Gibbons began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within a few months after the release, including breathing
10 difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, and coughing.

11 2164. Gibbons was also present in Martinez and staying in Martinez for the July 2023,
12 October 2023, and December 2023 releases.

13 2165. In each instance, he was exposed to toxins from the refinery's discharges.

14 2166. As a result of his exposure to the 2023 discharges from the refinery, Gibbons was
15 physically harmed, including developing and/or worsening symptoms of difficulty breathing,
16 coughing, and lightheaded that were directly caused by the reoccurring discharges in 2023.

17 **24. Plaintiff Oscar Godinez.**

18 2167. At all times relevant to this action, Plaintiff Oscar Godinez was over the age of 18
19 and was a resident of California.

20 2168. Plaintiff Oscar Godinez was present in Martinez for work approximately 2 1/4 miles
21 from the refinery.

22 2169. Godinez was present in Martinez for work on the July 11, 2023, release from the
23 refinery, and was exposed to the toxic discharge from the refinery.

24 2170. Among other things, he recalls seeing dust.

25 2171. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
26 Godinez was physically harmed.

27 2172. Among other things, Godinez began experiencing illness and symptoms that were
28 directly caused by the toxic exposure immediately after the release, including breathing difficulties,

1 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
2 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, congestion,
3 difficulty sleeping, body aches, phlegm, stomach pain, fever, and loss of balance.

4 2173. Godinez was also present in Martinez for work for the October 2023 and December
5 2023 releases.

6 2174. In each instance, he was exposed to toxins from the refinery's discharges.

7 2175. Additional developing and/or worsening symptoms skin irritation, headaches, sinus
8 pressure, fatigue, body aches, and phlegm were directly caused by the reoccurring discharges in
9 2023.

10 2176. Additionally, the health effects on Godinez from the discharges have caused him to
11 suffer lost wages, income, and/or business opportunities.

12 **25. Plaintiff Leandreanay Green.**

13 2177. At all times relevant to this action, Plaintiff Leandreanay Green was over the age of
14 18 and was a resident of California.

15 2178. Plaintiff Leandreanay Green was present in Martinez for work approximately 2
16 miles from the refinery.

17 2179. Green was present in Martinez for work for the November 24 and 25, 2022 release
18 from the refinery, and was exposed to the toxic discharge from the refinery.

19 2180. Green was also present in Martinez for work for the July 2023, October 2023, and
20 December 2023 releases.

21 2181. In each instance, she was exposed to toxins from the refinery's discharges.

22 2182. As a result of her exposure to the toxic discharges from the refinery on July 11,
23 2023, Green was physically harmed.

24 2183. Among other things, Green began experiencing illness and symptoms that were
25 directly caused by the toxic exposure within days after the release, including breathing difficulties,
26 sore throat, coughing, sinus pain, pressure, congestion, difficulty sleeping, body aches, earaches,
27 and ear infections.
28

1 2184. Additional developing and/or worsening symptoms of difficulty breathing were
2 directly caused by the reoccurring discharges in 2023.

3 2185. Additionally, the health effects on Green from the discharges have caused her to
4 suffer lost wages, income, and/or business opportunities.

5 **26. Plaintiff Dillayn Hammell.**

6 2186. At all times relevant to this action, Plaintiff Dillayn Hammell was over the age of
7 18 and was a resident of California.

8 2187. Plaintiff Dillayn Hammell was present in Martinez for work approximately 1 mile
9 from the refinery.

10 2188. Hammell was present in Martinez for work the July 11, 2023, release from the
11 refinery, and was exposed to the toxic discharge from the refinery.

12 2189. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
13 Hammell was physically harmed.

14 2190. Among other things, Hammell began experiencing illness and symptoms that were
15 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
16 dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches,
17 sinus pain, pressure, fatigue, congestion, difficulty sleeping, phlegm, heartburn, dehydration, and
18 diarrhea.

19 2191. Hammell was also present in Martinez for work for the October 2023 and December
20 2023 releases.

21 2192. In each instance, he was exposed to toxins from the refinery's discharges.

22 2193. Additional developing and/or worsening symptoms of difficulty breathing, chest
23 pain, eye irritation, sore throat, coughing, congestion, and fatigue were directly caused by the
24 reoccurring discharges in 2023.

25 2194. Additionally, the health effects on Hammell from the discharges have caused him
26 to suffer lost wages, income, and/or business opportunities.

1 **27. Plaintiff Lamar Hardy.**

2 2195. At all times relevant to this action, Plaintiff Lamar Hardy was over the age of 18
3 and was a resident of California.

4 2196. Plaintiff Lamar Hardy was present in Martinez and staying in Martinez
5 approximately 1 mile from the refinery.

6 2197. Hardy was present in Martinez and staying in Martinez for the November 24 and
7 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

8 2198. Among other things, he remembered sirens and debris.

9 2199. As a result of his exposure to the toxic discharges from the refinery on November
10 24 and 25, 2022, Hardy was physically harmed.

11 2200. Among other things, Hardy began experiencing illness and symptoms that were
12 directly caused by the toxic exposure within days after the release, including breathing difficulties,
13 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
14 itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty
15 sleeping, body aches, earaches, ear infections, phlegm, stomach pain, heartburn, dehydration,
16 diarrhea, and loss of balance.

17 2201. Hardy was also present in Martinez and staying in Martinez for the July 2023,
18 October 2023, and December 2023 releases.

19 2202. In each instance, he was exposed to toxins from the refinery's discharges.

20 2203. As a result of his exposure to the 2023 discharges from the refinery, Hardy was
21 physically harmed, including developing and/or worsening symptoms of nausea, dizziness, and
22 chest pain that were directly caused by the reoccurring discharges in 2023.

23 **28. Plaintiff Alexander Harris.**

24 2204. At all times relevant to this action, Plaintiff Alexander Harris was over the age of
25 18 and was a resident of California.

26 2205. Plaintiff Alexander Harris was present while visiting Martinez approximately 1 1/2
27 miles from the refinery.
28

1 2206. Harris was present while visiting Martinez for the July 11, 2023, release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 2207. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
4 Harris was physically harmed.

5 2208. Among other things, Harris began experiencing illness and symptoms that were
6 directly caused by the toxic exposure within days after the release, including breathing difficulties,
7 and chest pain.

8 2209. Harris was also present while visiting Martinez for the October 2023 release.

9 2210. In each instance, he was exposed to toxins from the refinery's discharges.

10 2211. Additional developing and/or worsening symptoms of shortness of breath coughing,
11 asthma flare up, and congestion were directly caused by the reoccurring discharges in October
12 2023.

13 2212. Additionally, the health effects on Harris from the discharges have caused him to
14 suffer lost wages, income, and/or business opportunities.

15 **29. Plaintiff Lemar Harrison.**

16 2213. At all times relevant to this action, Plaintiff Lemar Harrison was over the age of 18
17 and was a resident of California.

18 2214. Plaintiff Lemar Harrison was present in Martinez and staying in Martinez
19 approximately 1/4 mile from the refinery.

20 2215. Harrison was present in Martinez and staying in Martinez for the November 24 and
21 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

22 2216. Among other things, he saw and smelled the toxins in the air and heard the alarm
23 going off in the distance, with white dust falling from the air.

24 2217. As a result of his exposure to the toxic discharges from the refinery on November
25 24 and 25, 2022, Harrison was physically harmed.

26 2218. Among other things, Harrison began experiencing illness and symptoms that were
27 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
28 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,

1 itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, bloody nose, congestion,
2 difficulty sleeping, body aches, earaches, ear infections, phlegm, coughing up blood, stomach pain,
3 dehydration, fever, and loss of balance.

4 2219. Harrison was also present in Martinez and staying in Martinez for the July 2023
5 release.

6 2220. In each instance, he was exposed to toxins from the refinery's discharges.

7 2221. As a result of his exposure to the 2023 discharges from the refinery, Harrison was
8 physically harmed, including developing and/or worsening symptoms of difficulty breathing that
9 were directly caused by the reoccurring discharges in 2023.

10 **30. Plaintiff Richard Holcomb.**

11 2222. At all times relevant to this action, Plaintiff Richard Holcomb was over the age of
12 18 and was a resident of California.

13 2223. Plaintiff Richard Holcomb was present in Martinez for work approximately 1/4 mile
14 from the refinery.

15 2224. Holcomb was present in Martinez for work for the November 24 and 25, 2022
16 release from the refinery, and was exposed to the toxic discharge from the refinery.

17 2225. Among other things, he recalls seeing dust.

18 2226. As a result of his exposure to the toxic discharges from the refinery on November
19 24 and 25, 2022, Holcomb was physically harmed.

20 2227. Among other things, Holcomb began experiencing illness and symptoms that were
21 directly caused by the toxic exposure within days after the release, including breathing difficulties,
22 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes,
23 headaches, fatigue, and phlegm.

24 2228. Holcomb was also present in Martinez for work in July 2023, October 2022, and
25 December 2023 releases.

26 2229. In each instance, he was exposed to toxins from the refinery's discharges.

1 2230. As a result of his exposure to the 2023 discharges from the refinery, Holcomb was
2 physically harmed, including developing and/or worsening symptoms of coughing, shortness of
3 breath, brain fog, and headache that were directly caused by the reoccurring discharges in 2023.

4 **31. Plaintiff Matthew Hupman.**

5 2231. At all times relevant to this action, Plaintiff Matthew Hupman was over the age of
6 18 and was a resident of California.

7 2232. Plaintiff Matthew Hupman was present and staying in Martinez approximately 2
8 miles from the refinery.

9 2233. Hupman was present and staying in Martinez for the November 24 and 25, 2022
10 release from the refinery, and was exposed to the toxic discharge from the refinery.

11 2234. Among other things, he recalls seeing a lot of dust.

12 2235. As a result of his exposure to the toxic discharges from the refinery on November
13 24 and 25, 2022, Hupman was physically harmed.

14 2236. Among other things, Hupman began experiencing illness and symptoms that were
15 directly caused by the toxic exposure within days of the release, including breathing difficulties,
16 sore throat, coughing, chest pain, itchy and watery eyes, sinus pain, pressure, irritated skin,
17 congestion, difficulty sleeping, phlegm and fatigue.

18 2237. Hupman was also present and staying in Martinez for the July 2023, October 2023,
19 and December 2023 releases.

20 2238. In each instance, he was exposed to toxins from the refinery's discharges.

21 2239. As a result of his exposure to the 2023 discharges from the refinery, Hupman was
22 physically harmed, including developing and/or worsening symptoms of irritated throat, mild
23 cough, difficulty breathing that were directly caused by the reoccurring discharges in 2023.

24 **32. Plaintiff Kpabah Jallah.**

25 2240. At all times relevant to this action, Plaintiff Kpabah Jallah was over the age of 18
26 and was a resident of California.

27 2241. Plaintiff Kpabah Jallah was present in Martinez approximately 1/4 mile from the
28 refinery.

1 2242. Jallah was present in Martinez visiting on the November 24 and 25, 2022 release
2 from the refinery, and was exposed to the toxic discharge from the refinery.

3 2243. Among other things, he recalls smoke in the air.

4 2244. As a result of his exposure to the toxic discharges from the refinery on November
5 24 and 25, 2022, Jallah was physically harmed.

6 2245. Among other things, Jallah began experiencing illness and symptoms that were
7 directly caused by the toxic exposure within days after the release, including breathing difficulties,
8 chest pain, itchy, watery, burning eyes, rash, hives, headaches, bloody nose, and asthma flare-ups.

9 2246. Jallah was also present in Martinez for the July 2023, October 2023, and December
10 2023 releases.

11 2247. In each instance, he was exposed to toxins from the refinery's discharges.

12 2248. As a result of his exposure to the 2023 discharges from the refinery, Jallah was
13 physically harmed, including developing and/or worsening symptoms of breathing issues that were
14 directly caused by the reoccurring discharges in 2023.

15 2249. Additionally, the health effects on Jallah from the discharges have caused him to
16 suffer lost wages, income, and/or business opportunities.

17 **33. Plaintiff Jeff Jarmin.**

18 2250. At all times relevant to this action, Plaintiff Jeff Jarmin was over the age of 18 and
19 was a resident of California.

20 2251. Plaintiff Jeff Jarmin was present in Martinez for work approximately 1/4 mile from
21 the refinery.

22 2252. Jarmin was present in Martinez for work for the November 24 and 25, 2022 release
23 from the refinery, and was exposed to the toxic discharge from the refinery.

24 2253. Among other things, he recalled the smell

25 2254. As a result of his exposure to the toxic discharges from the refinery on November
26 24 and 25, 2022, Jarmin was physically harmed.

27 2255. Among other things, Jarmin began experiencing illness and symptoms that were
28 directly caused by the toxic exposure within days after the release, including breathing difficulties,

1 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
2 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, bloody nose,
3 congestion, difficulty sleeping, body aches, phlegm, stomach pain, dehydration, fever, diarrhea,
4 fainting, and loss of balance.

5 2256. Jarmin was also present in Martinez for work in July 2023, October 2023, and
6 December 2023 releases.

7 2257. In each instance, he was exposed to toxins from the refinery's discharges.

8 2258. As a result of his exposure to the 2023 discharges from the refinery, Jarmin was
9 physically harmed, including developing and/or worsening symptoms of coughing, dizziness,
10 headaches, fatigue, eye irritation, and other respiratory issues that were directly caused by the
11 reoccurring discharges in 2023.

12 2259. Additionally, the health effects on Jarmin from the discharges have caused him to
13 suffer lost wages, income, and/or business opportunities.

14 **34. Plaintiff Zoe Jimenez.**

15 2260. At all times relevant to this action, Plaintiff Zoe Jimenez was a minor but is currently
16 over the age of 18 and was a resident of California.

17 2261. Plaintiff Zoe Jimenez was present in Martinez for school approximately 1/4 mile
18 from the refinery.

19 2262. Jimenez was present in Martinez for school the July 11, 2023, release from the
20 refinery, and was exposed to the toxic discharge from the refinery.

21 2263. Among other things, she recalled the air smelling funny.

22 2264. As a result of her exposure to the toxic discharges from the refinery on July 11,
23 2023, Jimenez was physically harmed.

24 2265. Among other things, Jimenez began experiencing illness and symptoms that were
25 directly caused by the toxic exposure within days after the release, including breathing difficulties,
26 chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
27 headaches, fatigue, body aches, stomach pain, asthma flare-ups, diarrhea, and loss of balance.
28

1 2266. Jimenez was also present in Martinez for school for the October 2023 and December
2 2023 releases.

3 2267. In each instance, she was exposed to toxins from the refinery's discharges.

4 2268. Additional developing and/or worsening symptoms of difficulty breathing,
5 coughing, sore throat, chest pain, dizziness, and brain fog were directly caused by the reoccurring
6 discharges in 2023.

7 **35. Plaintiff Pharrell Johnson.**

8 2269. At all times relevant to this action, Plaintiff Pharrell Johnson was over the age of 18
9 and was a resident of California.

10 2270. Plaintiff Pharrell Johnson was present in Martinez for work approximately 1/4 mile
11 from the refinery.

12 2271. Johnson was present in Martinez for work for the November 24 and 25, 2022 release
13 from the refinery, and was exposed to the toxic discharge from the refinery.

14 2272. Among other things, he saw fumes and gasses coming out of machinery, dark gas
15 particles.

16 2273. As a result of his exposure to the toxic discharges from the refinery on November
17 24 and 25, 2022, Johnson was physically harmed.

18 2274. Among other things, Johnson began experiencing illness and symptoms that were
19 directly caused by the toxic exposure within a few weeks after the release, including breathing
20 difficulties, memory issues, brain fog, sore throat, coughing, fatigue, cancer (colon), and heart
21 attack.

22 2275. Johnson was also present in Martinez for work for the July 2023 release.

23 2276. In each instance, he was exposed to toxins from the refinery's discharges.

24 2277. As a result of his exposure to the 2023 discharges from the refinery, Johnson was
25 physically harmed, including developing and/or worsening symptoms of difficulty breathing, brain
26 fog, congestion, stomach pain, fatigue, sinus pain and pressure, and irritated eyes that were directly
27 caused by the reoccurring discharges in 2023.

1 2278. Additionally, the health effects on Johnson from the discharges have caused him to
2 suffer lost wages, income, and/or business opportunities.

3 **36. Plaintiff Latoyia Jones.**

4 2279. At all times relevant to this action, Plaintiff Latoyia Jones was over the age of 18
5 and was a resident of California.

6 2280. Plaintiff Latoyia Jones was present in Martinez for work approximately 2 miles from
7 the refinery.

8 2281. Jones was present in Martinez for work on the October 6, 2023, release from the
9 refinery, and was exposed to the toxic discharge from the refinery.

10 2282. Jones was also present in Martinez for work for the December 2023 release.

11 2283. In each instance, she was exposed to toxins from the refinery's discharges.

12 2284. As a result of her exposure to the toxic discharges from the refinery on December
13 15, 2023, Jones was physically harmed.

14 2285. Among other things, Jones began experiencing illness and symptoms that were
15 directly caused by the toxic exposure within days after the release, including breathing difficulties,
16 chest pain, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches, and
17 asthma flare-up.

18 2286. Additional developing and/or worsening symptoms of shortness of breath, lung
19 infection, coughing, headaches, chest pain, and bronchitis were directly caused by the reoccurring
20 discharges in 2023.

21 2287. Additionally, the health effects on Jones from the discharges have caused her to
22 suffer lost wages, income, and/or business opportunities. Specifically, she was unable to work for
23 months due to lung infection and other issues.

24 **37. Plaintiff Lynell Josey.**

25 2288. At all times relevant to this action, Plaintiff Lynell Josey was over the age of 18 and
26 was a resident of California.

27 2289. Plaintiff Lynell Josey was present in Martinez for work approximately 1/2 mile from
28 the refinery.

1 2290. Josey was present in Martinez for work for the November 25, 2022, release from
2 the refinery, and was exposed to the toxic discharge from the refinery.

3 2291. Josey was also present in Martinez for work in July 2023, October 2023, and
4 December 2023 releases.

5 2292. In each instance, he was exposed to toxins from the refinery's discharges.

6 2293. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
7 Josey was physically harmed.

8 2294. Among other things, Josey began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within days after the release, including breathing difficulties,
10 chest pain, sore throat, coughing, sinus pain, and pressure.

11 2295. Additional developing and/or worsening symptoms of coughing, sneezing, and
12 difficulty breathing were directly caused by the reoccurring discharges in 2023.

13 **38. Plaintiff Camryn Kardos.**

14 2296. At all times relevant to this action, Plaintiff Camryn Kardos was over the age of 18
15 and was a resident of California.

16 2297. Plaintiff Camryn Kardos was present in Martinez for work approximately 2 miles
17 from the refinery.

18 2298. Kardos was present in Martinez for work for the July 11 and 22, 2023 releases from
19 the refinery, and was exposed to the toxic discharge from the refinery.

20 2299. As a result of her exposure to the toxic discharges from the refinery on July 11 and
21 22, 2023, Kardos was physically harmed.

22 2300. Among other things, Kardos began experiencing illness and symptoms that were
23 directly caused by the toxic exposure, including sinus pain, pressure, congestion, and headaches.

24 2301. In each instance, she was exposed to toxins from the refinery's discharges.

25 2302. As a result of her exposure to the 2023 discharges from the refinery, Kardos was
26 physically harmed, including developing and/or worsening symptoms of sinus pain, pressure,
27 congestion, and headaches that were directly caused by the reoccurring discharges in 2023.
28

39. Plaintiff Peggy Kenney.

2303. At all times relevant to this action, Plaintiff Peggy Kenney is over the age of 18 and was a resident of California.

2304. Plaintiff Peggy Kenney was present in Martinez at work approximately 1/2 mile from the refinery.

2305. Kenney was present in Martinez at work for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

2306. Among other things, she recalls seeing white dust on her car.

2307. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Kenney was physically harmed.

2308. Among other things, Kenney began experiencing illness and symptoms that were directly caused by the toxic exposure within days after the release, including breathing difficulties, congestion, and asthma flare-up.

2309. Kenney was also present in Martinez at work for the July 2023, October 2023, and December 2023 releases.

2310. In each instance, she was exposed to toxins from the refinery's discharges.

2311. As a result of her exposure to the 2023 discharges from the refinery, Kenney was physically harmed, including developing and/or worsening symptoms of asthma flare up and difficulty breathing that were directly caused by the reoccurring discharges in 2023.

40. Plaintiff Keith Lapating.

2312. At all times relevant to this action, Plaintiff Keith Lapating was over the age of 18 and was a resident of California.

2313. Plaintiff Keith Lapating was present in Martinez for work approximately 2 miles from the refinery.

2314. Lapating was present in Martinez for work for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

2315. As a result of his] exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Lapating was physically harmed.

1 2316. Among other things, Lapating began experiencing illness and symptoms that were
2 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
3 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
4 itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, bloody nose, congestion,
5 difficulty sleeping, body aches, ear aches, ear infections, phlegm, coughing up blood, and stomach
6 pain.

7 2317. Lapating was also present in Martinez for work for the July 2023, October 2023,
8 and December 2023 releases.

9 2318. In each instance, he was exposed to toxins from the refinery's discharges.

10 2319. As a result of his exposure to the 2023 discharges from the refinery, Lapating was
11 physically harmed, including developing and/or worsening symptoms of headache, coughing,
12 dizziness, and difficulty breathing that were directly caused by the reoccurring discharges in 2023.

13 **41. Plaintiff Alex Linares.**

14 2320. At all times relevant to this action, Plaintiff Alex Linares was over the age of 18 and
15 was a resident of California.

16 2321. Plaintiff Alex Linares was present in Martinez for work approximately 1/4 mile from
17 the refinery.

18 2322. Linares was present in Martinez for work on the July 11, 2023, release from the
19 refinery, and was exposed to the toxic discharge from the refinery.

20 2323. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
21 Linares was physically harmed.

22 2324. Among other things, Linares began experiencing illness and symptoms that were
23 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
24 chest pain, sore throat, coughing, headaches, sinus pain, pressure, congestion, phlegm, and slight
25 burning with congestion in nose and throat.

26 2325. Linares was also present in Martinez for work for the October 2023 release.

27 2326. In each instance, he was exposed to toxins from the refinery's discharges.

1 2327. Additional developing and/or worsening symptoms of coughing, chest pain, and
2 shortness of breath were directly caused by the reoccurring discharges in October 2023.

3 **42. Plaintiff Alexis Little.**

4 2328. At all times relevant to this action, Plaintiff Alexis Little was over the age of 18 and
5 was a resident of California.

6 2329. Plaintiff Alexis Little was present in Martinez while visiting Martinez
7 approximately 1 mile from the refinery.

8 2330. Little was present in Martinez while visiting Martinez for the July 11, 2023, release
9 from the refinery, and was exposed to the toxic discharge from the refinery.

10 2331. As a result of her exposure to the toxic discharges from the refinery on July 11,
11 2023, Little was physically harmed.

12 2332. Among other things, Little began experiencing illness and symptoms that were
13 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
14 memory issues, brain fog, sore throat, coughing, rash, hives, headaches, fatigue, and difficulty
15 sleeping.

16 2333. Little was also present in Martinez while visiting Martinez for the October 2023 and
17 December 2023 releases.

18 2334. In each instance, she was exposed to toxins from the refinery's discharges.

19 2335. Additional developing and/or worsening symptoms of coughing, fatigue, headaches,
20 and skin rash were directly caused by the reoccurring discharges in 2023.

21 2336. Additionally, the health effects on Little from the discharges have caused her to
22 suffer lost wages, income, and/or business opportunities.

23 **43. Plaintiff Elias Lopez.**

24 2337. At all times relevant to this action, Plaintiff Elias Lopez was over the age of 18 and
25 was a resident of California.

26 2338. Plaintiff Elias Lopez was present in Martinez and staying in Martinez approximately
27 1/4 mile from the refinery.
28

1 2339. Lopez was present in Martinez and staying in Martinez for the November 24 and
2 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

3 2340. Among other things, he recalls seeing the coke dust particles.

4 2341. As a result of his exposure to the toxic discharges from the refinery on November
5 24 and 25, 2022, Lopez was physically harmed.

6 2342. Among other things, Lopez began experiencing illness and symptoms that were
7 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
8 chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
9 headaches, sinus pain and pressure.

10 2343. Lopez was also present in Martinez and staying in Martinez for the July 2023,
11 October 2023, and December 2023 releases.

12 2344. In each instance, he was exposed to toxins from the refinery's discharges.

13 2345. As a result of his exposure to the 2023 discharges from the refinery, Lopez was
14 physically harmed, including developing and/or worsening symptoms of coughing, tight chest tight
15 chest, and sore throat that were directly caused by the reoccurring discharges in 2023.

16 **44. Plaintiff Shenna Madison.**

17 2346. At all times relevant to this action, Plaintiff Shenna Madison was over the age of 18
18 and was a resident of California.

19 2347. Plaintiff Shenna Madison was present in Martinez for work approximately more
20 than 2 miles from the refinery.

21 2348. Madison was present in Martinez for work for the November 24 and 25, 2022 release
22 from the refinery, and was exposed to the toxic discharge from the refinery.

23 2349. Among other things, she recalls the fumes in the air were bad.

24 2350. Madison was also present in Martinez for work for the July 2023, October 2023, and
25 December 2023 releases.

26 2351. In each instance, she was exposed to toxins from the refinery's discharges.

27 2352. As a result of her exposure to the toxic discharges from the refinery on October 6,
28 2023, Madison was physically harmed.

1 2353. Among other things, Madison began experiencing illness and symptoms that were
2 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
3 dizziness, vertigo, nausea, vomiting, itchy, watery, burning eyes, and headaches.

4 **45. Plaintiff Daniel Manes.**

5 2354. At all times relevant to this action, Plaintiff Daniel Manes was over the age of 18
6 and was a resident of California.

7 2355. Plaintiff Daniel Manes was present in Martinez for work approximately 1 1/2 miles
8 from the refinery.

9 2356. Manes was present in Martinez for work for the July 11, 2023, release from the
10 refinery, and was exposed to the toxic discharge from the refinery.

11 2357. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
12 Manes was physically harmed.

13 2358. Among other things, Manes began experiencing illness and symptoms that were
14 directly caused by the toxic exposure within a few months after the release, including breathing
15 difficulties, dizziness, and vertigo.

16 2359. Manes was also present in Martinez for work for the October 2023 release.

17 2360. In each instance, he was exposed to toxins from the refinery's discharges.

18 2361. Additional developing and/or worsening symptoms of difficulty breathing, asthma
19 flare up, and coughing were directly caused by the reoccurring discharges in October 2023.

20 **46. Plaintiff Antone Mcatee.**

21 2362. At all times relevant to this action, Plaintiff Antone Mcatee was over the age of 18
22 and was a resident of California.

23 2363. Plaintiff Antone Mcatee was present in Martinez and staying in Martinez
24 approximately 1/2 mile from the refinery.

25 2364. Mcatee was present in Martinez and staying in Martinez for the November 24 and
26 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

27 2365. As a result of his exposure to the toxic discharges from the refinery on November
28 24 and 25, 2022, Mcatee was physically harmed.

1 2366. Among other things, Mcatee began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within a few weeks after the release, including breathing
3 difficulties, memory issues, brain fog, rash, hives, and fatigue.

4 2367. Mcatee was also present in Martinez and staying in Martinez for the July 2023,
5 October 2023, and December 2023 releases.

6 2368. In each instance, he was exposed to toxins from the refinery's discharges.

7 2369. As a result of his exposure to the 2023 discharges from the refinery, Mcatee was
8 physically harmed, including developing and/or worsening symptoms of difficulty breathing, skin
9 irritation, sinus infection, and body aches that were directly caused by the reoccurring discharges
10 in 2023.

11 2370. Additionally, the health effects on Mcatee from the discharges have caused him to
12 suffer lost wages, income, and/or business opportunities.

13 **47. Plaintiff Hector Medina.**

14 2371. At all times relevant to this action, Plaintiff Hector Medina was over the age of 18
15 and was a resident of California.

16 2372. Plaintiff Hector Medina was present in Martinez while visiting Martinez
17 approximately 1 mile from the refinery.

18 2373. Medina was present in Martinez while visiting Martinez for the November 24 and
19 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

20 2374. Among other things, he recalls white dust in the air and on the cars.

21 2375. As a result of his exposure to the toxic discharges from the refinery on November
22 24 and 25, 2022, Medina was physically harmed.

23 2376. Among other things, Medina began experiencing illness and symptoms that were
24 directly caused by the toxic exposure within days after the release, including breathing difficulties,
25 chest pain, sore throat, coughing, itchy, watery, burning eyes, headaches, congestion, and stomach
26 pain.

27 2377. Medina was also present in Martinez while visiting Martinez for the July 2023,
28 October 2023, and December 2023 releases.

1 2378. In each instance, he was exposed to toxins from the refinery's discharges.

2 2379. As a result of his exposure to the 2023 discharges from the refinery, Medina was
3 physically harmed, including developing and/or worsening symptoms of difficulty breathing,
4 dizziness, sinus pressure and pain, headaches, and fatigue that were directly caused by the
5 reoccurring discharges in 2023.

6 **48. Plaintiff Benjamin Mercado.**

7 2380. At all times relevant to this action, Plaintiff Benjamin Mercado was over the age of
8 18 and was a resident of California.

9 2381. Plaintiff Benjamin Mercado was present in Martinez for school approximately 2
10 miles from the refinery.

11 2382. Mercado was present in Martinez for school for the December 15, 2023, release
12 from the refinery, and was exposed to the toxic discharge from the refinery.

13 2383. Among other things, he recalled a sour smell.

14 2384. As a result of his exposure to the toxic discharges from the refinery on December
15 15, 2023, Mercado was physically harmed.

16 2385. Among other things, Mercado began experiencing illness and symptoms that were
17 directly caused by the toxic exposure within a week of the release, including breathing difficulties,
18 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
19 itchy, watery, burning eyes, headaches, fatigue, phlegm, stomach pain, heartburn, and dehydration.

20 2386. In this instance, he was exposed to toxins from the refinery's discharges.

21 **49. Plaintiff Anthony Moore.**

22 2387. At all times relevant to this action, Plaintiff Anthony Moore was over the age of 18
23 and was a resident of California.

24 2388. Plaintiff Anthony Moore was present in Martinez and staying in Martinez
25 approximately 1/4 mile from the refinery.

26 2389. Moore was present in Martinez and staying in Martinez for the July 11, 2023, release
27 from the refinery, and was exposed to the toxic discharge from the refinery.

1 2390. Moore was also present in Martinez and staying in Martinez for the October 2023
2 and December 2023 releases.

3 2391. In each instance, he was exposed to toxins from the refinery's discharges.

4 2392. As a result of his exposure to the toxic discharges from the refinery on October 6,
5 2023, Moore was physically harmed.

6 2393. Among other things, Moore began experiencing illness and symptoms that were
7 directly caused by the toxic exposure within days after the release, including sore throat, and
8 coughing.

9 **50. Plaintiff Scott Murphy.**

10 2394. At all times relevant to this action, Plaintiff Scott Murphy was over the age of 18
11 and was a resident of California.

12 2395. Plaintiff Scott Murphy was present in Martinez and staying in Martinez
13 approximately 1 mile from the refinery.

14 2396. Murphy was present in Martinez and staying in Martinez for the November 24 and
15 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

16 2397. As a result of his exposure to the toxic discharges from the refinery on November
17 24 and 25, 2022, Murphy was physically harmed.

18 2398. Among other things, Murphy began experiencing illness and symptoms that were
19 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
20 chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
21 headaches, sinus pain, pressure, fatigue, congestion, body aches, phlegm, stomach pain, heartburn,
22 diarrhea, and loss of balance.

23 2399. Murphy was also present in Martinez and staying in Martinez for the July 2023,
24 October 2023, and December 2023 releases.

25 2400. In each instance, he was exposed to toxins from the refinery's discharges.

26 2401. As a result of his exposure to the 2023 discharges from the refinery, Murphy was
27 physically harmed, including developing and/or worsening symptoms of headaches, coughing,
28 wheezing, and sore throat that were directly caused by the reoccurring discharges in 2023.

1 2402. Additionally, the health effects on Murphy from the discharges have caused him to
2 suffer lost wages, income, and/or business opportunities.

3 **51. Plaintiff Gilbert Noble.**

4 2403. At all times relevant to this action, Plaintiff Gilbert Noble was over the age of 18
5 and was a resident of California.

6 2404. Plaintiff Gilbert Noble was present in Martinez and staying in Martinez
7 approximately 1 1/2 miles from the refinery.

8 2405. Noble was present in Martinez and staying in Martinez for the November 24 and 25,
9 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

10 2406. Among other things, he remembers seeing white flakes of what looked like snow
11 falling in the sky.

12 2407. As a result of his exposure to the toxic discharges from the refinery on November
13 24 and 25, 2022, Noble was physically harmed.

14 2408. Among other things, Noble began experiencing illness and symptoms that were
15 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
16 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery,
17 burning eyes, headaches, fatigue, body aches, coughing up blood, stomach pain, and dehydration.

18 2409. Noble was also present in Martinez and staying in Martinez for the July 2023 and
19 December 2023 releases.

20 2410. In each instance, he was exposed to toxins from the refinery's discharges.

21 2411. As a result of his exposure to the 2023 discharges from the refinery, Noble was
22 physically harmed, including developing and/or worsening symptoms of coughing, eye irritation,
23 nausea, and fatigue that were directly caused by the reoccurring discharges in 2023.

24 **52. Plaintiff Julie Oliveri.**

25 2412. At all times relevant to this action, Plaintiff Julie Oliveri was over the age of 18 and
26 was a resident of California.

27 2413. Plaintiff Julie Oliveri was present in Martinez and staying in Martinez
28 approximately 2 miles from the refinery.

1 2414. Oliveri was present in Martinez and stayed in Martinez for the November 24 and
2 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

3 2415. As a result of her exposure to the toxic discharges from the refinery on November
4 24 and 25, 2022, Oliveri was physically harmed.

5 2416. Among other things, Oliveri began experiencing illness and symptoms that were
6 directly caused by the toxic exposure within a week after the release, including breathing
7 difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery,
8 burning eyes, rash, hives, headaches, sinus pain, pressure, difficulty sleeping, body aches, and
9 phlegm.

10 2417. Oliveri was also present in Martinez and staying in Martinez for the July 2023 and
11 December 2023 releases.

12 2418. In each instance, she was exposed to toxins from the refinery's discharges.

13 2419. As a result of her exposure to the 2023 discharges from the refinery, Oliveri was
14 physically harmed, including developing and/or worsening symptoms of difficulty breathing,
15 coughing, eye irritation, and skin irritation that were directly caused by the reoccurring discharges
16 in 2023.

17 2420. Additionally, the health effects on Oliveri from the discharges have caused her to
18 suffer lost wages, income, and/or business opportunities.

19 **53. Plaintiff Daniel Phillips.**

20 2421. At all times relevant to this action, Plaintiff Daniel Phillips was over the age of 18
21 and was a resident of California.

22 2422. Plaintiff Daniel Phillips was present in Martinez for work approximately 1/4 mile
23 from the refinery.

24 2423. Phillips was present in Martinez for work for the November 24 and 25, 2022 release
25 from the refinery, and was exposed to the toxic discharge from the refinery.

26 2424. As a result of his exposure to the toxic discharges from the refinery on November
27 24 and 25, 2022, Phillips was physically harmed.

1 2425. Among other things, Phillips began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within a few months after the release, including sore throat,
3 coughing, asthma flare-ups, diarrhea, fainting, loss of balance, enlarged heart, wheezing, and
4 inhalers.

5 2426. Phillips was also present in Martinez for work for the July 2023, October 2023, and
6 December 2023 releases.

7 2427. In each instance, he was exposed to toxins from the refinery's discharges.

8 2428. As a result of his exposure to the 2023 discharges from the refinery, Phillips was
9 physically harmed, including developing and/or worsening symptoms of difficulty breathing,
10 coughing, and wheezing that were directly caused by the reoccurring discharges in 2023.

11 **54. Plaintiff Dominic Proctor.**

12 2429. At all times relevant to this action, Plaintiff Dominic Proctor was over the age of 18
13 and was a resident of California.

14 2430. Plaintiff Dominic Proctor was present in Martinez for school approximately 1 1/2
15 miles from the refinery.

16 2431. Proctor was present in Martinez for school for the November 24 and 25, 2022 release
17 from the refinery, and was exposed to the toxic discharge from the refinery.

18 2432. As a result of his exposure to the toxic discharges from the refinery on November
19 24 and 25, 2022, Proctor was physically harmed.

20 2433. Among other things, Proctor began experiencing illness and symptoms that were
21 directly caused by the toxic exposure within days after the release, including chest pain, sore throat,
22 coughing, itchy, watery, burning eyes, fatigue, congestion, difficulty sleeping, body aches, and loss
23 of balance.

24 2434. Proctor was also present in Martinez for school for the July 2023, October 2023, and
25 December 2023 releases.

26 2435. In each instance, he was exposed to toxins from the refinery's discharges.
27
28

1 2436. As a result of his exposure to the 2023 discharges from the refinery, Proctor was
2 physically harmed, including developing and/or worsening symptoms of coughing, phlegm, sore
3 throat, and chest pain that were directly caused by the reoccurring discharges in 2023.

4 **55. Plaintiff Yasmeen Qasimi.**

5 2437. At all times relevant to this action, Plaintiff Yasmeen Qasimi was over the age of 18
6 and was a resident of California.

7 2438. Plaintiff Yasmeen Qasimi was present in Martinez for work approximately 1/4 mile
8 from the refinery.

9 2439. Qasimi was present in Martinez for work for the July 11, 2023, release from the
10 refinery, and was exposed to the toxic discharge from the refinery.

11 2440. As a result of her exposure to the toxic discharges from the refinery on July 11,
12 2023, Qasimi was physically.

13 2441. Among other things, Qasimi began experiencing illness and symptoms that were
14 directly caused by the toxic exposure within days after the release, including breathing difficulties,
15 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, headaches, bloody nose,
16 congestion, difficulty sleeping, and body aches.

17 2442. Qasimi was also present in Martinez for work for the October 2023 and December
18 2023 releases.

19 2443. In each instance, she was exposed to toxins from the refinery's discharges.

20 2444. Additional developing and/or worsening symptoms of confusion, depression,
21 anxiety, shortness of breath, miscarriages, sore throat, coughing, and memory issues were directly
22 caused by the reoccurring discharges in 2023.

23 2445. Additionally, the health effects on Qasimi from the discharges have caused her to
24 suffer lost wages, income, and/or business opportunities.

25 **56. Plaintiff Alesia Quincy.**

26 2446. At all times relevant to this action, Plaintiff Alesia Quincy was over the age of 18
27 and was a resident of California.

1 2447. Plaintiff Alesia Quincy was present in Martinez for work approximately more than
2 2 miles from the refinery.

3 2448. Quincy was present in Martinez for work on the July 11, 2023, release from the
4 refinery, and was exposed to the toxic discharge from the refinery.

5 2449. As a result of her exposure to the toxic discharges from the refinery on July 11,
6 2023, Quincy was physically harmed.

7 2450. Among other things, Quincy began experiencing illness and symptoms that were
8 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
9 chest pain, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes,
10 sinus pain, pressure, fatigue, bloody nose, congestion, difficulty sleeping, body aches, phlegm,
11 asthma flare-up, dehydration, and loss of balance.

12 2451. Quincy was also present in Martinez for work for the October 2023 and December
13 2023 releases.

14 2452. In each instance, she was exposed to toxins from the refinery's discharges.

15 2453. Additional developing and/or worsening symptoms of asthma, coughing, tightness
16 in chest, difficulty breathing, wheezing, and fatigue were directly caused by the reoccurring
17 discharges in 2023.

18 2454. Additionally, the health effects on Quincy from the discharges have caused her to
19 suffer lost wages, income, and/or business opportunities.

20 **57. Plaintiff Michelle Rainwater.**

21 2455. At all times relevant to this action, Plaintiff Michelle Rainwater was over the age of
22 18 and was a resident of California.

23 2456. Plaintiff Michelle Rainwater was present in Martinez and staying in Martinez
24 approximately 1/4 mile from the refinery.

25 2457. Rainwater was present in Martinez and staying in Martinez for the November 24
26 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

27 2458. Among other things, she recalls seeing the flames.
28

1 2459. As a result of her exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Rainwater was physically harmed.

3 2460. Among other things, Rainwater began experiencing illness and symptoms that were
4 directly caused by the toxic exposure Immediately after the release, including breathing difficulties,
5 chest pain, dizziness, vertigo, nausea, vomiting, headaches, congestion, difficulty sleeping, and
6 asthma flare-ups.

7 2461. In each instance, she was exposed to toxins from the refinery's discharges.

8 **58. Plaintiff Senaida Redzic.**

9 2462. At all times relevant to this action, Plaintiff Senaida Redzic was over the age of 18
10 and was a resident of California.

11 2463. Plaintiff Senaida Redzic was present in Martinez at work approximately 1/4 mile
12 from the refinery.

13 2464. Redzic was present in Martinez for work the November 24 and 25, 2022 release
14 from the refinery, and was exposed to the toxic discharge from the refinery.

15 2465. Among other things, she recalls the bad air quality

16 2466. As a result of her exposure to the toxic discharges from the refinery on November
17 24 and 25, 2022, Redzic was physically harmed.

18 2467. Among other things, Redzic began experiencing illness and symptoms that were
19 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
20 dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, headaches,
21 sinus pain, pressure, fatigue, congestion, body aches, heartburn, fever, diarrhea, and fainting.

22 2468. Redzic was also present in Martinez for work for the July 2023, October 2023, and
23 December 2023 releases.

24 2469. In each instance, she was exposed to toxins from the refinery's discharges.

25 2470. As a result of her exposure to the 2023 discharges from the refinery, Redzic was
26 physically harmed, including developing and/or worsening symptoms of like breathing problems,
27 fever, headaches, dizziness, skin irritation, and difficulty sleeping that were directly caused by the
28 reoccurring discharges in 2023.

1 **59. Plaintiff Romeleo Rincon.**

2 2471. At all times relevant to this action, Plaintiff Romeleo Rincon was over the age of 18
3 and was a resident of California.

4 2472. Plaintiff Romeleo Rincon was present in Martinez while visiting Martinez
5 approximately 2 miles from the refinery.

6 2473. Rincon was present in Martinez while visiting Martinez for the November 24 and
7 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

8 2474. Among other things, he recalls seeing the soot on the cars.

9 2475. As a result of his exposure to the toxic discharges from the refinery on November
10 24 and 25, 2022, Rincon was physically harmed.

11 2476. Among other things, Rincon began experiencing illness and symptoms that were
12 directly caused by the toxic exposure within days after the release, including breathing difficulties,
13 chest pain, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, hives,
14 headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, and asthma flare-ups.

15 2477. Rincon was also present in Martinez while visiting Martinez for the July 2023,
16 October 2023, and December 2023 releases.

17 2478. In each instance, he was exposed to toxins from the refinery's discharges.

18 2479. As a result of his exposure to the 2023 discharges from the refinery, Rincon was
19 physically harmed, including developing and/or worsening symptoms of asthma flare up and
20 headaches that were directly caused by the reoccurring discharges in 2023.

21 2480. Additionally, the health effects on Rincon from the discharges have caused him to
22 suffer lost wages, income, and/or business opportunities.

23 **60. Plaintiff Shaneeka Roberts.**

24 2481. At all times relevant to this action, Plaintiff Shaneeka Roberts was over the age of
25 18 and was a resident of California.

26 2482. Plaintiff Shaneeka Roberts was present in Martinez for work approximately 2 miles
27 from the refinery.
28

1 2483. Roberts was present in Martinez for work the July 11, 2023, release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 2484. As a result of her exposure to the toxic discharges from the refinery on July 11,
4 2023, Roberts was physically harmed.

5 2485. Among other things, Roberts began experiencing illness and symptoms that were
6 directly caused by the toxic exposure within days after the release, including breathing difficulties,
7 chest pain, sore throat, coughing, headaches, fatigue, and congestion.

8 2486. Roberts was also present in Martinez for work for the October 2023 and December
9 2023 releases.

10 2487. In each instance, she was exposed to toxins from the refinery's discharges.

11 2488. Additional developing and/or worsening symptoms of difficulty breathing, sinus
12 pain and pressure, coughing, headache, and fatigue were directly caused by the reoccurring
13 discharges in 2023.

14 **61. Plaintiff Shrenda Rodgers.**

15 2489. At all times relevant to this action, Plaintiff Shrenda Rodgers was over the age of 18
16 and was a resident of California.

17 2490. Plaintiff Shrenda Rodgers was present in Martinez for work approximately 1/4 mile
18 from the refinery.

19 2491. Rodgers was present in Martinez for work for the July 11, 2023, release from the
20 refinery, and was exposed to the toxic discharge from the refinery.

21 2492. As a result of her exposure to the toxic discharges from the refinery on July 11,
22 2023, Rodgers was physically harmed.

23 2493. Among other things, Rodgers began experiencing illness and symptoms that were
24 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
25 chest pain, sore throat, coughing, itchy, watery, burning eyes, sinus pain, pressure, and phlegm.

26 2494. Rodgers was also present in Martinez for work for the October 2023 and December
27 2023 releases.

28 2495. In each instance, she was exposed to toxins from the refinery's discharges.

1 2496. Additional developing and/or worsening symptoms of itchy throat, watery eyes,
2 coughing, phlegm, and stomach pain were directly caused by the reoccurring discharges in 2023.

3 **62. Plaintiff Juanita Rodriguez.**

4 2497. At all times relevant to this action, Plaintiff Juanita Rodriguez was over the age of
5 18 and was a resident of California.

6 2498. Plaintiff Juanita Rodriguez was present in Martinez for school approximately 1 1/2
7 miles from the refinery.

8 2499. Rodriguez was present in Martinez for school for the November 24 and 25, 2022
9 release from the refinery, and was exposed to the toxic discharge from the refinery.

10 2500. Among other things, she recalls the poor air quality.

11 2501. As a result of her exposure to the toxic discharges from the refinery on November
12 24 and 25, 2022, Rodriguez was physically harmed.

13 2502. Among other things, Rodriguez began experiencing illness and symptoms that were
14 directly caused by the toxic exposure within a few weeks after the release, including breathing
15 difficulties, chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea,
16 vomiting, itchy, watery, burning eyes, headaches, fatigue, bloody nose, congestion, difficulty
17 sleeping, and body aches.

18 2503. Rodriguez was also present in Martinez for school in July 2023, October 2023, and
19 December 2023 releases.

20 2504. In each instance, she was exposed to toxins from the refinery's discharges.

21 2505. As a result of her exposure to the 2023 discharges from the refinery, Rodriguez was
22 physically harmed, including developing and/or worsening symptoms of chest pain, dry cough, and
23 sore throat that were directly caused by the reoccurring discharges in 2023.

24 2506. Additionally, the health effects on Rodriguez from the discharges have caused him
25 to suffer lost wages, income, and/or business opportunities.

26 **63. Plaintiff James Rogers.**

27 2507. At all times relevant to this action, Plaintiff James Rogers was over the age of 18
28 and was a resident of California.

1 2508. Plaintiff James Rogers was present in Martinez for work approximately 1 mile from
2 the refinery.

3 2509. Rogers was present in Martinez for work for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 2510. As a result of his exposure to the toxic discharges from the refinery on November
6 24 and 25, 2022, Rogers was physically harmed.

7 2511. Among other things, Rogers began experiencing illness and symptoms that were
8 directly caused by the toxic exposure within days after the release, including breathing difficulties,
9 sore throat, coughing, itchy, watery, burning eyes, and phlegm.

10 2512. Rogers was also present in Martinez for work in July 2023, October 2023, and
11 December 2023 releases.

12 2513. In each instance, he was exposed to toxins from the refinery's discharges.

13 2514. As a result of his exposure to the 2023 discharges from the refinery, Rogers was
14 physically harmed, including developing and/or worsening symptoms coughing, headaches, and
15 difficulty breathing that were directly caused by the reoccurring discharges in 2023.

16 2515. Additionally, the health effects on Rogers from the discharges have caused him to
17 suffer lost wages, income, and/or business opportunities.

18 **64. Plaintiff Albino Romero.**

19 2516. At all times relevant to this action, Plaintiff Albino Romero was over the age of 18
20 and was a resident of California.

21 2517. Plaintiff Albino Romero was present in Martinez for work approximately 1/2 mile
22 from the refinery.

23 2518. Romero was present in Martinez for work on the December 15, 2023, release from
24 the refinery, and was exposed to the toxic discharge from the refinery.

25 2519. Among other things, he could smell something in the air which caused his eyes to
26 burn.

27 2520. As a result of his exposure to the toxic discharges from the refinery on December
28 15, 2023, Romero was physically harmed.

1 2521. Among other things, Romero began experiencing illness and symptoms that were
2 directly caused by the toxic exposure within days after the release, including breathing difficulties,
3 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery,
4 burning eyes, headaches, sinus pain, pressure, fatigue, congestion, body aches, ear aches, ear
5 infections, phlegm, heartburn, dehydration, fever, and loss of balance.

6 2522. Additionally, the health effects on Romero from the discharges have caused him to
7 suffer lost wages, income, and/or business opportunities.

8 **65. Plaintiff Kathryn Ross.**

9 2523. At all times relevant to this action, Plaintiff Kathryn Ross was over the age of 18
10 and was a resident of California.

11 2524. Plaintiff Kathryn Ross was present in Martinez for work approximately 1/2 mile
12 from the refinery.

13 2525. Ross was present in Martinez for work the July 11, 2023, release from the refinery,
14 and was exposed to the toxic discharge from the refinery.

15 2526. Among other things, she recalls a very strong sulfur smell.

16 2527. As a result of her exposure to the toxic discharges from the refinery on July 11,
17 2023, Ross was physically harmed.

18 2528. Among other things, Ross began experiencing illness and symptoms that were
19 directly caused by the toxic exposure immediately after the release, including dizziness, vertigo,
20 sore throat, coughing, nausea, vomiting, and headaches.

21 2529. Ross was also present in Martinez for work for the October 2023 and December
22 2023 releases.

23 2530. In each instance, she was exposed to toxins from the refinery's discharges.

24 2531. Additional developing and/or worsening symptoms of headaches, coughing, and
25 difficulty sleeping were directly caused by the reoccurring discharges in 2023.

26 **66. Plaintiff San Saechao.**

27 2532. At all times relevant to this action, Plaintiff San Saechao was over the age of 18 and
28 was a resident of California.

1 2533. Plaintiff San Saechao was present in Martinez for work approximately 1 mile from
2 the refinery.

3 2534. Saechao was present in Martinez for work for the November 24 and 25, 2022 release
4 from the refinery, and was exposed to the toxic discharge from the refinery.

5 2535. Among other things, he recalls the sounds, smells, and seeing the flare.

6 2536. As a result of his exposure to the toxic discharges from the refinery on November
7 24 and 25, 2022, Saechao was physically harmed.

8 2537. Among other things, Saechao began experiencing illness and symptoms that were
9 directly caused by the toxic exposure within days after the release, including breathing difficulties,
10 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, itchy, watery,
11 burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty sleeping, body aches,
12 dehydration, and fever.

13 2538. Saechao was also present in Martinez for work in July 2023, October 2023, and
14 December 2023 releases.

15 2539. In each instance, he was exposed to toxins from the refinery's discharges.

16 2540. As a result of his exposure to the 2023 discharges from the refinery, Saechao was
17 physically harmed, including developing and/or worsening symptoms of difficulty breathing and
18 difficulty sleeping that were directly caused by the reoccurring discharges in 2023.

19 2541. Additionally, the health effects on Saechao from the discharges have caused him to
20 suffer lost wages, income, and/or business opportunities.

21 **67. Plaintiff Robert Sands.**

22 2542. At all times relevant to this action, Plaintiff Robert Sands was over the age of 18
23 and was a resident of California.

24 2543. Plaintiff Robert Sands was present in Martinez for work approximately 1 mile from
25 the refinery.

26 2544. Sands was present in Martinez for work for the November 24 and 25, 2022 release
27 from the refinery, and was exposed to the toxic discharge from the refinery.

28 2545. Among other things, he recalls seeing coke dust on the cars.

1 2546. As a result of his exposure to the toxic discharges from the refinery on November
2 24 and 25, 2022, Sands was physically harmed.

3 2547. Among other things, Sands began experiencing illness and symptoms that were
4 directly caused by the toxic exposure within days after the release, including breathing difficulties,
5 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,
6 itchy, watery, burning eyes, headaches, sinus pain, pressure, fatigue, congestion, difficulty
7 sleeping, body aches, stomach pain, fever, diarrhea, and loss of balance.

8 2548. Sands was also present in Martinez for work in July 2023, October 2023, and
9 December 2023 releases.

10 2549. In each instance, he was exposed to toxins from the refinery's discharges.

11 2550. As a result of his exposure to the 2023 discharges from the refinery, Sands was
12 physically harmed, including developing and/or worsening symptoms of difficulty breathing, chest
13 pain, headaches, sore throat, and diarrhea that were directly caused by the reoccurring discharges
14 in 2023.

15 2551. Additionally, the health effects on Sands from the discharges have caused him to
16 suffer lost wages, income, and/or business opportunities.

17 **68. Plaintiff Gyasi Scott.**

18 2552. At all times relevant to this action, Plaintiff Gyasi Scott was over the age of 18 and
19 was a resident of California.

20 2553. Plaintiff Gyasi Scott was present in Martinez for work approximately 1/4 mile from
21 the refinery.

22 2554. Scott was present in Martinez for work on the October 6, 2023, release from the
23 refinery, and was exposed to the toxic discharge from the refinery.

24 2555. As a result of his exposure to the toxic discharges from the refinery on October 6,
25 2023, Scott was physically harmed.

26 2556. Among other things, Scott began experiencing illness and symptoms that were
27 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
28 chest pain, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting,

1 itchy, watery, burning eyes, rash, hives, headaches, sinus pain, pressure, fatigue, difficulty sleeping,
2 body aches, phlegm, stomach pain, dehydration, and diarrhea.

3 2557. Scott was also present in Martinez for work for the December 2023 release.

4 2558. In each instance, he was exposed to toxins from the refinery's discharges.

5 2559. Additional developing and/or worsening symptoms of headaches and shortness of
6 breath were directly caused by the reoccurring discharges in December 2023.

7 **69. Plaintiff Shelby Lynn Sherman.**

8 2560. At all times relevant to this action, Plaintiff Shelby Lynn Sherman was over the age
9 of 18 and was a resident of California.

10 2561. Plaintiff Shelby Lynn Sherman was present in Martinez for work approximately 1
11 1/2 miles from the refinery.

12 2562. Sherman was present in Martinez for work for the November 24 and 25, 2022
13 release from the refinery, and was exposed to the toxic discharge from the refinery.

14 2563. Among other things, she recalls smoke coming from the refinery.

15 2564. As a result of her exposure to the toxic discharges from the refinery on November
16 24 and 25, 2022, Sherman was physically harmed.

17 2565. Among other things, Sherman began experiencing illness and symptoms that were
18 directly caused by the toxic exposure within days after the release, including breathing difficulties,
19 chest pain, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, body
20 aches, earaches, ear infections, phlegm, and fainting.

21 2566. Sherman was also present in Martinez for work for the July 2023, October 2023,
22 and December 2023 releases.

23 2567. In each instance, she was exposed to toxins from the refinery's discharges.

24 2568. As a result of her exposure to the 2023 discharges from the refinery, Sherman was
25 physically harmed, including developing and/or worsening symptoms of sneezing, sinus infection,
26 coughing, headaches, and itchy eyes that were directly caused by the reoccurring discharges in
27 2023.

1 2569. Additionally, the health effects on Sherman from the discharges have caused her to
2 suffer lost wages, income, and/or business opportunities.

3 **70. Plaintiff Gail Spears.**

4 2570. At all times relevant to this action, Plaintiff Gail Spears was over the age of 18 and
5 was a resident of California.

6 2571. Plaintiff Gail Spears was present in Martinez while visiting Martinez approximately
7 1/2 mile from the refinery.

8 2572. Spears was present in Martinez while visiting Martinez for the November 24 and
9 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

10 2573. As a result of her exposure to the toxic discharges from the refinery on November
11 24 and 25, 2022, Spears was physically harmed.

12 2574. Among other things, Spears began experiencing illness and symptoms that were
13 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
14 memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery,
15 burning eyes, headaches, fatigue, body aches, earaches, ear infections, phlegm, fever.

16 2575. Spears was also present in Martinez while visiting Martinez for the July 2023,
17 October 2023, and December 2023 releases.

18 2576. In each instance, she was exposed to toxins from the refinery's discharges.

19 2577. As a result of her exposure to the 2023 discharges from the refinery, Spears was
20 physically harmed, including developing and/or worsening symptoms of coughing and dizziness
21 that were directly caused by the reoccurring discharges in 2023.

22 2578. Additionally, the health effects on Spears from the discharges have caused her to
23 suffer lost wages, income, and/or business opportunities.

24 **71. Plaintiff Tonya Spencer.**

25 2579. At all times relevant to this action, Plaintiff Tonya Spencer was over the age of 18
26 and was a resident of California.

27 2580. Plaintiff Tonya Spencer was present in Martinez for work approximately 2 miles
28 from the refinery.

1 2581. Spencer was present in Martinez for work for the November 24 and 25, 2022 release
2 from the refinery, and was exposed to the toxic discharge from the refinery.

3 2582. As a result of her exposure to the toxic discharges from the refinery on November
4 24 and 25, 2022, Spencer was physically harmed.

5 2583. Among other things, Spencer began experiencing illness and symptoms that were
6 directly caused by the toxic exposure within days after the release, including breathing difficulties,
7 sore throat, and coughing.

8 2584. Spencer was also present in Martinez for work in July 2023, October 2023, and
9 December 2023 releases.

10 2585. In each instance, she was exposed to toxins from the refinery's discharges.

11 2586. As a result of her exposure to the 2023 discharges from the refinery, Spencer was
12 physically harmed, including developing and/or worsening symptoms of coughing, itchy eyes skin
13 irritation, sinus pressure and pain, headaches, and sore throat that were directly caused by the
14 reoccurring discharges in 2023.

15 **72. Plaintiff Lashana Stareton.**

16 2587. At all times relevant to this action, Plaintiff Lashana Stareton was over the age of
17 18 and was a resident of California.

18 2588. Plaintiff Lashana Stareton was present in Martinez for work approximately 1/2 mile
19 from the refinery.

20 2589. Stareton was present in Martinez for work the July 11, 2023, release from the
21 refinery, and was exposed to the toxic discharge from the refinery.

22 2590. As a result of her exposure to the toxic discharges from the refinery on July 11,
23 2023, Stareton was physically harmed.

24 2591. Among other things, Stareton began experiencing illness and symptoms that were
25 directly caused by the toxic exposure within days after the release, including breathing difficulties,
26 chest pain, dizziness, vertigo, sore throat, coughing, headaches, sinus pain, pressure, fatigue,
27 difficulty sleeping, and body aches.

1 2592. Stareton was also present in Martinez for work for the October 2023 and December
2 2023 releases.

3 2593. In each instance, she was exposed to toxins from the refinery's discharges.

4 2594. Additional developing and/or worsening symptoms of shortness of breath, tightness
5 in chest, coughing, wheezing, and headaches were directly caused by the reoccurring discharges in
6 2023.

7 2595. Additionally, the health effects on Stareton from the discharges have caused her to
8 suffer lost wages, income, and/or business opportunities.

9 **73. Plaintiff Richard Steggs.**

10 2596. At all times relevant to this action, Plaintiff Richard Steggs was over the age of 18
11 and was a resident of California.

12 2597. Plaintiff Richard Steggs was present in Martinez and staying in Martinez
13 approximately 1/4 mile from the refinery.

14 2598. Steggs was present in Martinez and staying in Martinez for the November 24 and
15 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

16 2599. Among other things, he had a powdery layer on his car.

17 2600. As a result of his exposure to the toxic discharges from the refinery on November
18 24 and 25, 2022, Steggs was physically harmed.

19 2601. Among other things, Steggs began experiencing illness and symptoms that were
20 directly caused by the toxic exposure within days after the release, including sore throat, coughing,
21 headaches, sinus pain, pressure, fatigue, congestion, body aches, and diarrhea.

22 2602. Steggs was also present in Martinez and staying in Martinez for the July 2023,
23 October 2023, and December 2023 releases.

24 2603. In each instance, he was exposed to toxins from the refinery's discharges.

25 2604. As a result of his exposure to the 2023 discharges from the refinery, Steggs was
26 physically harmed, including developing and/or worsening symptoms of difficulty breathing, sore
27 throat, coughing, irritated eyes, brain fog, and sinus pressure and pain that were directly caused by
28 the reoccurring discharges in 2023.

74. Plaintiff Geraldine Suelen.

2605. At all times relevant to this action, Plaintiff Geraldine Suelen was over the age of 18 and was a resident of California.

2606. Plaintiff Geraldine Suelen was present in Martinez for work approximately 1/4 mile from the refinery.

2607. Suelen was present in Martinez for work for the November 24 and 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

2608. Among other things, she recalls white ashes on her car and a weird smell.

2609. As a result of her exposure to the toxic discharges from the refinery on November 24 and 25, 2022, Suelen was physically harmed.

2610. Among other things, Suelen began experiencing illness and symptoms that were directly caused by the toxic exposure immediately after the release, including breathing difficulties, memory issues, brain fog, dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, rash, and hives.

2611. Suelen was also present in Martinez for work for the October 2023 and December 2023 releases.

2612. In each instance, she was exposed to toxins from the refinery's discharges.

2613. As a result of her exposure to the 2023 discharges from the refinery, Suelen was physically harmed, including developing and/or worsening symptoms of difficulty breathing, dizziness, coughing, headaches, and skin irritation that were directly caused by the reoccurring discharges in 2023.

2614. Additionally, the health effects on Suelen from the discharges have caused her to suffer lost wages, income, and/or business opportunities.

75. Plaintiff Bushra Toma.

2615. At all times relevant to this action, Plaintiff Bushra Toma was over the age of 18 and was a resident of California.

2616. Plaintiff Bushra Toma was present in Martinez for work approximately 2 miles from the refinery.

1 2617. Toma was present in Martinez for work on the July 11, 2023, release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 2618. Among other things, recalls seeing dust on her vehicle.

4 2619. As a result of her exposure to the toxic discharges from the refinery on July 11,
5 2023, Toma was physically harmed.

6 2620. Among other things, Toma began experiencing illness and symptoms that were
7 directly caused by the toxic exposure within days of the release, including breathing difficulties,
8 sore throat, coughing, and asthma flare-up.

9 2621. In this instance, she was exposed to toxins from the refinery's discharges.

10 2622. Additionally, the health effects on Toma from the discharges have caused her to
11 suffer lost wages, income, and/or business opportunities.

12 **76. Plaintiff Dechante Washington.**

13 2623. At all times relevant to this action, Plaintiff Dechante Washington was over the age
14 of 18 and was a resident of California.

15 2624. Plaintiff Dechante Washington was present in Martinez for work approximately 1/4
16 mile from the refinery.

17 2625. Washington was present in Martinez for work for the November 24 and 25, 2022
18 release from the refinery, and was exposed to the toxic discharge from the refinery.

19 2626. Washington was also present in Martinez for work for the July 2023, October 2023,
20 and December 2023 releases.

21 2627. In each instance, she was exposed to toxins from the refinery's discharges.

22 2628. As a result of her exposure to the toxic discharges from the refinery on July 11,
23 2023, Washington was physically harmed.

24 2629. Among other things, Washington began experiencing illness and symptoms that
25 were directly caused by the toxic exposure immediately after the release, including breathing
26 difficulties, chest pain, dizziness, vertigo, and congestion.

27 2630. Additional developing and/or worsening symptoms of sneezing, headaches,
28 difficulty breathing, and coughing were directly caused by the reoccurring discharges in 2023.

1 2631. Additionally, the health effects on Washington from the discharges have caused her
2 to suffer lost wages, income, and/or business opportunities.

3 **77. Plaintiff Garry Waters.**

4 2632. At all times relevant to this action, Plaintiff Garry Waters was over the age of 18
5 and was a resident of California.

6 2633. Plaintiff Garry Waters was present in Martinez while visiting Martinez
7 approximately 2 miles from the refinery.

8 2634. Waters was present in Martinez while visiting Martinez for the November 24 and
9 25, 2022 release from the refinery, and was exposed to the toxic discharge from the refinery.

10 2635. Among other things, he recalls the smell and dust particles.

11 2636. As a result of his exposure to the toxic discharges from the refinery on November
12 24 and 25, 2022, Waters was physically harmed.

13 2637. Among other things, Waters began experiencing illness and symptoms that were
14 directly caused by the toxic exposure within days after the release, including breathing difficulties,
15 sore throat, coughing, itchy, watery, burning eyes, headaches, sinus pain, pressure, congestion,
16 phlegm, and asthma flare-ups.

17 2638. Waters was also present in Martinez while visiting Martinez for the July 2023,
18 October 2023, and December 2023 releases.

19 2639. In each instance, he was exposed to toxins from the refinery's discharges.

20 2640. As a result of his exposure to the 2023 discharges from the refinery, Waters was
21 physically harmed, including developing and/or worsening symptoms of coughing, headaches,
22 congestion, and difficulty breathing that were directly caused by the reoccurring discharges in 2023.

23 **78. Plaintiff LeAne Watts.**

24 2641. At all times relevant to this action, Plaintiff LeAne Watts was over the age of 18 and
25 was a resident of California.

26 2642. Plaintiff LeAne Watts was present in Martinez for work approximately 1 1/2 miles
27 from the refinery.
28

1 2643. Watts was present in Martinez for work for the July 11, 2023, release from the
2 refinery, and was exposed to the toxic discharge from the refinery.

3 2644. As a result of her exposure to the toxic discharges from the refinery on July 11,
4 2023, Watts was physically harmed.

5 2645. Among other things, Watts began experiencing illness and symptoms that were
6 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
7 dizziness, vertigo, sore throat, coughing, nausea, vomiting, itchy, watery, burning eyes, and
8 headaches.

9 2646. Watts was also present in Martinez for work for the October 2023 releases.

10 2647. In each instance, she was exposed to toxins from the refinery's discharges.

11 2648. Additional developing and/or worsening symptoms of difficulty breathing, chest
12 pain, brain fog, headaches, coughing, fatigue, nausea, and sore throat were directly caused by the
13 reoccurring discharges in October 2023.

14 2649. Additionally, the health effects on Watts from the discharges have caused her to
15 suffer lost wages, income, and/or business opportunities.

16 **79. Plaintiff Micci Wynne.**

17 2650. At all times relevant to this action, Plaintiff Micci Wynne was over the age of 18
18 and was a resident of California.

19 2651. Plaintiff Micci Wynne was present in Martinez for work approximately 3/4 mile
20 from the refinery.

21 2652. Wynne was present in Martinez for work for the July 11 and 22, 2023 release from
22 the refinery, and was exposed to the toxic discharge from the refinery.

23 2653. Among other things, he recalls seeing dust coming down.

24 2654. As a result of his exposure to the toxic discharges from the refinery on July 11 and
25 22, 2023, Wynne was physically harmed.

26 2655. Among other things, Wynne began experiencing illness and symptoms that were
27 directly caused by the toxic exposure, including chest pain and difficulty breathing.
28

1 2656. Wynne was also present in Martinez for work for the October 2023 and December
2 2023 releases.

3 2657. In each instance, he was exposed to toxins from the refinery's discharges.

4 2658. As a result of his exposure to the 2023 discharges from the refinery, Wynne was
5 physically harmed, including developing and/or worsening symptoms headaches that were directly
6 caused by the reoccurring discharges in 2023.

7 **80. Plaintiff Matthew Zeiter.**

8 2659. At all times relevant to this action, Plaintiff Matthew Zeiter was over the age of 18
9 and was a resident of California.

10 2660. Plaintiff Matthew Zeiter was present in Martinez while visiting Martinez
11 approximately 2 miles from the refinery.

12 2661. Zeiter was present in Martinez while visiting Martinez for the July 11, 2023, release
13 from the refinery, and was exposed to the toxic discharge from the refinery.

14 2662. As a result of his exposure to the toxic discharges from the refinery on July 11, 2023,
15 Zeiter was physically harmed.

16 2663. Among other things, Zeiter began experiencing illness and symptoms that were
17 directly caused by the toxic exposure immediately after the release, including breathing difficulties,
18 chest pain, dizziness, vertigo, sore throat, coughing, itchy, watery, burning eyes, headaches, sinus
19 pain, pressure, fatigue, bloody nose, congestion, difficulty sleeping, body aches, phlegm, stomach
20 pain, heartburn, liver count elevated, and loss of balance.

21 2664. Zeiter was also present in Martinez while visiting Martinez for the October 2023
22 and December 2023 releases.

23 ///

24 ///

25 ///

1 2665. In each instance, he was exposed to toxins from the refinery's discharges.

2 2666. Additional developing and/or worsening symptoms of difficulty breathing, nausea,
3 and coughing were directly caused by the reoccurring discharges in 2023.

4 2667. Additionally, the health effects on Zeiter from the discharges have caused him to
5 suffer lost wages, income, and/or business opportunities.

6
7 Dated: November 22, 2024

Respectfully submitted,

8
9 Reza Torkzadeh, SBN 249550
Scott King, SBN 321218

10 **TORKLAW**

11 18650 MacArthur Blvd., Ste 300
Irvine, CA 92612

12 Telephone: (949) 313-7733

13 Facsimile: (800) 979-0262

E-mail: reza@torklaw.com

E-mail: scott@torklaw.com

14 *Attorneys for Plaintiffs*
15
16
17
18
19
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23
24
25
26
27
28

/s/ C. Brooks Cutter

C. Brooks Cutter, SBN 121407

Wesley M. Griffith, SBN 286390

Jennifer S. Domer, SBN 305822

CUTTER LAW P.C.

401 Watt Avenue

Sacramento, CA 95864

Telephone: (916) 290-9400

Facsimile: (916) 588-9330

E-mail: bcutter@cutterlaw.com

E-mail: wgriffith@cutterlaw.com

E-mail: jdomer@cutterlaw.com

EXHIBIT A

Independent Investigation of the Catalyst Release from Martinez Refining Company on November 24-25, 2022

Report prepared by
Scott Berger and Associates, LLC

Version 2
March 27, 2024

Table of Contents

I. Foreword.....	3
II. Executive Summary	4
III. Introduction	4
A. Objectives	4
B. Scope and Approach	4
C. Report Format.....	4
IV. Background.....	5
V. Description of the Incident	6
A. Prior to the Incident	6
B. Shut-down of the CCU	7
C. Establishing Catalyst Circulation	7
D. CCU Feed Reintroduction: November 24 Day Shift	8
E. Feed Reintroduction: November 24 Night Shift	9
VI. Facts.....	10
A. Sequence of Events	10
B. Causal Chain.....	11
C. Contributing Factors	15
VII. Root Causes, Contributing Causes, and Recommendations.....	16
VIII. Review of MRC's Investigation Report and Status of Action Plan.....	22
Appendix A: Scope of Work.....	27
Appendix B: Investigation Team Makeup.....	27
Appendix C: Discussion of Wet Gas Scrubbers vs. Electrostatic Precipitators Functionality During Process Startup Application in Fluid Catalytic Cracking Service.....	28
Appendix D: Glossary	29
Appendix E: Resolution of Oversight Committee Comments	33

I. Foreword

On the night of November 24-25, 2022, the Martinez Refining Company (MRC), which is part of the PBF Energy family of refineries, experienced an incident in which a large amount of catalyst from the Catalytic Cracking Unit (CCU) was released into the City of Martinez, California and surrounding areas. The Contra Costa [County] Health Hazards Materials Programs (CCHHMP) classified this incident as a Community Warning System (CWS) Level 2 or higher incident, which meets the definition of a Major Chemical Accident or Release (MCAR). This investigation was conducted as provided in the Contra Costa County Industrial Safety Ordinance (ISO).¹

Scott Berger and Associates, LLC was chosen by the MRC Oversight Committee to perform this independent investigation. This report describes the investigation results, including root causes, contributing causes, and human factors. The investigation followed the methodology described in *Guidelines for Investigating Process Safety Incidents*². In performing this investigation, the team relied on both eyewitness and expert testimony of MRC employees, along with documents and data provided by MRC, relevant technical references, and the investigators' experience in the field of process safety.

The investigators believe that the MRC employees interviewed gave true and accurate statements and honest opinions to the best of their abilities, and that employees felt free to provide their input without retribution.

The investigators have confidence that the root causes of the incident described in this report are accurate to the best of their knowledge and experience in engineering and process safety, and that the recommendations are appropriate.

¹ Contra Costa County. (2023). § 450-8.016. stationary source safety requirements., Chapter 450-8. risk management, division 450. hazardous materials and wastes, Title 4. health and safety, ordinance code, Contra Costa County. The State of California; Contra Costa County. http://www.contracostaco-ca.elaws.us/code/oc_title4_div450_ch450-8_sec450-8.016

² Center for Chemical Process Safety (CCPS), *Guidelines for Investigating Process Safety Incidents* (3rd ed.), AIChE/Wiley, (2019).

II. Executive Summary

Shortly after midnight on November 21, 2022, a safety system automatically shut down the MRC CCU due to the failure of control electronics of the Regenerator Air Blower. Repairs were made to the blower and the CCU was brought back online overnight on November 24-25. At about 20:30 on November 24, as the rate of uncracked hydrocarbon feed to the CCU was being returned to normal, the CCU catalyst regenerator vessel (Regenerator) overfilled with catalyst, resulting in a release of catalyst to the City of Martinez, California and surrounding areas. White catalyst powder was found covering horizontal surfaces on the ground and on resident's vehicles and trash cans, southwest, west, and northwest of the refinery. Based on the quantity released (> 20 tons) and the impact to the community, Contra Costa Health Hazardous Materials Programs (CCHHMP) staff identified this incident as a Community Warning System (CWS) Level 2 or higher incident.³ As a result, it was considered a Major Chemical Accident or Release (MCAR). Based on analysis of samples collected and community complaints, Contra Costa Health Hazards Materials Programs (CCHHMP) staff identified that this incident as a Community Warning System (CWS) Level 2 or higher incident

None of the catalyst fell in the refinery. Refinery personnel were unaware of the release while it was occurring, and only learned of the incident when neighbors reported it the next morning. As catalyst was being released, refinery personnel continued to incrementally increase the rate of feed to the CCU. The release stopped at about 04:00 on November 25, and the start-up was completed at about 06:15. Approximately 24 tons of airborne catalyst powder were released to the community. No injuries or damage to the CCU were experienced with this event. The root causes of this incident and recommendations for addressing them are presented in this report.

III. Introduction

A. Objectives

On behalf of the MRC Oversight Committee, CCHHMP hired Scott Berger and Associates, LLC (see Appendix B) to perform an independent root cause analysis incident investigation. This report describes the findings of that investigation and offers recommendations for improving plant operations in the future.

B. Scope and Approach

The scope of this report includes the timeline of events, and causal factors leading up to the release of catalyst. Work was conducted both on-site at the MRC and offsite, and included review of documents and operational data, personnel interviews, and detailed analysis. The reporting of this incident by MRC to Bay Area authorities was specifically excluded from this investigation. Additional details are provided in Appendix A.

C. Report Format

This report describes the process of "cracking" hydrocarbon molecules as the CCU was intended to be operated, the timeline of events leading up to the incident, the root causes, the contributing causes. It identifies gaps in the facility's Process Safety management system along with human factors that contributed to the incident, and offers recommendations to correct these gaps, along

³ See <https://cwsalerts.com/about-cws/frequently-asked-questions/>

with implementation priorities. This report also provides an evaluation of MRC's investigation report to CCHHMP. The appendices in this report summarize the scope of work, present the investigation team experience, and compare the use of wet gas scrubbers to electrostatic precipitators during process start-up of CCUs.

IV. Background

Figure 1 provides an overview of the Catalyst Cracking Unit (CCU) process, the primary focus of this incident. Connected processes mentioned in the figure include the CO Boilers (COBs), the Cracked Gas Plant (CGP), and the Flare Gas Recovery Unit.

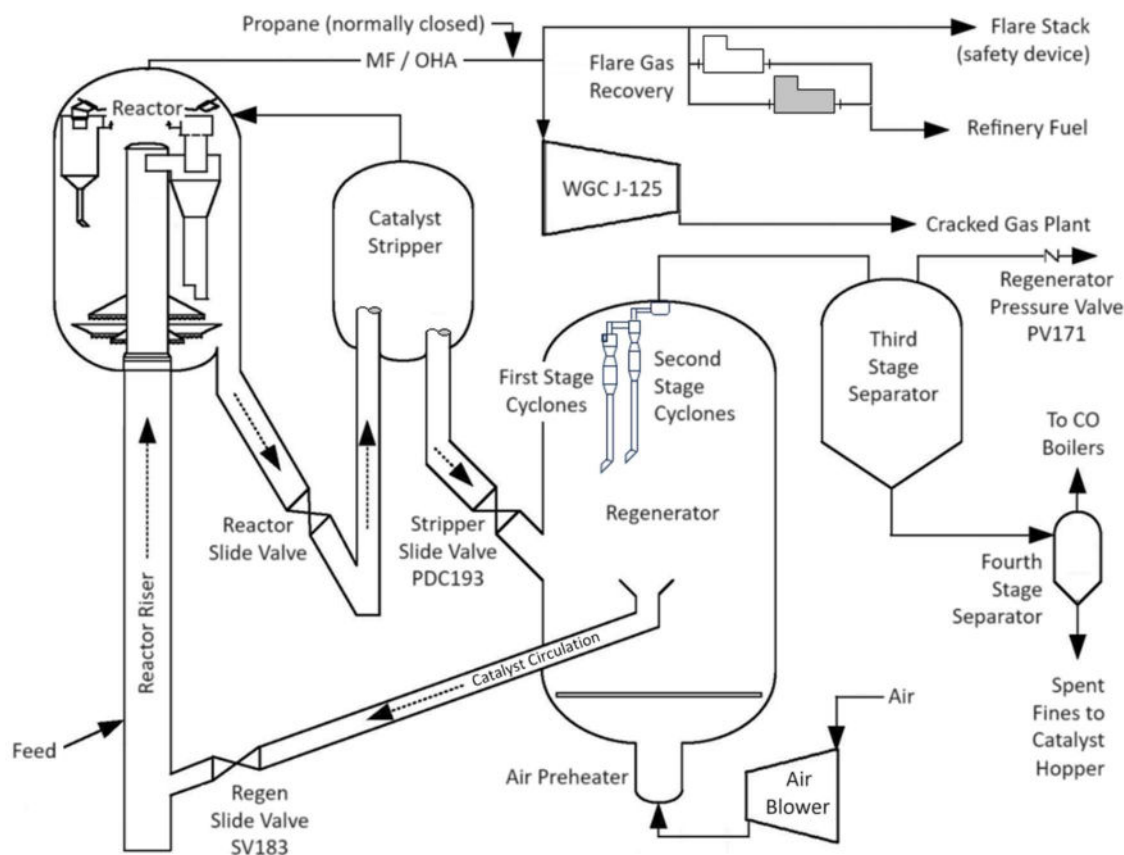


Figure 1: MRC's Catalytic Cracking Unit

Catalytic cracking was developed and commercialized circa 1940. This technology increases the yield of high-quality products by reducing, or "cracking," larger complex hydrocarbon (HC) molecules⁴ into lighter products. Larger HC oils are heated and pumped into the Reactor Riser (RR) where they contact nearly 1300 °F powdered catalyst. In the RR, the larger HC molecules are cracked into smaller molecules such as gasoline, butane, or propane. This reaction also deposits carbon on the catalyst.

⁴ See glossary entry for "Feed" for more details about hydrocarbon feed to the CCU.

At the top of the RR, cyclonic separators (cyclones) separate the now-spent catalyst from the HC vapor.

The cracked hydrocarbon vapor continues to the Main Fractionator (MF) where liquid products are separated, and the vapor further cooled before being collected in the Overhead Accumulator (OHA). Off-gas from the OHA flows to the Wet Gas Compressor (WGC) which compresses it for processing in the Cracked Gas Plant (CGP). The WGC also functions to regulate the OHA pressure. This in turn controls Reactor pressure and the pressure above the Stripper slide valve (Stripper SV or SSV).

The spent catalyst flows to the Catalyst Stripper, where steam is used to strip HC from the spent catalyst. The SSV maintains a level in the Catalyst Stripper, and then the catalyst flows through that valve, returning to the Regenerator.

The Air Blower provides combustion air to the Regenerator where carbon is burned off the catalyst. This also provides heat to maintain the desired temperature of catalyst flowing to the RR.

The catalyst in the Regenerator is fluidized by the upward flow of air and combustion gases. The catalyst is suspended in a dilute phase near the top of the Regenerator and in a dense phase below. The interface between dilute and dense phases constitutes the "catalyst level." The level indication is calculated from differential pressure (dP) between the bottom and top of the Regenerator.

Regenerator combustion gases (flue gas) entrain fine catalyst (fines). Most of these fines are removed as they pass through the First Stage Cyclones. The catalyst fines fall through the dip leg into the dense phase of the Regenerator. The small quantity of fines remaining in the flue gas continues to the Second Stage cyclones. These and the downstream, external, Third Stage Separator (TSS) and Fourth Stage Separator (FSS) work in a similar manner. Personnel periodically remove catalyst fines from the TSS and FSS for disposal.

If the Regenerator catalyst level is too low, the dip legs lose their seal, allowing catalyst from the dense phase to overload the TSS and FSS. Likewise, if the Regenerator catalyst level is too high, the dip legs become choked, also resulting in catalyst carry-over to the TSS, FSS, and beyond.

The Regenerator pressure is controlled by a pressure control valve, PV-171, routing flue gas to the COBs via the Flue Gas Expander Turbine. Flue gas from the FSS carries the small amount of remaining catalyst fines which are removed by the three (3) Electrostatic Precipitators (ESPs). Each ESP discharges its treated exhaust to atmosphere via an associated COB stack.

V. Description of the Incident

A. Prior to the Incident

In 2018, the then-owner of the facility, Shell Oil Products, conducted a process hazard analysis (PHA) of the CCU.⁵ Shell's PHA identified a potential process upset scenario involving high-high differential pressure (dP) in the Fourth Stage Separator (FSS) leading to a possible catalyst release. However, they classified the scenario as a consequence severity two (2) according to Shell's five (5) level consequence evaluation scale. Based on Shell's risk decision policy, it was determined that no additional mitigating measures were required.

⁵ See glossary entry PHA for more information.

In 2022, the current owner of the facility, PBF Energy, conducted a PHA of the Carbon Monoxide Boilers (COBs), a downstream process that receives flue gases from the FSS. That PHA identified a similar potential process upset scenario. Like Shell, MRC classified it as consequence severity two (2), with no additional mitigating measures needed.

As learned from the experience of this release, the consequences of these upset conditions should have been classified as a consequence severity three (3), based on the need to clean-up the released catalyst. If this had been recognized at the time of these PHAs, Shell's and MRC's risk management policies would have led them to implement additional measures to prevent this type of incident.

B. Shut-down of the CCU

At approximately 01:06 on November 21, 2022, an instrument failure within the CCU Air Blower (J-123) triggered a safety system that shut down the CCU and diverted CCU feed away from the Reactor Riser (RR). It also de-energized the Electrostatic Precipitators (ESPs)⁶ and performed other safety functions.⁷ Shortly after the ESPs were de-energized, the continuous opacity monitors on the COB stacks sounded an alarm indicating high opacity (a reading greater than 4 Ringelmann). It is important to note that while this represented an exceedance of the refinery's air permit condition, the high opacity condition is not the incident being investigated.

Following the CCU shutdown, the Wet Gas Compressor (WGC; J-125) continued to operate. As the quantity of wet gas grew smaller, the WGC total discharge flow control valve (5FC340; WGC spillback valve) automatically opened in an attempt to prevent compressor surge and potential damage to the WGC. Shortly thereafter, this valve was placed in Manual.

C. Establishing Catalyst Circulation

The Air Blower (the equipment that failed, causing the CCU to shut down) was repaired and restarted at around 10:40 on November 21. CCU feed can be reintroduced only after establishing stable catalyst circulation. Before starting catalyst circulation, the Regenerator bed must first be heated with hot air to about 1000 °F. However, the next step, igniting the gas-fired Air Preheater (F-65) was initially unsuccessful. As cooler air flowed through the Regenerator, the catalyst bed temperature continued to drop.

Meanwhile, the WGC operation was unstable, operating at or near surge conditions.⁸ At around 11:30 on November 21, personnel opened valves to route propane from storage to the WGC via the Main Fractionator (MF) Overhead Accumulator (OHA). This stabilized WGC operation. Propane continued to flow, gradually reducing refinery propane inventory. Propane flow would not be stopped until much later.

⁶ The final stage of cleaning CCU flue gases to remove remaining catalyst fines.

⁷ See process diagram in Figure 1.

⁸ Like all compressors, the Wet Gas Compressor is designed to handle gases with a set range of physical properties. Operating outside this range can damage the compressor, in some cases causing catastrophic failure. Surge is one such condition. It occurs when the molecular weight and density of the gas is too low. In the WGC, the gas being pumped can flow backwards around the turbine blades in an oscillating manner. In severe cases the oscillation can result in severe equipment damage and loss of process containment.

Troubleshooting and repair of the Air Preheater ignitor involved a Production Specialist who had expertise in CCU operation and systems, as well as a deep commitment to the success of the refinery. From the time this Specialist began working on the ignitor until after the incident, this individual followed a pattern of working 22–25 hours, resting at home for a few hours, and then returning to work another similarly long period. This individual served in a key decision-making role during this period.

The Air Preheater ignitor was repaired, and the pre-heater burner was ignited at about 09:00 November 22. Heating the Regenerator bed and establishing catalyst circulation continued until about noon on November 24.

D. CCU Feed Reintroduction: November 24 Day Shift

A step in the startup procedure prior to re-introducing feed to the Reactor Riser (RR) involved placing the Stripper Slide Valve (SSV) in Auto (although it did not explain why). Per the procedure, personnel put the SSV into automatic control mode (Auto) at 04:45 on November 24. Then at 06:29 on the day shift, personnel reverted the SSV to manual control mode (Manual)⁹ to address a transient condition that occurred while establishing stable catalyst circulation. After the transient condition was resolved around 07:30, the SSV should have been returned to Auto, but this was not done. Nonetheless, feed reintroduction began shortly after noon on November 24 with the SSV in Manual. The SSV remained in Manual until well into the night shift.

Around the time that feed reintroduction began, the refinery inventory of propane had dropped to a level at which Refinery Logistics was required by refinery policy C(A)-20 to notify operating units of impending low propane inventory. Following this policy, Logistics and CCU personnel evaluated the rate of propane consumption compared to the minimum required inventory. Personnel considered that as feed increases, the CCU would start to make propane and heavier hydrocarbons and ultimately relieve the need for propane to the WGC. Therefore, they decided to continue drawing propane at the same rate. As feed was slowly increased, personnel manually cut back on propane to the OHA, and simultaneously worked the WGC spillback valve closed in Manual. The WGC spillback valve was placed in Auto at 23:10 on November 24. Monitoring and managing the propane inventory and flow to the OHA required additional operator attention.

With the initial reintroduction of feed, a pressure surge occurred. Because the WGC spillback valve was in Manual, it did not automatically respond to the increased pressure. The brief pressure rise automatically opened a pressure control valve from the OHA to the flare system. Normally, two compressors in the flare system would redirect the released gases to a location in the refinery where those gases could be recovered. However, one of the two compressors was down for maintenance, so a portion of those gases were briefly released to the flare. This was the second flaring event experienced by the day shift. The Cracked Gas Plant (CGP), the unit that receives cracked products from the CCU and shares a control console with the CCU, was also opened to flare earlier that day.

⁹ When starting up a process unit, changing conditions can require personnel to temporarily take manual control (Manual) from time-to-time, because automatic controls (Auto) are tuned preferentially to operate under normal reaction conditions.

E. Feed Reintroduction: November 24 Night Shift

Normally, the feed reintroduction procedure would be conducted by two Console Operators, one focused on operating the Compressed Gas Plant (CGP) while the other focused on the CCU. However, on the night shift, the fatigued Production Specialist took charge of some of the CGP and CCU console operations. This changed the dynamics and situational awareness of operating the CCU console.

When the night shift personnel started their shift at 18:00 on November 24, they found the SSV still in Manual. This reinforced to them a preconception that this valve was sticky and balky. Among the personnel working that evening, there was a general belief that the SSV could be given a series of small manual input changes to valve position without a response, and then the valve would move suddenly, potentially more than desired. The SSV remained in Manual until 23:25.

Between 19:10 and 20:20 on November 24, the SSV remained at 37.0% open. During this period, the dP across the SSV increased from 2.9 to 5.9 psi, significantly increasing the rate of catalyst flowing from the Stripper to the Regenerator. As a result, by 20:07 the Regenerator Catalyst Bed level rose steadily from about 30 feet to above the critical high alarm level of 34 feet, where it remained until 20:57. The high catalyst level overwhelmed the first and second stage cyclones, sending a much higher than normal load of catalyst fines to the third stage separator (TSS) and fourth stage separator (FSS). The FSS high dP alarm sounded at 20:32, and the high-high alarm sounded at 20:34, indicating that the FSS was too full with catalyst.

Other than for a ten-minute period after midnight around 02:45, the FSS remained at high-high dP until shortly after 04:00 on November 25. During this period, catalyst passed on to the CO Boilers (COBs), from there to the ESPs (that were de-energized¹⁰), and then out the stack.

It is clear that the rate of release of the catalyst was highest from about 20:32 until at least 20:56 when the Regenerator Catalyst Bed dropped below the critical high alarm level. It is not known at what time the First and Second Stage Cyclones returned to full function. A doorbell camera of a person living near the refinery captured catalyst falling from about 20:40 until about 23:30. Because the FSS remained in high-high dP alarm (and therefore was impaired) until shortly after 04:00 on November 25, the release of catalyst could be expected to have continued until then, albeit at a rate too low to have been detected by the camera. It is expected that the rate of catalyst emission returned to the high opacity condition that existed before the incident. As discussed above, the high opacity condition is not considered part of this incident.

The WGC spillback valve was placed in Auto at 23:10 on November 24 and the SSV was placed in Auto at 23:26. Full feed rate to the RR operation was reached at approximately 06:15 on November 25, and the ESPs were re-energized shortly afterward.

¹⁰ The release rate was well in excess of the capacity of the ESPs. Had they been energized, the quantity of catalyst released would have been only somewhat less.

VI. Facts

A. Sequence of Events

Table 1 describes the timeline and sequence of events for the catalyst release incident as described in Section V. The key events, shown in **bold**, are discussed further below.

Table 1: Sequence of Events

Day	Time (Approx.)	Event
2018, 2022		Related scenarios considered in PHAs. Conclusion: no action required
November 21	01:06	Air Blower Vane Controller tripped; feed diversion; ESP tripped, shut down
	Morning	Air Blower Controller repairs began and blower restarted
	All day	Air Preheater (F-65) Ignitor problems
	11:01	WGC Spillback valve placed in Manual
November 22	09:00	Air Preheater burner ignited
November 24 Day Shift	01:20	Catalyst circulation established
	04:45	Stripper SV partially opened to start catalyst circulation
		Stripper Bed level controller (SSV) placed in Auto mode
	06:29	Stripper SV placed in Manual mode
	07:30	Condition requiring Stripper SV to be placed in Manual resolved, but Stripper SV not returned to Auto
	08:00	Delay, Debutanizer bottoms, Cracked Gas Plant (CGP) pressure
	12:15	Torch oil increased to raise catalyst bed temp to 1100 °F
		Gasoline column depressurizing valve was still open to flare (CGP)
	12:42	Opened one feed nozzle to RR about 25%
		MF OHA PC to flare (in Auto) opens 1-2 minutes with initial introduction of feed
		Approximately six incremental feed rate increases over 8-1/2 hours
	Soon after	Decision that additional flaring was off-limits
	12:50	Open remaining RR feed nozzles to 25%
	13:00	Apparent time of propane inventory alert
	Soon after	Decision to not increase rate at which propane was being drawn
November 24 Night Shift	20:00-20:30	Regenerator bed high-high level
	20:02	RR outlet temp dropped from 950 °F to 900 °F over five minutes; sour water to the riser cut from 24 to 9 GPM; presumed decrease in wet gas production
	20:03	Apparent feed change event continuing until 20:08
	20:12	FSS dP dropped (catalyst dumped)
	20:26	FSS dP increased rapidly (20 minutes)
	20:30	Fourth Stage Separator (FSS) high-high dP, release began
	23:00	WGC spillback flow control valve placed in Auto (already closed at this point)
		Place WGC J-125 Recycle Gas flow controller 5FC-364 valve CV-364 in Auto
	23:30	SSV placed in Auto; FSS level begins to drop
		Regenerator Air Blower rate adjusted
November 25		FSS remained at high-high dP three hours, release continued
	02:45 - 03:00	FSS apparently emptied twice
	03:00 - 04:00	High-high FSS dP (again)
	04:00 - 04:15	FSS dP returned to normal, catalyst release apparently ended
	06:15	CCU began operating stably at full rate; ESP re-energized

B. Causal Chain

The causal tree for this incident is shown below (Figure 2). The key links in the causal chain are described in this section.

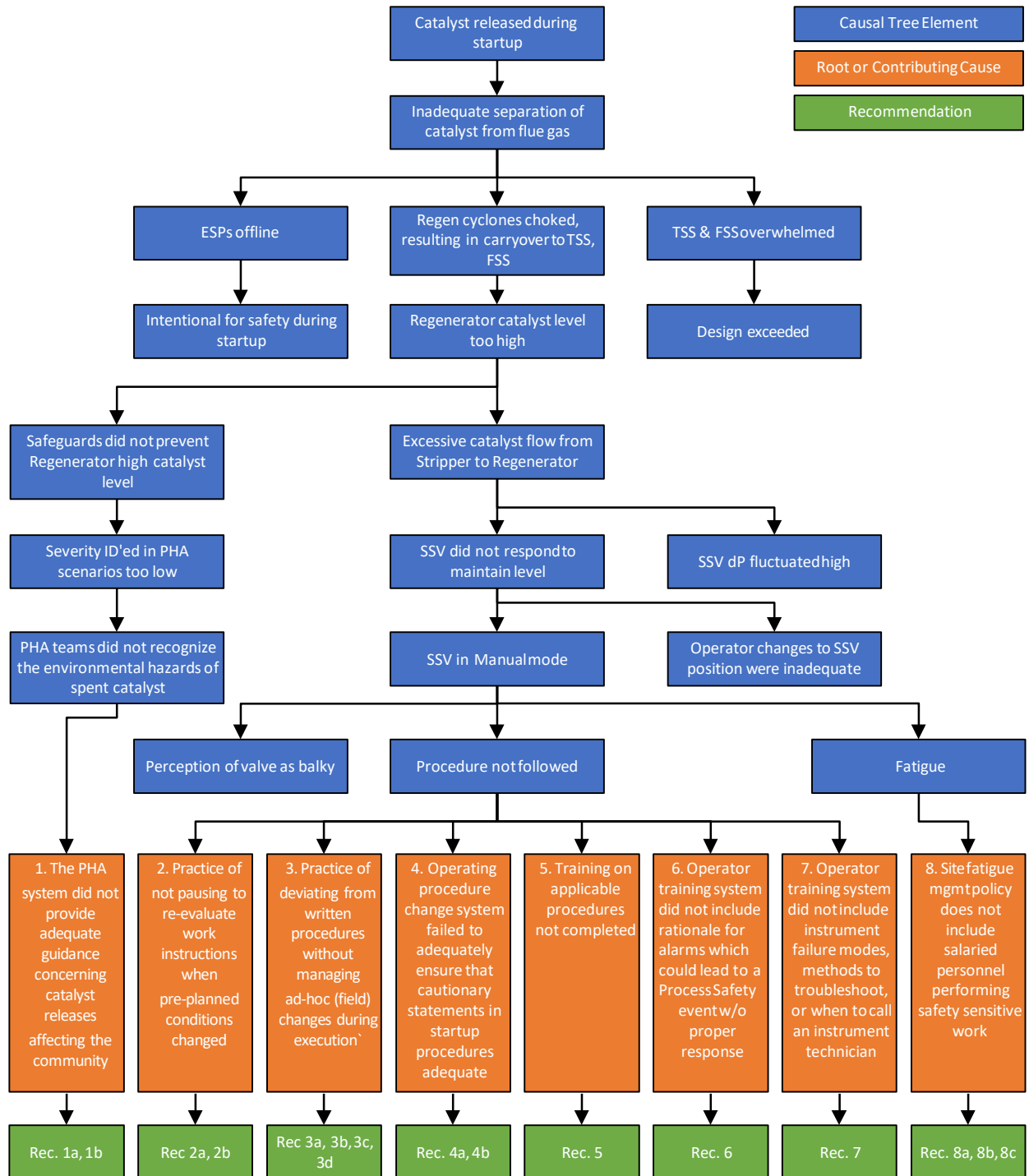


Figure 2: Causal tree of November 24-25, 2022, Catalyst Release Incident

Evaluation of PHA scenarios as “No Action Required”: Long before this incident, two separate process hazards analyses (PHAs) had been conducted. Each considered causes that could lead to catalyst carryover: the Shell Oil Products CCU PHA in 2018, and the MRC/PBF CO Boilers PHA in 2022. Each PHA team identified scenarios with a potential for a severity two (2) environmental consequence (meaning, minor or no lasting environmental effect, a quantity of release requiring agency notification, or short duration remediation). After evaluating the 2022 catalyst release, CCHHMP determined that the event was a Community Warning System (CWS) Level 2 or higher MCAR due to the need to clean up the released catalyst. The Shell and MRC/PBF systems assign a consequence category of 3 if environmental cleanup is required.

Stripper SV not in Auto for feed re-introduction: Operating procedures call for the Stripper SV to be placed in Auto before introduction of feed. Additionally, an Engineer had earlier advised personnel not to put the feed in until the SSV was in Auto, not to introduce feed unless the valve could be run in Auto, and if it couldn't be managed then to call out an Instrument Tech. The valve was placed in Auto at 04:45 on November 24 while catalyst circulation was being established. However, at 06:29, together with a procedural step to adjust Regenerator and OHA pressures for correct dP's across the SV's, the Stripper SV was placed in Manual. Process data shows that the condition requiring the Stripper SV to be placed in Manual was resolved by 07:30, at which point it should have been placed back in Auto. However, the SSV remained in Manual until 23:25, well after the release began. Instead of operating in Auto per procedure, personnel manually adjusted the SSV position in response to process conditions.

According to the same Engineer, if the SSV had been in Auto mode according to the procedure, there may have been a brief period in which catalyst circulation stalled, but the regenerator level would not have gone high, and therefore the release would not have occurred.

Practice of accepting excessive deviation from procedures: In discussions with MRC's operating and professional personnel, it was learned that the refinery broadly expects Operators to address process problems by using their training to operate the process however they feel necessary to achieve operational objectives. By contrast, good operating practices would define clear expectations on how the process should be operated and what transient changes could be made in the field. Any changes beyond those limits should be evaluated and approved at the appropriate level. MRC personnel investigating this incident focused on personnel operating the SSV too slowly, rather than on the fact that they did not follow either the procedure or the verbal feedback about operating in Auto that were given prior to feed re-introduction.

Procedures exist to drive consistency in performance and to identify the safest way to operate. Therefore, if automatic controls are specified, it is because that is the safest way to operate. Automatic controls are not perfect, though. Sometimes personnel must take manual control. For example, if automatic controls are overreacting or reacting too slowly, manual control would be used to correct the situation. Once the situation is corrected, personnel need to restore automatic control as soon as possible. Or, if the problem with automatic control is more serious, personnel need to bring in an Instrument Technician or Engineer to troubleshoot and correct the problem. And if the procedure needs to be changed during execution, there is a process by which the proposed

“redlined” changes are analyzed and approved by the Process Engineer and possibly others. During this incident, none of these actions occurred.

It’s worth noting that the reason for operating the SSV in Auto was not given in the feed reintroduction procedure (CCU-1110), nor in the CCU Unit Console Operator Task Training Workbook Rev. 1. Lacking a specific written basis regarding the rationale for needing the SSV in Auto prior to the introduction of feed, and with a “tribal belief” that the SSV was unreliable (“sticky and balky”), the valve was not returned to Auto prior to the introduction of feed to the RR. It is not known how personnel came to view the SSV as sticky and balky, even though instrument data indicate that it worked adequately. This view was broadly held.

The failure to ensure the SSV was in Auto before introducing feed is a deviation from procedures that had a direct causal link to the incident. Several other deviations from procedures (discussed in section VI.C) served as distractions to personnel and therefore contributed to the incident.

Inadequate training of personnel: MRC policy requires that prior to executing infrequently used procedures, personnel must receive “just-in-time training,” as specified in a note in the CCU Console operator training workbook¹¹. This training is needed to familiarize operators with the challenges they are likely to encounter while executing the procedures and how to respond if those challenges should arise.

Since the publication of version 1.2 of this report, MRC has stated that training on this procedure is included in the refresher training that is conducted every three years (i.e., not “just-in-time” as specified in the training manual). At the time of the catalyst release, the CCU Console was being operated by the Production Specialist and a Shift Supervisor. While the Specialist certainly had deep knowledge of all aspects of CCU operation, that individual did not routinely run the CCU and a corresponding refresher training record for that person was not provided to inform this investigation. The Shift Supervisor became qualified as a CCU console operator in 2018 but subsequently was promoted to Shift Team Leader. That individual’s training records were quite extensive but did not document either Just-in Time training or CCU console operator refresher training in the past three years.

Excessive work hours for key personnel: For each refinery unit, MRC recognizes key personnel as Specialists due to their experience and deep knowledge. These individuals are highly respected by other refinery personnel and management. Specialists believed that they had to be “superheroes,” coming to the rescue to resolve any difficulty that arose in their units.

¹¹ *“Just-In-Time” Training: Any procedure that is used infrequently (would not be expected to be used at least once a year) will be trained “just-in-time.” Just-in-time training is usually associated with operating procedures that are used for special events like normal startups & normal shutdowns for scheduled turnarounds, temporary operations, non-routine tasks, non-routine maintenance events, project work, etc. Just-in-time training would only be required for those individuals that would be involved in the execution of the procedure. Any operator using a procedure that requires just-in-time training will be trained to a Skill Level (as described above) to assure the operator 1) understands their responsibilities with the procedure and 2) can safely execute the procedure as written prior to starting the procedure activities.*

When the initial Air Blower trip occurred, a CCU production specialist began working extremely long hours. Each day, the specialist worked 22–25 hours straight, went home for a short rest, then worked another 22–25 hours, repeating this pattern until the CCU reintroduction of feed process was complete. The specialist's excessive hours in performing the safety-sensitive work would have been against refinery fatigue policy G(A)-34¹², but it applied only to hourly personnel. Additionally, the policy focuses more on equalizing overtime than on fatigue management.

On the night shift of November 24, this individual decided to work the control board alongside the two personnel required to perform the feed reintroduction procedure. Including an additional person as a console operator blurred console responsibilities, contributing to the temporarily overlooked FSS high-high dP alarm. The Production Specialist operated the controls for the WGC, leaving the rest of the CCU to another individual. The Production Specialist directed this other Operator to avoid flaring and not ask for additional propane for the WGC. The Specialist also reinforced that the SSV should be kept in Manual and moved in small increments. Later, when the Operator realized that they had missed the FSS high-high dP alarm, the Specialist told them they hadn't missed it, when they clearly had.¹³

The excessive work hours of this individual between November 21 and 24 was not unique to this individual. In discussing this situation with a MRC representative, it was disclosed that after the catalyst release incident, refinery leadership intervened to prevent another refinery specialist from working excessive hours. As described by this representative, this second specialist was reported to have taken this intervention as a criticism.

There are several reasons why the Production Specialist may have deviated so far from operating procedure and didn't heed the Engineer's advice to keep the SSV in Auto and contact the instrument technician if it could not be run that way. Fatigue played a role in these decisions. That fatigue resulted from the specialist's perception of needing to personally be involved in resolving every difficulty. In addition to fatigue, the Production Specialist was faced with multiple distractions due to the concurrent operational changes. Meanwhile, although they were tasked with performing complex, non-routine start-up procedures, neither was a regular Console Operator. And finally, there are no records that the Specialist (or the other Console Operators) completed the required just-in-time training. It would be appropriate, in the face of these factors, to have paused reintroduction of

¹² The Refinery Scheduling and Hours of Service Limits Policy G(A)-34 (referred to here as the fatigue policy), places strict limits on working more than 14 hours consecutively and limits unavoidable workdays longer than 18 hours. The fatigue policy is informed by Recommended Practice (RP) 755, published by the American Petroleum Institute (API) to help companies avoid having workers whose abilities and judgements are compromised by fatigue. However, API RP 755 specifically prohibits greater than 18 consecutive work hours, while MRC's G(A)-34 does not.

¹³ Note that when an alarm sounds, the console operator can silence the alarm. The alarm notification remains on the alarm screen until the alarm condition is corrected. The alarm will not sound again unless the condition is corrected and then re-occurs.

the feed. The implementation of the refinery stop-work authority policy (or other policy that would address such a situation)¹⁴ did not consider difficulties in running the process in the way intended.

C. Contributing Factors

Distractions: Four deviations from procedures occurred that, although not strictly causes of the catalyst release, occupied personnel's attention, slowing or delaying the manual adjustments to SSV position needed to prevent the release.

- *Operating the WGC spillback valve in manual:* Evaluation has shown that the WGC should have been run in Auto mode, requiring less attention from personnel. The procedure called for the WGC to be run in Auto from the beginning of feed reintroduction. However, this didn't happen until approximately 23:00, 2.5 hours into the catalyst release. It appears that the decision to remain in Manual mode was influenced, at least in part, by the call from Refinery Logistics regarding low propane inventory. That call, in turn, was premature in view of the slow and decreasing consumption of propane by the WGC.
- *Decision that flaring was off-limits:* The flare system is a critical safety system for relieving excessive pressure excursions in the Reactor and MF systems. No Operator wants to rely solely on the activation of a critical safety system to prevent an incident. This is especially true when that critical safety system is a flare (a release of gas) that irks members of the local community. However, operating the controls with the specific aim of avoiding flaring is contrary to procedures and is an added distraction to personnel.
- *Sticky Regenerator Slide Valve:* While this valve rarely needed to be moved, it required periodic adjustment during start-up, and would sometimes stick, requiring operator attention.
- *Coordination with the CGP and MF start-up:* These units tied to the CCU were experiencing additional operational difficulties.

Engineering design: Two engineering designs common to other refinery's CCUs may have helped MRC avoid the incident:

- *Cascade control of the Reactor/Regenerator dP to the Regenerator Pressure Controller:* In MRC's CCU, operators manage this dP by changing the Regenerator pressure setpoint. In similar refineries, the Regenerator pressure control valve setpoint is determined in Cascade¹⁵ from the Reactor/Regenerator dP indication, helping to more consistently control the SSV dP. In 2018, then-owner Shell had planned to implement this control system upgrade during the CCU turnaround, but ultimately decided not to do so.
- *Direct measurement and control of Reactor feed rate during feed reintroduction:* MRC measures the feed rate to the reactor with a flow meter and controller located upstream of the point of feed diversion. As a result, as feed begins to be introduced, an unknown fraction of the measured flow rate goes to the Reactor, while the rest remains diverted. Without a measurement of flow rate

¹⁴ Feedback received from MRC following report version 1.2 indicates that this scenario would have been covered by a different policy than their Stop Work Policy. Nonetheless, it would have been appropriate to stop/pause work at this time, and that policy, or implementation thereof, did not lead to that decision.

¹⁵ Cascading is a control scheme in which the setpoint for an automatic control is derived from another process variable. As that process variable changes, the controller setpoint automatically adjusts.

during feed reintroduction, it is possible for a larger than intended increment of feed to be introduced. Indirect evidence indicates this may have happened in the 20:00–20:30 time frame, providing personnel with an added challenge in controlling dP and Regenerator level. This was not a causal factor for the catalyst release, however, because if the SSV had been in Auto, it would have responded adequately.

The Holiday: November 24, 2022, was Thanksgiving. While MRC personnel stated that holidays were like any other operating day, this was clearly not the case. Instead of console operators, a Shift Supervisor and a Production Specialist were operating the CCU. MRC personnel denied that personnel were reluctant to call an Instrument Technician or Process Engineer for support when the incident started because of the holiday, but such reluctance would be understandable.

VII. Root Causes, Contributing Causes, and Recommendations

This section summarizes the root causes and contributing causes of the incident and the supporting evidence for these classifications. It also puts forward recommendations regarding safer operations in the future and the priority for addressing these recommendations.

Root and contributing causes are identified in four categories, pertaining to the Process Safety management system (MS), to Engineering Design (ED), or to human factors (HF). Table 2 lists the root causes of the incident along with recommendations for MRC. Table 3 lists the contributing causes, also with recommendations for MRC. Additional recommendations for MRC and for CCHMD follow the tables.

A priority is suggested for each recommendation, as follows:

- Short term (ST): A recommendation that should be addressed as soon as possible
- Routine (R): A short term recommendation that should be repeated regularly so that the refinery continues to follow the recommendation over time.
- Long range (LR): A recommendation in which work should be started in the short term but can be expected to take time to implement across the refinery
- Next Turnaround (NT): A recommendation which should be addressed as part of the next CCU unit turnaround.

Table 2: Root Causes and Recommendations for MRC

#	Type ¹⁶	Root Cause	Evidence	Recommendations	Priority ¹⁷
1	MS	The PHA system did not provide adequate guidance concerning how catalyst releases affect the community.	PHA scenarios evaluated in the 2018 CCU PHA and the 2022 COB PHA related to this incident were classified as consequence severity two (2), rather than consequence severity three (3); as a result, additional mitigation measures were not recommended.	a. Clarify scenario consequence assessment guidance in corporate risk assessment policy to provide more accurate guidance regarding environmental consequences of catalyst releases.	ST
				b. Review relevant refinery PHAs for similar scenarios where environmental consequences of PHA scenarios may be underestimated.	ST
2	MS	MRC's policies/programs did not lead workers to pause to re-evaluate work instructions when pre-planned conditions changed (lack of situational awareness, gap(s) in Stop Work or other appropriate policy/program did not address).	MRC proceeded with non-normal startup: • on a holiday • with technical personnel who are not normally console operators • some of whom didn't complete required just-in-time training • while operating multiple dynamic process conditions in manual control • with multiple operational challenges and while executing a complex, non-routine procedure • with highly fatigued key personnel • while addressing other distracting and challenging factors	a. Add consideration of situational factors to Pre-startup Safety Review/Prepare to Operate instructions in refinery start-up procedures.	ST, R
				b. Update stop-work policy/program or other appropriate policy/program and associated training to include evaluation of complex situations in non-routine work.	ST, R

¹⁶ ED = Engineering Design, MS = Management System¹⁷ LR = Long range effort which should start soon but can be expected to continue, NT = Next Turnaround, R = Routine, ST = Short Term

Table 2 (Continued): Root Causes and Recommendations for MRC

#	Type ¹⁸	Root Cause	Evidence	Recommendations	Priority ¹⁹
3	MS	A practice existed of deviating from written procedures without managing ad-hoc changes (i.e., making “redline” field changes which include review and approvals).	• MRC’s MCAR investigation focused on adequate control of SSV in Manual, instead of why SSV was operated in Manual when the procedure and training said it should be in Auto. • Procedure also was not followed for WGC control and feed reintroduction.	a. Review and revise the site procedure for managing operating procedure changes made during procedure execution (i.e., “field changes”) as needed to ensure that the means for ‘redlining’ changes, ad-hoc review, approvals, and training for subsequent shifts are addressed.	ST
				b. Affected personnel are educated as needed for compliance.	
				c. That the system provides prompt review and revision of executed procedures to incorporate approved changes.	
				d. That the system includes metrics which provide management oversight of adherence to written procedures.	
4	MS	The operating procedure development and change system failed to adequately ensure that cautionary statements in the startup procedure were adequate.	The operating procedure to Startup from Unplanned Feed Outages (CCU-1110) did not address the rationale and importance of operating the SSV in Auto during feed introduction to prevent high regenerator catalyst level.	a. In the operating procedure development and change system, review criteria for the use of cautionary statements prior to critical procedural steps. Revise the procedure review checklist to confirm that cautionary statements are included when appropriate.	ST
				b. Update operating procedure CCU-1110 to include a caution statement explaining the rationale for ensuring that the SSV is in Auto mode when feed is introduced to the RR.	ST

¹⁸ ED = Engineering Design, MS = Management System¹⁹ LR = Long range effort which should start soon but can be expected to continue, NT = Next Turnaround, R = Routine, ST = Short Term

Table 2 (Continued): Root Causes and Recommendations for MRC

#	Type ²⁰	Root Cause	Evidence	Recommendations	Priority ²¹
5	MS	Gaps in training program: Either the training program did not ensure that just-in-time training was being completed as prescribed, or gaps in CCU console operator refresher training.	- There is no record to document completion of just-in-time training on an infrequently used procedure (CCU-1110) by personnel involved with performing the procedure. - There is no record of 3-year refresher training for individuals running the CCU on the 11/24 night shift	a. As appropriate, modify the training management system to ensure that “just-in-time” training for this and other relevant procedures is conducted (per the CCU Unit Console Operator Task Training Workbook and other refinery task training workbooks,) or to ensure that 3-year refresher training is provided to all personnel who will operate relevant processes. b. Correct or clarify the text referring to Just-in-Time training in the CCU Console Operator Training Manual, if appropriate.	ST
6	MS	The operator training system did not include rationale for process alarms which could lead to a process safety event without proper operator response.	- The CCU Console Operator Task Training Workbook did not address the following: - The rationale and importance of maintaining the regenerator catalyst bed level below 30 feet - The rationale and importance for the high-high dP alarm on the FSS, particularly when the ESPs are de-energized. - Personnel involved in starting up the CCU did not recognize the potential catalyst release as serious; thus, they were merely dealing with the symptom of high-high dP on FSS.	Develop or update the criteria for operator training and conduct a review of materials to ensure that the basis for each alarm involved as a safeguard in process PHA scenarios is included in the training materials.	LR

²⁰ ED = Engineering Design, MS = Management System²¹ LR = Long range effort which should start soon but can be expected to continue, NT = Next Turnaround, R = Routine, ST = Short Term

Table 2 (Continued): Root Causes and Recommendations for MRC

#	Type ²²	Root Cause	Evidence	Recommendations	Priority ²³
7	MS	The operator training system did not include the information needed to understand how instruments fail, simple troubleshooting methods, and when to call an instrument technician.	Personnel involved in starting up the CCU incorrectly believed the SSV (and other instruments) to be sticky and balky yet did not call out an instrument technician to resolve the balky valve.	Standardize the approach for response to malfunctioning instrumentation and educate affected operations personnel. Address basic types of instruments, how they malfunction, simple troubleshooting methods, instrument criticality, when to ask for instrument technician assistance. Include a reference to the MRC program for bypassing a safety device.	ST
8	MS	The site policy for managing fatigue does not include salaried personnel performing safety sensitive work.	- The intent of the fatigue policy is to “distribute overtime as equally and as reasonably practical among eligible employees while remaining in compliance with company and legal requirements limiting hours of service.” - The fatigue policy does not apply to non-hourly personnel, even for safety-sensitive work. - A non-hourly individual working the CCU console during startup worked significantly more than fatigue management requirements prescribed in the fatigue and scheduling policy. - The non-hourly individual's excessively long shifts continued unchallenged throughout the incident.	a. Modify the fatigue and scheduling policy to include both all hourly and all salaried personnel performing safety-sensitive activities.	ST
				b. Educate affected individuals who weren't previously covered by the policy.	ST
				c. Provide leadership oversight of fatigue policy, supported by relevant metrics.	ST

²² ED = Engineering Design, MS = Management System²³ LR = Long range effort which should start soon but can be expected to continue, NT = Next Turnaround, R = Routine, ST = Short Term

Table 3: Contributing Causes and Recommendations for MRC

#	Type ²⁴	Contributing Cause	Evidence	Recommendations	Priority ²⁵
1	ED	Personnel had difficulty managing the dP between the Reactor and the Regenerator during CCU startup.	This contributing cause is documented in operational data from startup performed in November 2022.	Consider upgrading the control scheme of Reactor/Regenerator dP to Cascade control of the Regenerator pressure setpoint.	NT
2	ED	Lack of flow indication of feed to the RR increased the difficulty of managing the WGC suction pressure / Reactor pressure / SSV dP.	This contributing cause is documented in operational data from startup performed in November 2022.	Consider adding a flow meter to inform operators of actual feed flow rate to the RR.	NT

²⁴ ED = Engineering Design, MS = Management System

²⁵ LR = Long range effort which should start soon but can be expected to continue, NT = Next Turnaround, R = Routine, ST = Short Term

Additional Recommendations to MRC

The system that MRC used to manage fatigue, Policy G(A)-34, did not specify how to monitor performance of a fatigued individual, or the means to ensure that performance was monitored. The exceedance form reviewed in this investigation merely indicated “Increased monitoring,” and there was no means of indicating that this was done. The following changes to this policy are recommended:

- Update Attachment B, *Critical Exceedance Form* for fatigue management, to clearly identify the nature of the exceedance.
- Specify in the policy specific management actions to be used monitor the performance of the fatigued individual to prevent mishap.
- Require documentation that the required management actions were conducted.

VIII. Review of MRC’s Investigation Report and Status of Action Plan

MRC delivered their investigation report to CCHHMP on February 3, 2023. In the report MRC, identified two root causes and one contributing factor, along with a Human Factors analysis, and presented eleven corrective actions. In this section the MRC report is reviewed, taking into account the information assembled through the independent investigation. MRC also included in their report an analysis of their incident reporting. MRC’s reporting of this incident was outside the scope of this independent investigation and therefore is not discussed here.

In general, this investigation found that MRC’s MCAR investigation did not identify root causes. That is, MRC did not identify the management system gaps or failures. While the corrective measures described by MRC were generally in the right areas, their failure to identify root causes resulted in proposed corrective measures that fell short of correcting the management system gaps.

MRC’s Root Cause 1²⁶: *As the Reactor pressure increased, the set point changes to Regenerator pressure control valve PV-171 were being made manually and did not effectively offset the increased Reactor pressure and the resulting flow of catalyst from the Reactor and Stripper into the Regenerator.*

Analysis: The result of this investigation shows that manual adjustment of control valve PV-171 may have been a contributing cause. If this valve’s control system had been designed according to common industry practice and operated in the appropriate mode, it would have helped prevent the incident.

MRC’s Root Cause 2: *As the Regenerator catalyst bed level increased, the changes to the position of the Stripper slide valve were being made manually and were insufficient to prevent the Regenerator catalyst bed level from continuing to increase.*

Analysis: This investigation found that the Stripper slide valve was supposed to have been placed in Automatic prior to the first reintroduction of feed. However, it remained in Manual in the time leading up to the incident and for several hours into it. If it had been operated in Automatic, the incident would not have occurred. Therefore, while it may have been possible for personnel to have made

²⁶ This and the other root causes, contributing causes, and human factors were excerpted from MRC’s MCAR report.

more aggressive changes to the valve position to control Regenerator catalyst bed level, the root cause was the deviation from the procedure by not operating the valve in Auto.

MRC's Contributing factor: *During the re-introduction of feed to the CCU, the Wet Gas Compressor (WGC) was near surge conditions and required the injection of propane into the Main Fractionator (MF) Overhead Accumulator to increase the molecular weight of the gas and prevent flaring. The MF overhead pressure, which ultimately controls the Reactor pressure, could not be reduced to help balance Reactor and Regenerator pressures because of low propane inventory in the refinery.*

Analysis: The result of this investigation showed that the propane situation may have been somewhat of a distraction to operating personnel.

MRC's Human Factor Analysis: *This analysis [MRC's's MCAR Report] revealed two (2) instances in which MRC personnel did not comply with refinery policy and procedure during the incident. First, there was a deviation from the refinery's Work Schedule Expectations for Staff (Exempt and Non-Exempt) policy regarding an individual who exceeded his hours limitation. Second, some End of Shift Reports were not properly completed pursuant to the refinery's Roles and Responsibilities SOSO procedure.*

However, it was concluded that these deviations do not appear to have directly contributed to the root causes of the incident because the individual who exceeded his hours limitation was not directly involved in the pressure and catalyst bed regulations discussed above.

Analysis: This investigation determined that one worker was so far in excess of hours-of-service requirements that it was almost inevitable that bad decisions would be made. This worker did not have direct control over the SSV but sat next to and was a significant influence on the worker operating those controls. This individual was in a role that was not covered by the refinery fatigue policy G(A)-34. As such, this investigation found root causes in the refinery's Work Schedule Expectations for Staff policy.

The absence of end of shift reports was confirmed in this investigation. While it does not appear to have been a root cause, the lack of reports hindered the investigation and represents a lack of operational discipline that may carry into other activities.

MRC's Corrective Action No. 1: *Based on the learnings from this incident, develop a control strategy for automating the differential pressure control between the Regenerator and Reactor during startup and feed re-introduction.*

Analysis: The control strategy envisioned by MRC for this scenario would bring MRC's CCU up to date with common industry practice. If the update control strategy from this corrective action had previously been implemented, it would have helped prevent this incident.

Status of MRC's Action: As of July 31, 2023, MRC had developed the strategy, and plans to implement it during the 2025 turnaround. It was also learned that this modification was planned by Shell for the 2018 turnaround but was deferred for economic reasons.

MRC's Corrective Action No. 2: *Based on the learnings from this incident, CCU Operator alarm actions for Regenerator/Reactor differential pressure and Regenerator catalyst bed level will be updated to provide additional alarms and response guidance to MRC personnel in the event of such alarms.*

Analysis: This investigation recommends providing additional response guidance for alarms, especially the FSS high-high dP alarm.

Status of MRC's Action: As of July 31, 2023, MRC stated that the response guidance for these alarms had been added to the console.

MRC's Corrective Action No. 3: *Based on the learnings from this incident, develop additional operator training on steps to take to address high Reactor/Regenerator differential pressure as well as high or low Regenerator catalyst bed level.*

Analysis: As described in section VI.B., this investigation found that MRC had a practice of deviating from procedures. MRC's Corrective Action No. 3 supports that finding. While this finding is necessary, it is more important to reinforce through training the importance of following procedures, the need to return controls to Auto after correcting process deviations in Manual, and the need to evaluate and approve redline changes to procedures.

Status of MRC's Action: As of July 31, 2023, MRC stated that the training materials were developed. As of November 13, 2023, training was in progress.

MRC Corrective Action No. 4: *Based on the learnings from this incident, modify Operating Procedure CCU-1110 and other relevant procedures to provide additional instructions on when to put the Stripper slide valve into level control to regulate the flow of catalyst to the Regenerator.*

Analysis: The procedure as it existed on November 24, 2022, did specify when to put the SSV into level control. It was learned in this investigation that Corrective Action No. 4. was intended to mean that additional explanation of the rationale for placing the SSV in Auto level control should be provided in the procedure. This is consistent with Root Cause 4 of this investigation, which also recommends a broader evaluation of procedures across the refinery to review, and if necessary, define criteria for when cautionary statements are required.

Status of MRC's Action: As of July 31, 2023, MRC stated that warnings were added to procedure CCU-1110, with the added requirement that if the SSV cannot be put in Auto, approval of either of two (2) supervisors was required to run in Manual.

MRC Corrective Action No. 5: *Based on the learnings from this incident, evaluate options to increase the molecular weight of wet gas sent to the WGC during CCU startup and feed re-introduction.*

Analysis: This is a worthwhile option to consider for various operational reasons. However, this investigation concluded that propane limitation did not affect WGC operation during this incident, other than through being an added distraction.

Status of MRC's Action: As of July 31, 2023, MRC stated that the inventory requirements of procedure C(A)-20 had been updated. As of November 13, 2023, a strategy for using butane as an alternative to propane was in the engineering evaluation stage.

MRC Corrective Action No. 6: *Based on the learnings from this incident, reiterate to MRC personnel the expectations and requirements to comply with the refinery's Work Schedule Expectations for Staff (Exempt and Non-Exempt) policy.*

Analysis: This investigation concluded that the refinery fatigue policy addressed only hourly workers, even though some salaried workers do perform safety-sensitive work, such as occurred in this incident. Root Cause 8 of this investigation provides deeper recommendations, one of which is covered in MRC Corrective Action No. 8.

Status of MRC's Action: As of July 31, 2023, MRC stated that the policy was updated. As of November 13, 2023, training was being implemented.

MRC Corrective Action No. 7: *Based on the learnings from this incident, reiterate to MRC personnel the expectations and requirements to complete End of Shift Reports and audit to ensure compliance with the refinery's Roles and Responsibilities SOSO [sic: Start of shift operations] procedure.*

Analysis: This certainly should have been happening, and the missing day shift report made this investigation more challenging. While the missing report did not appear to have a direct or indirect impact on this incident, it reflects a potential issue that should be addressed, for example by management tracking the metrics related to End of Shift Reports.

Status of MRC's Action: As of July 31, 2023, MRC stated that this had been reiterated to personnel and that a new required learning module on this topic had been implemented.

MRC Corrective Action No. 8: *Based on the learnings from this incident, develop additional tools to increase the effectiveness of oversight of staff employee work schedules and fatigue management.*

Analysis: This corrective action goes hand-in-hand with MRC Correction No. 6 and this investigation's Root Cause 8. Having better tools is helpful, but the tools must be routinely used by refinery leadership to manage compliance with the fatigue management policy.

Status of MRC's Action: As of July 31, 2023, MRC stated that the reporting tool had been implemented.

MRC Corrective Action No. 9: *Based on the learnings from this incident, add an indication of the CCU FSS pressure differential to the Utilities Console with the appropriate alarm and response guidance to MRC personnel to better assess the potential for release.*

Analysis: This would help increase awareness of a potential catalyst release. Additionally, actions for CCU operations personnel to take when this alarm sounds on the CCU Console should be defined.

Status of MRC's Action: As of July 31, 2023, MRC stated that the indication had been added.

MRC Corrective Action No. 10: *Based on the learnings from this incident, update the MRC community monitoring procedures to include activation and MRC personnel response for defined opacity events.*

Analysis: This investigation concluded that the high-high dP condition in the fourth stage separator should be one trigger for community monitoring.

Status of MRC's Action: As of July 31, 2023, MRC stated that the procedure was updated. A copy of the updated procedure was provided to the investigators and verified on November 13, 2023.

MRC Corrective Action No. 11: *Based on the learnings from this incident, evaluate Operating Procedure CCU-1110 and other relevant procedures to determine if the ESPs can be safely activated in the CCU startup process.*

Analysis: Even if MRC's ESPs had been operating at the time of the incident, the quantity of catalyst released would not have been substantially reduced. Furthermore, because of the 2006 Shell-affiliated FCC Unit incident and the 2015 ExxonMobil Torrance incident, both of which involved HC flowing into an ESP during shutdown/startup and resulting in explosions, the refining industry has determined that it is important to deactivate ESPs during shutdown and startup procedures to preventing similar incidents.

Status of MRC's Action: As of July 31, 2023, MRC concluded that it was important to continue following industry guidance, which continues to recommend against this.

Appendix A: Scope of Work

The focus of this report is the events leading up to the release of catalyst (in the form of a white powder) into the City of Martinez sometime between 20:00 on November 24, 2022, and 04:00 on November 25, 2022. Within the refinery, the scope includes the CCU, the COB unit, and the bulk propane storage facility, as well as the oversight and support functions for these units located elsewhere in the refinery.

The scope of this investigation excluded reporting by MRC of the release of catalyst to the relevant agencies, as this is being handled via other channels.

The information and conclusions described in this report were obtained through:

- Review and analysis of documents and data provided by the refinery
- Interviews of employees directly running the CCU at that time
- Interviews of other refinery employees who oversaw or supported CCU operations
- Experience in Process Safety and refinery operations of the investigators

Most of the interviews were conducted on the MRC site, in the presence of the refinery attorney and outside counsel representing the individuals being interviewed. Nonetheless, the scope of this investigation focused on identifying causes related to Process Safety management systems and intentionally avoided assigning blame to any individual.

Appendix B: Investigation Team Makeup

The independent investigation team included Scott Berger, President of Scott Berger and Associates, LLC. Working with Tim Mullowney, Founder of Petrochor, LLC under subcontract. Their distribution of labor during the investigation is shown in table 4.

Table 4: Investigation Team Members and Roles

Role	Performed by
Team Leader	Scott Berger
FCC Process Operator	Tim Mullowney
FCC Technology Expert	Tim Mullowney
Process Engineer	Scott Berger
Process Safety Specialists	Both
Human Factors Specialists	Both
Mechanical Integrity Specialist	Tim Mullowney

Scott Berger, CCPSC has forty-five years of experience in process safety, environment, health, and safety (EHS) management, chemical engineering, chemical manufacturing, process engineering, and human factors. Since 2015 he has worked as a consultant in process safety with focus on process safety leadership, process safety management systems, training for basic process safety competency, incident investigation, and litigation support. During this period, he also co-authored three books on process safety for the Center for Chemical Process Safety (CCPS), *Driving Process Safety Improvement from Investigated Incidents*, *Process Safety Leadership from the Boardroom to the Frontline*, and *Essential Practices for Creating, Strengthening, and Sustaining Process Safety Culture*.

From 2001 to 2015 he served as Executive Director of CCPS. He is a CCPS-Certified process safety professional (CCPSC), a Fellow of the American Institute of Chemical Engineers, and a Fellow of the Center for Chemical Process Safety.

Tim Mullowney has more than thirty-five years of broad experience in oil and gas, production, refining, and process safety. Following twelve years operating a Fluidic Catalytic Cracking unit (console and field) and other processes, Tim worked in the Mechanical Integrity / Reliability group, and for three years was responsible for the site Incident Investigation program where he began leading major investigations. His final roles at Phillips 66 were in the corporate HSE group where he was Process Safety Director and Senior Process Safety Consultant, roles which included responsibility for the global refining incident investigation program.

He founded Petrochor, an independent process safety consulting firm, in 2017. His practice includes development of process safety management systems for refining companies, providing a variety of process safety competency trainings, risk assessments, and incident investigations.

Appendix C: Discussion of Wet Gas Scrubbers vs. Electrostatic Precipitators Functionality During Process Startup Application in Fluid Catalytic Cracking Service

Electrostatic precipitators (ESPs) have become a common tool for preventing the emission of any catalyst fines that have not already been removed and recovered by the cyclones and separators used to clean CCU Regenerator flue gas. In general, ESPs work well and are quite reliable. The primary challenge of operating any ESP is to prevent flammable vapors from flowing to them, because these vapors are a potential source of ignition. It is also important to keep flammable vapors out of the Regenerator; the measures that accomplish this also keep flammables out of the ESP.

The ExxonMobil Torrance ESP explosion in 2015 demonstrated how some abnormal, upset conditions can lead to hydrocarbon vapors reaching the ESP and causing an explosion. Learning from Torrance, companies across the industry now provide for automatic de-energizing of ESPs during upsets. Feed diversion, such as occurred at MRC on November 21, 2022, is one example of how this works. Refineries do not re-energize their ESPs until the CCU is back to full, stable operation.

An alternative to the use of ESPs for controlling catalyst emissions, is to install wet scrubbers. Like ESPs, wet scrubbers are designed to remove catalyst fines at the rate of pounds per hour. These have the advantage of not providing an ignition source, and therefore can be left running during times when ESPs cannot. A properly designed wet scrubber system would prevent the high opacity condition that occurs during times the ESP has to be de-energized. Wet scrubbers are used in a few refineries, but they have several potential drawbacks. They occupy a large footprint, so many refineries don't have space in which to locate them. They also can be large consumers of water, which is in limited supply in many areas.

More importantly, a wet scrubber designed to handle the same emission load as an ESP (pounds per hour) would be equally ineffective in addressing the overload conditions (many tons per hour) experienced in this incident. As noted earlier in this report, even if MRC's ESP had been in service during the catalyst release event on November 24-25, 2022, the release would have overwhelmed the ESP's capacity. Similarly, if MRC had been using a wet scrubber instead of an ESP during the November 24 incident, the wet scrubber would also have been overwhelmed, and the quantity of release would have been reduced only slightly.

Appendix D: Glossary

Term	Definition
AIChE	American Institute of Chemical Engineers.
API	American Petroleum Institute; a trade and standards organization supporting the petroleum industry.
Automatic (Auto)	A control mode where a component (e.g., a valve) is automatically adjusted to maintain a process parameter (e.g., a level) at a set value.
C(A)-20	A policy of MRC that controls minimum and maximum inventory levels of products, by-products, and intermediates.
Cascade	A control mode in which a controller set point is obtained based on some other process variable or condition.
Causal factors	A factor that contributed to the incident, and that, if eliminated, would have prevented the incident or reduced its severity or probability.
Causal Tree	A diagram used to determine root causes; in general, causes lower in the tree drive events higher in the tree, leading to the incident (top event).
Catalyst	For the CCU process, a proprietary material that facilitates the chemical reactions that “crack” large hydrocarbon molecules into smaller ones.
Catalyst Stripper	A section of the CCU Converter where hydrocarbon is removed from catalyst with steam.
CCHHMP	Contra Costa Health Hazards Materials Programs.
CCPS	Center for Chemical Process Safety; a global technical organization operated by AIChE that supports the petroleum, chemical, and related industries with guidance and training for managing Process Safety.
CCU	Catalytic Cracking Unit; a grouping of refinery equipment that converts (cracks) high molecular weight hydrocarbons into hydrocarbons with lower molecular weight.
CCU-1110	The procedure used by MRC to re-introduce feed to the CCU.
COB	CO Boiler; a boiler in which carbon monoxide in the Regenerator flue gas is oxidized to carbon dioxide, reducing the toxicity of CCU emissions and producing heat that is used to generate steam.
Console	A group of computer screens and keyboards used to control the process and monitor process conditions and alarms.
Contributing cause	A factor that contributed to the incident.
CWS	Community Warning System, an all-hazards community notification system of Contra Costa County, intended to alert residents about any potential health hazards and emergencies that may be occurring.

Term	Definition
Cyclone	A conical device that separates particles from air streams by a swirling action that pushes the particles to the wall and then down to the bottom of the cone, while cleaner air exits the top.
Day shift	Work hours starting 06:00 and ending 18:00.
dP	Differential pressure; the difference between the pressures as measured at two different points.
ESP	Electrostatic Precipitator; a pollution control device that uses static electricity to remove small particles from process exhausts.
Feed	Feed of uncracked hydrocarbon to the CCU. Various uncracked hydrocarbon streams may be fed, depending on production needs. These may include flashed distillates, light, heavy and extra heavy gas oils, and diesel hydrotreater products
Fines	Particles of catalyst that are much smaller than the average particle size.
Flare	A device in which emergency hydrocarbon releases from refinery processes are safely burned in a controlled fashion, generally at a high elevation and far away from occupied areas.
Flue Gas	Combustion gases from the Regenerator.
FSS	Fourth Stage Separator; the fourth stage in a series of devices that remove catalyst fines from the flue gases of the Regenerator.
G(A)-34	MRC's "Scheduling and Hours of Service Limits Policy." The policy by which MRC manages worker fatigue (fatigue policy).
GPM	Gallons per minute.
HC	Hydrocarbons; chemicals made up of carbon and hydrogen.
Hot standby	A phase of CCU operation where feed is diverted, either with or without catalyst circulation.
Human factors	The evaluation of how people interact with equipment, controls, and their work environment.
ISO	The Industrial Safety Ordinance of Contra Costa County.
Management system	Policies, procedures and standards that describe how specific functions are to be carried out, performance is verified, and performance is improved.
Manual	A control mode in which control devices (e.g., valves) respond only to operator input.
MCAR	Major Chemical Accident or Release, as defined by CCHHMP.
MF	Main Fractionator; the column that receives product from the Reactor.
MRC	Martinez Refining Company, a unit of PBF Energy.

Term	Definition
MW	Molecular weight.
NDA	Non-disclosure agreement; an agreement binding two parties to protect each other's confidential business information.
Night shift	Work hours starting 18:00 on one day and ending 06:00 the next day.
OHA	Overhead Accumulator; a tank which receives the two-phase overhead flow from the CCU Main Fractionator (MF). The pressure of the Reactor depends upon the pressure of the MF, which depends on the pressure of this tank.
Opacity	The degree to which visibility of a background (i.e., blue sky) is reduced by particulates, measured either in % or Ringelmann.
Operating procedures	Written, step-by-step instructions and information necessary to operate equipment, compiled in one document including operating instructions, process descriptions, operating limits, chemical hazards, and safety equipment requirements.
Operator	An individual who is trained and qualified to operate a process or some portion of a process.
PHA	Process Hazard Analysis; a study in which process hazards are identified and a wide range of deviation scenarios are analyzed to determine if the unit's safeguards are adequate.
Reactor	A vessel where the catalytic cracking reaction occurs and hot catalyst is disengaged from HC vapor.
Redlined changes	Field changes made during execution of a procedure that have been reviewed and approved by the appropriate personnel.
Regenerator	A vessel in the CCU system in which coke is burned off spent catalyst, reheating catalyst.
Ringelmann	A unit of opacity. 1 Ringelmann is approximately 20% opacity.
Root causes	Gaps in Process Safety management systems, including human factors.
RR	Reactor Riser; the section of the CCU Reactor where the cracking reaction takes place.
Slide valve	A valve that operates by sliding a paddle over an opening to control the flow of catalyst from one vessel to another.
SOSO	Start of shift operations; a procedure with formal reporting used at MRC to handover operations from one shift to the next.
Spillback valve	A valve which routes compressor discharge back to the suction to maintain minimum flow through the machine, preventing compressor surge.
Stripper	A vessel in the CCU system in which residual hydrocarbon is removed from catalyst with steam.

Term	Definition
SSV	Stripper slide valve; the valve which regulates the flow of catalyst from the Stripper to the Regenerator.
Surge	A condition that can exist in centrifugal compressors when they handle a gas lower in molecular weight than they were designed to handle. Surge occurs when the gas being pumped flows backwards around the turbine blades in an oscillating manner. In severe cases the oscillation can result in significant equipment damage and loss of process containment.
Top event	The release event being investigated.
TSS	Third Stage Separator; the third of four devices that removes catalyst from Regenerator flue gases.
Wet gas scrubber	A system where exhaust gases are contacted with water to remove particles and water-soluble gases.
WGC	Wet Gas Compressor; a multi-stage centrifugal compressor designed for condensable hydrocarbons which takes suction on the OHA and increases the pressure of the gaseous vapor allowing it to flow to the Cracked Gas Plant.

Appendix E: Resolution of Oversight Committee Comments

Comments from the Oversight Committee were provided via a Microsoft Excel® table, with spaces provided for the investigators' responses and actions. This table is presented starting on the following page.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
1	Kent Hull	Community Member of OC	My main concern is that the authors state that people should be commended for doing what is expected of them. When is that worthy of a commendation? I feel that establishes that cooperation and honesty are not expected/required and thus the process is flawed.	General Report Comment		In this paragraph, we are thanking the individuals for speaking openly. This intent can be accomplished with the second sentence of this paragraph only.	Deleted the first sentence of page 3, paragraph 3
2	Ben Therriault	Community Member of OC	What is the adherence to procedure and culture. The deviation from standard procedures, especially concerning the Stripper Slide Valve (SSV), appears to be a significant factor. The culture of 'objective-based' operation over strict procedural adherence could be a systemic issue that needs to be addressed.	General Report Comment	These comments were submitted in a single cell. They have been broken up for ease of responding	This comment restates key points of the report and does not appear to request any changes.	None needed
3	Ben Therriault	Community Member of OC	What can be done about training and fatigue management? The report highlights lapses in 'just-in-time' training and issues with fatigue management, particularly in key personnel. How can training be made more effective and adherence ensured? What steps can be taken to avoid overworking, which may lead to critical errors?	General Report Comment		These points were identified in the report as root causes with recommendations for MRC to address.	None needed
4	Ben Therriault	Community Member of OC	The report points out possible improvements in reactor-regenerator differential pressure management and feed flow measurement. How can these technical enhancements be implemented effectively to prevent future incidents? What can be done about communication and alarm management? There seems to be a gap in response to critical alarms and communication during the incident. What measures can be implemented to improve situational awareness and responsiveness during critical operations?	General Report Comment		These points were identified in the report as contributing causes with recommendations for MRC to address.	None needed

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
5	Ben Therriault	Community Member of OC	The report lists root causes and recommendations in categories like process safety management, workplace culture, engineering design, and human factors. How can MRC prioritize and implement these recommendations to mitigate risks in future operations?	General Report Comment	These comments were submitted in a single cell. They have been	Suggested prioritization was included with all recommendations in this report.	None needed
6	Ben Therriault	Community Member of OC	It's also important to compare the findings and recommendations of this independent report with those from MRC's internal investigation. Are there discrepancies or areas that MRC overlooked?	General Report Recommendations MRCs Recommendations	broken up for clarity in responding	This is discussed in Section VIII of the report. What may not have been clear was that in general, MRC's MCAR investigation did not identify root causes, and their corrective measures fell short of correcting management system gaps.	Added text to the introductory paragraphs of Page 22, Section VIII explaining this.
7	Ken Axe	PBF	I spoke with both operations support engineers on December 14, and neither gave this instruction. See series of comments on topic 2 starting on page 12.	Page 6 (CCH will provide word document received from PBF as well for all of Ken Axe's comments)		This comment was recorded in Tim Mullooney's notes from a meeting with an engineer that occurred on 9/25/2023. Version 1.2 erred in stating that this engineer was an operations support engineer. In verbal comments at the oversight meeting on 2/1/24, a PBF representative also noted that "instructions" come from operating supervision, not engineers.	Changed "unit process engineer" to "an engineer" on page 8, section D, paragraph 1. Changed "instructed" to "advised" on page 8, section D, paragraph 1. Note that this comment was repeated in lines 11 and 14, applying to different parts of this report. The same changes were made in each location.
8	Ken Axe	PBF	Series of Xs and ? Over causal tree elements (all xs see word doc) and root/contributing causes numbers 1,2,3,5 (x) and 4,6,7 (?)	Page 11		Based on the independent investigation, these causal tree elements are appropriate and need to be retained.	None needed.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
9	Ken Axe	PBF	This is not a root cause, and did not present an opportunity to add IPL's and prevent occurrence of the November 2022 incident. The guide word HAZOP technique does not provide a PHA team with knowledge of consequences that are unknown to them. The 2018 and early 2022 PHA teams were not aware that a catalyst release could result in catalyst deposition in the community. Only after the November 2022 incident were MRC personnel aware of this phenomenon. MRC also learned (anecdotally) after November 2022 that there have been other occasions (four of them) in industry like the November 2022 incident at MRC, resulting in aggregation of catalyst particles and deposition at ground level. The 2023 CCU PHA does take this consequence into account, and does acknowledge the need for additional IPL's.	Page 12 in reference to PHA root cause		The definition of a root cause is "A failure or gap in the process safety management system." This comment acknowledges that the guidance in the management system documents used to guide the 2018 and 2022 PHAs had a gap in recognizing the consequences of this event scenario. It is a proper root cause.	None needed
10	Ken Axe	PBF	Neither operations support engineer (the one on days, or the one on nights) instructed anyone that the stripper slide valve must be in auto: I spoke with both of them on December 14 specifically about this claim, which did not appear in Draft 1.1 of this report. Only one of them spoke with Berger and Mallowney, and she didn't say this to them (Nam and I were present for all interviews).	Page 12 in reference to Stripper Slide Valve root cause		Same comment as line 7	See resolution of line 7 comment and page 12, paragraph 2.
11	Ken Axe	PBF	Operations did not "disregard" the procedure, and the engineer gave no such instruction. Operations placed the valve in Manual in order to control process parameters that it appeared to them were not being sufficiently controlled in automatic. Operators are trained and authorized to do this.	Page 12 in reference to Stripper Slide Valve root cause		The stripper slide valve was placed in manual at 06:29 on 11/24 to address a transient upset. Data trends suggest this transient was resolved by 07:30. At this point, it should have been placed back into automatic.	Added this clarification in 3 places, to emphasize how long the deviation from the procedure lasted. See page 8, Section 2, paragraph 1.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
12	Ken Axe	PBF	MRC does not consider operations to be "objective-based." Nobody at MRC indicated this. This was a label inferred erroneously by Berger and Mullooney, along with all of the presuppositions that come along with their understanding of this label. It is also false to portray this as a feature of MRC's culture.	Page 12 in reference to Culture of deviating from procedures		On three separate occasions, a senior, knowledgeable MRC employee told investigators that operators were trained and authorized (see line 12) as well as expected (see MRC MCAR report Root Cause 2) to use their training to take whatever means necessary to meet process objectives, and to do so without review or oversight. While the specific term "objective-based" was not used by this employee, the actions taken by operators on 11/24/22 demonstrated that they were following this approach. Furthermore, MRC's MCAR report root causes focused on how the operator manually controlled the stripper slide valve (and regenerator pressure control), and not on the long duration of time the procedure was deviated from without evaluation and approval. Note also that MRC's actions to address their self-identified corrective measures included adding review and oversight related to the stripper slide valve to the procedure CCU-1110, which is an acknowledgement by MRC that their oversight of field changes was inadequate.	Edited the text to remove the term "objective based", and added text explaining the good operating practice of defining action limits and properly managing field changes. See page 12, paragraph 4.
13	Ken Axe	PBF	Again, operations did not "disregard" the procedure, and the engineer gave no such instruction.	Page 12 in reference to Culture of deviating from procedures		Same comment as line 7.	See page 14, last paragraph

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
14	Ken Axe	PBF	We agree with this statement. We believe that this is the explanation for the stripper slide valve being in manual, NOT that there is a "culture of accepting deviation from procedures.:	Page 12 in reference to Culture of deviating from procedures		Nonetheless, after the transient condition that required the operator to take manual control of the stripper slide valve was resolved, it was left in manual instead of being returned to auto. Considering that the culture survey will follow this investigation, it is appropriate for "culture" to be replaced by "practice" in this report, and evaluation of culture deferred to the culture survey.	Replaced "culture" with "practice" in discussing this topic. See pages 12, 18, and 24. Changed Root Cause "Type" of "Culture" to "Management System" on pages 16-20.
15	Ken Axe	PBF	Per the training SME, training on the two Hot Standby procedures, CCU-3305 and -3310, as well as reintroduction of feed, CCU-1110, are not administered "just-in-time. CCU-3305 and -3310 are administered as "skill" level refresher training every three years, and CCU-1110 is administered as "awareness" level training every three years. Just-in-time training is applied to <i>predictably</i> infrequently used procedures, like those associated with turnarounds. Use of 3305, 3310, and 1110 can come up at any time, and are therefore refreshed every three years.	Page 13 in reference to inadequate training of personnel		The text about refresher training was excerpted from the MRC document indicated in the report. However, if training for feed reintroduction is instead covered in the 3-year refresher training, then the training record of the individual controlling the stripper slide valve shows no refresher training in the last 3 years. Training records we received did not show any training for the fatigued individual.	Expanded text to include both just-in-time and refresher training. Expanded recommendation to correct the gap, whether it was in just-in-time training or in refresher training. Moved text excerpt to a footnote at request of CCHHMP. See page 13, section "Inadequate training of personnel."

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
16	Ken Axe	PBF	Berger and Mullooney spoke with <u>one</u> operations specialist, who did not (and could not) provide a basis for what specialists believe. The operations specialist provided answers to leading questions about "superhero" performance, rather than applying the term to himself or others. It is a reach to infer that responsible, committed subject matter experts indicate a negative aspect of culture. The fatigue issue does not require "superhero culture" as a root cause, and in fact is not depicted that way on the causal tree.	Page 13 in reference to excessive work hours		It is true that we spoke only to one operations specialist. However, while discussing the issue of fatigue management, a PBF SME made a point of telling us that based on MRC's learning from the incident, refinery management had to intervene to prevent another specialist from working excessive hours. In this conversation, this SME used the "Superhero" designation.	Inserted text referencing a second case that a MRC representative described during the investigation. See page 14, paragraph 3.
17	Ken Axe	PBF	I don't recall this statement being made by the "operator," and it was not corroborated by the operations specialist.	Page 14		This came from interviewing the shift team leader who was filling in as operator. As recorded in our notes: STL: "How could I have missed that, [Op spec's name]? Do you remember if I got the alarm? "OS: "Of course you did. I didn't want to bother you. I told the outside operator to drop the cat fines out of the FSS." Since this did not result in a root cause, the original text is suitable.	None needed
18	Ken Axe	PBF	See comments associated with topic 2 on page 12.	Page 14		Repeat of Mr. Axe's comment in line 10.	See resolution of line 7 comment and page 12, paragraph 2.
19	Ken Axe	PBF	Is "almost certainly" a fact, or speculation?	Page 14		Fatigue played a role.	Deleted "almost certainly". See page 14 paragraph 4.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
20	Ken Axe	PBF	Stop work authority applies to situations that "could reasonably result in death or serious physical harm" or are associated with "a process safety hazard." There was not such a situation. MRC has other processes for intervening in other situations, but the operating team did not know that they were having a community impact while it was occurring. The other factors listed here would not necessarily require intervention.	Page 14		Mr. Axe appears to be citing the narrow language of the CalOSHA regulation related to Stop Work Authority. He notes that the refinery has other "processes" for intervening in such situations. In our investigation, we considered a broader definition of Stop Work Authority which would include this situation. Regardless, personnel did not pause work when they should have. If MRC covers this situation in a different policy, then the root cause and recommend would apply to that policy instead. Recognizing that MRC uses the term "Stop Work Authority" in the narrower sense, it is appropriate to clarify the wording of this root cause accordingly. Nonetheless, a release of 24 tons of catalyst fines containing various metal contaminants is a notable event. If it does not meet the definition of a process safety incident, it is at minimum a high potential near miss event.	Added footnote 14 explaining that if this situation is covered by another policy/program, a gap existed in that policy/program instead of in the Stop Work policy/program. See page 15 footnote. Added "or other appropriate policy/program" to recommendation 2b. See page 17.
21	Ken Axe	PBF	"Potentially." Again, fact, or speculation?	Page 14		It is clear from discussion with the console operator, that he was overwhelmed, and he was unaware that FSS HH dP meant a release was occurring.	Removed "potentially" and adjusted remaining text to read well. See page 16, section C, first paragraph.
22	Ken Axe, CCH noted the same comment	PBF	MRC's MCAR report	Page 22, correction of typo		Thank you.	Corrected typo. See page 23, paragraph 3.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
23	Ken Axe	PBF	ISA 18.2 defines alarm floods in terms of <u>annunciation</u> rates. Shelved alerts did not annunciate, but were included in the data, showing adjacent 10-minute totals of 13 and 12. ISA 18.2 also defines alarm floods as annunciation rates "likely to exceed the operator response capability." Total operator response capability is dependent on the number of responding operators. Typically, when rates are calculated, the number of annunciations is divided by the number of responding operators. MRC concludes that alarm flood did not occur.	Page 22 in relation to discussion of MRC action 2		MRC continues to reduce excessive alarms as per ISA 18.2 and this was not a root cause, so the statement was removed	Statement removed. See page 23, analysis of MRC Corrective Action No. 2.
24	Steven Devine	City of Martinez	replace current language to state "chosen by the ISO Oversight Committee" to give credit to that group. NH comment: suggest MRC Oversight Committee instead of ISO Oversight Committee	Page 3	Foreword	Thank you.	Changed to "chosen by the MRC Oversight Committee". See page 3 paragraph 2.
25	Steven Devine	City of Martinez	Consider ... "and surrounding areas"	Page 4		Thank you.	Text added. See page 3 paragraph 1 and page 4 paragraph 1.
26	Steven Devine	City of Martinez	Of what? Catalyst or crude oil?	Page 4		The hydrocarbon feed to the CCU.	Added footnote clarifying that this is hydrocarbon feed to CCU. See page 5 footnote 4. Added a description of "feed" to the glossary. See page 29.
27	Steven Devine	City of Martinez	Seems odd to be commenting on the controversial wet gas scrubbers... when the report makes clear other areas in which the firm	Page 4		Evaluating this topic was specified in the scope of work given by the MRC oversight committee.	None needed.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
			is not commenting on... as it would be out of scope.				
28	Steven Devine	City of Martinez	Consider inserting ... "theoretical"	Page 5		This report should have used the term "Scenario" instead of "Condition," which has the same meaning in this context as "Theoretical".	Changed "Condition" to "Scenario". See page 6, section V.A., paragraph 1.
29	Steven Devine	City of Martinez	Consider inserting ... "theoretical"	Page 5		See line 28	See line 28.
30	Steven Devine	City of Martinez	Crude or Catalyst?	Page 5		See line 26	See line 26.
31	Steven Devine	City of Martinez	What does this mean in layperson terms.	Page 5		Agree that this should be explained.	Added a footnote that explains surge. See page 7 footnote 8. Added a definition of surge to the glossary. See page 31.
32	Steven Devine	City of Martinez	Consider: "Unit Process Engineer"	Page 6		Agree that it is appropriate to capitalize all role titles throughout the report.	Globally capitalized all role descriptions/titles.
33	Steven Devine	City of Martinez	Consider moving "Following this policy" to later in sentence	Page 6		After reviewing this recommendation, we concluded that the original phrasing works better.	No change.
34	Steven Devine	City of Martinez	Consider capitalizing "Production Specialist"	Page 7		See line 32	See line 32.
35	Tom Lang	Community Member	It is a pretty difficult read, and I am not sure that once it is published, a layman will be able to really understand what happened on Thanksgiving of last year. There is a lot of slang and much of the narrative is quite indirect, raising more questions than it answers. The tables and graphics are not instructive, and the table of priorities pretty much has everything as priority one.	General Report Comment		The PowerPoint presentation recommended by Mr. Lang in line 36 was developed, and should help address this comment as well. Based on this comment, we agree that the descriptions of the priorities should be explained better.	Added text clarifying the meanings of the priority designations. Replaced "Priority Implementation" with "Short Term". See bottom of page 16.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
36	Tom Lang	Community Member	I would recommend that when this is released to the public, there should be a PowerPoint with some critical bullets, starting with the general practices (departure from protocols, override of automated settings, superhero culture) and indicating how that led to the key specific technical failures resulting in the release. This should be in simple, easy to understand language.	General Comment		A PowerPoint presentation was developed and presented to the Oversight Committee on February 1, 2024.	PowerPoint presentation will be available through the CCHHMP Martinez Refining web page. The PowerPoint will be updated for the community meetings.
37	Tony Semenza	Community Member	1. There is still the question of why the FCC start-up was being done manually. I have always maintained that a big part of this problem was that the MRC was using non-FCC operators to help in the startup. This goes to the Culture of accepting deviation from procedures discussed on page 12.	Page 12		The report identifies the use of Manual mode counter to procedure, as a root cause and makes appropriate recommendations to correct this root cause.	None needed.
38	Tony Semenza	Community Member	2. Another issue is the superhero culture that seems to be accepted at MRC. I did not find anything addressing this in any of the tables pages 16 thru 20.	Pages 16-20		The superhero "culture" was not itself identified as a root cause. Indeed, strong support of the refinery mission and goals should be a positive. It becomes a problem only when it leads to unmanaged fatigue. The report found a root cause related to fatigue management	None needed.
39	Tony Semenza	Community Member	3. On page 21 MRC's Root Cause 1 analysis seems to say that valve pv 171 that the valves control system is not designed according to common industry practice. If true that's a serious problem	Page 21		We reached the same conclusion as MRC that if this valve and its control scheme are upgraded, it will be easier to prevent this incident in the future.	None needed.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
40	Nick Plurkowski	PBF USW	Did the Regen Pressure control valve have previous issues of being stuck? Were maintenance records or reports of issues looked into?	General Report Comment		We did receive feedback regarding a number of supposedly "sticky" valves, but we did not find that the Regen pressure valve performance was a root cause of the incident.	None needed.
41	Nick Plurkowski	PBF USW	The mixed message about flaring – I’m not sure I understand the safety aspect of flaring as described, combined with the public outcry against flaring, or what options the Company really has to prevent or plan for flaring. I understand that assuming you cannot flare might lead to a more complicated startup procedure, but shouldn’t the procedure be correct? Shouldn’t flare minimization be the goal? I don’t want operators to get instructions not to use a safety device, but I also don’t want it to become a regular thing...	General Report Comment		Agreed. Flare minimization should be the goal, but the flare is an important safety device that should be used when needed.	None needed.
42	Nick Plurkowski	PBF USW	On P.10 in the table between 13:00 on Nov 24 and '20:00-20:30' there is a 'Soon after' line item that is not clear when reading through the details of that on p.6. Basically, p.6 makes it sound like the decision to continue using propane was made, but doesn't describe the conditional approach to the use of propane, due to curtailment.	Page 10		The decision was to continue drawing propane at the same rate, but not any faster, even if needed.	Edited this text to match wording on page 6. See page 10.
43	Nick Plurkowski/ CCH noted the same comment	PBF USW	The footnote on p.13 that continues to p.14 is confusing – could it just fit on one page?	Page 13		Thank you.	Footnote now fits completely on page 13.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
44	Nick Plurkowski	PBF USW	P.14, 1 st sentence is misleading as the Staff employee did not complete the 'two personnel' required to perform the feed introduction. It should have been two qualified, hourly, operators.	Page 14		The procedure requires two qualified operators, but does not specify hourly. The relevant issue is training, whether just-in-time training or appropriate refresher training. Evidence of either type of training for the individuals focused on operating the CCU was not found in the investigation.	Training issue clarified in reply to line 15.
45	Nick Plurkowski	PBF USW	P.14, paragraph 2 – last two sentences: -Why isn't the DECISION to continue being challenged? -Stop Work Authority is a worker's last line of defense, we should be challenging the systems and decisions that allow risk to reach the last line of defense	Page 14		Challenging a worker decision, i.e. blaming the worker, is generally inappropriate in an incident investigation. If an operator did not pause or stop operation when appropriate, the root cause lies in how the stop/pause work policy was written, trained, implemented, and/or monitored.	See line 20.
46	Nick Plurkowski	PBF USW	P.15 'The Holiday' The tone of the 2 nd sentence: "The console operators who normally would have worked the evening shift took time off, leaving a shift supervisor and a production specialist to operate the CCU. -While this is factually true, I believe the tone of this sentence can be misinterpreted as blame on the workers who took time off, missing the fact that they were approved to take time off and the decision to continue without them was made. Whose decision was it to use the Operations Specialist and Team Leader as board operators? This goes back to #5 above, as well as #6- there was a decision made to go forward	Page 15		We did not in any way intend to suggest workers who took earned time off were to blame.	Deleted reference to workers taking time off. See page 16, "The Holiday".

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
47	Nick Plurkowski	PBF USW	Table 2: Root Causes... p16 Could we include an example along the lines of "(ex. More operators)"	Page 16		There were sufficient people (maybe even too many people) available in the control room. The key issues were (a) training, (b) fatigue, (c) not following procedures, and (d) not pausing work when appropriate. It is conceivable that as part of addressing these issues, MRC could decide they need more operators, but it is not seen as a root cause.	None needed.
48	CCH Hazmat	CCH	"The reporting of this incident to Bay Area authorities was specifically excluded from this investigation..." Suggest adding by MRC before this	Page 4		Thank you.	Insertion made on pages 4, 22, and 26.
49	CCH Hazmat	CCH	"This report describes the process of "cracking" hydrocarbon as the CCU was intended to be operated..." Suggest adding molecules after hydrocarbon	Page 4		Thank you.	Insertion made on pages 4 and 5, with reference to new glossary item on page 29 describing hydrocarbon feed to the CCU.
50	CCH Hazmat	CCH	Suggest moving section V (background) before section IV (Description of Incident)	Overall report		Agreed.	Reordering of sections done.
51	CCH Hazmat	CCH	Suggest after the first sentence, a statement be added that clarifies what a PHA is or add a footnote to the definition.	Page 5		Thank you.	Added footnote reference to PHA glossary item
52	CCH Hazmat	CCH	"As the quantity of wet gas grew smaller, the WGC total discharge flow control valve (5FC340; spillback valve) automatically opened in an attempt to prevent compressor surge and potential damage to the WGC." Suggest that clarifying language be added to explain the consequences of a compressor surge and function of spill back valve	Page 5		Thank you.	Explained surge in a footnote related to this text and also in the Glossary. See page 7 footnote and page 31.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
53	CCH Hazmat	CCH	"light-off" Suggest this is clarified for the general public or a definition added to Appendix D.			Thank you.	Text was changed to "igniting the burner". See page 7, section C, paragraph 1.
54	CCH Hazmat	CCH	SSV when first used is not defined. Suggest changing to Stripper Slide Valve (SSV)	Page 6		Thank you.	Done. See page 8, section D, paragraph 1.
55	CCH Hazmat	CCH	Page 6: General comment for paragraphs 1,2, and 3. Clarify for general public where feed was reintroduced.	Page 6		Thank you.	Changed sentence on of this paragraph to "reintroducing feed to the Reactor Riser (RR)". See page 8, section D, paragraph 1.
56	CCH Hazmat	CCH	CCH acknowledges that acronyms are mostly defined on first use and again in Appendix D Glossary, however consider redefining some key terms like SSV, RR, HC and dp in report.	General Report		SSV noted (and corrected) per line 54. The other 3 terms were defined on first use. Verified that other terms were defined on first use.	See line 54.
57	CCH Hazmat	CCH	Figure 1: Catalytic Cracking Unit, suggest adding MRC before Catalytic	Page 8		Thank you.	Done. See page 5 Figure 1 caption.
58	CCH Hazmat	CCH	consistently refer to WGC spillback control valve as such (in current draft this is stated as WGC or WGC spillback.	Pages 6 and 7		Thank you.	Done. Multiple changes on pages 8, 9, 10, and 15.
59	CCH Hazmat	CCH	"The vapor continues to the Main Fractionator (MF) where liquid products are separated, and the vapor is further cooled before being collected in the Overhead Accumulator (OHA)." Suggest adding HC before vapor	Page 8		Thank you.	Done. See page 6 paragraph 1.
60	CCH Hazmat	CCH	Figure 1: Suggest labeling air compressor as air blower for report consistency	Page 8		Thank you.	Done. See page 5 figure 1.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
61	CCH Hazmat	CCH	"Table 1 describes the timeline and sequence of events for the catalyst release incident. As detailed above in section III.C." If Section IV and V are switched as suggested above this reference needs to change to IV.	Page 10		Thank you.	Done.
62	CCH Hazmat	CCH	General Comment, to be consistent with the presentation from 2/1/24 and as stated on the presentation slides, replace the word culture with practice from root causes in Figure 2 and update corresponding report language to clarify as necessary (including in tables).	Pages 11 and 12, 16-20, 23-24		Thank you.	Done.
63	CCH Hazmat	CCH	Figure 2, define PS	Page 11		Thank you.	Relabeled figure replacing PS with Process Safety. See page 11, Figure 2.
64	CCH Hazmat	CCH	Clarify what is meant by "Objective based"	Page 12		Thank you.	Resolved in response to line 12.
65	CCH Hazmat	CCH	"MRC personnel denied that personnel were reluctant to call an instrument technician or process engineer for support when the incident started because of to the holiday, but such reluctance would be understandable". Suggest removing the "to" highlighted in red.	Page 15		Thank you.	Typo corrected. See page 16, "The holiday" paragraph.
66	CCH Hazmat	CCH	Suggest labeling tables 2-5 all as Table 2 and relabel Table 6 to Table 3.	Pages 16-20		Thank you.	Done; also changed "Table 7" to "Table 4."
67	CCH Hazmat	CCH	"Develop or update the criteria for operator training and conduct a review of materials to ensure that the bases for alarms involved as safeguards in process PHA scenarios are included in the training materials." Correct bases to basis.	Page 18		Original text was grammatically correct. Each alarm has a basis, so multiple alarms have multiple bases. However, we understand this can be confusing, so text clarified.	"ensure that the basis for each alarm involved...". See page 19, recommendation 6.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
68	CCH Hazmat	CCH	"Community Warning System of the Contra Costa Industrial Safety Ordinance". CCH suggest changing this to Community Warning System. The CWS is an all-hazards community notification system intended to alert residents about any potential health hazards and emergencies that may be occurring	Page 27	Appendix D	Thank you.	Corrected. See page 28.
69	CCH Hazmat	CCH	MCAR is defined as Major Chemical Accident or Release	Page 28	Appendix D	Thank you.	Corrected. See page 29.
70	CCH Hazmat	CCH	Define RQ when used on page 12	Page 12		Noted	Since this is the only usage, replaced RQ with "a quantity of release requiring agency notification". See page 12, paragraph 1.
71	CCH Hazmat	CCH	CCH suggest that the following sections be reviewed and language clarified in more general terms to help aid with readability for the general public: Paragraphs 3 page 7, Table 1, Paragraph 9 of page 8, Distractions and Engineering Design section on pages 14 and 15, and reactor definition in Appendix D	General Report		No suggested edits were provided with this comment. Note, there were only 3 paragraphs on page 8. Upon review of the indicated paragraphs, it appears they are acceptable as originally written.	Specific edit suggestions would be welcomed for the final version of the report.
72	CCH Hazmat	CCH	"An individual working the CCU console during startup worked significantly more than fatigue management requirements prescribed in the fatigue and scheduling policy." Suggest clarifying this individual was non-hourly.	Page 19	Table 5	Noted	Done. See page 20, third bullet under "Evidence".
73	CCH Hazmat	CCH	"The excessively long shifts continued unchallenged throughout the incident." Suggest clarifying this statement to state whose long shifts were unchallenged	Page 19	Table 5	Noted	Done. See page 20, fourth bullet under "Evidence".

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
74			Suggest replacing 4 stage with multiple stage	Page 26	Appendix C	Expanding on the spirit of this comment, it wasn't necessary to specify the number of stages in this paragraph	Deleted "four (4) stages of ". See page 27, Appendix C, first paragraph.
The following comments were made by the Oversight Committee during the 2/1/24 presentation							
75	Tom Lang	Community Member	So the question that I have. It's really a general observation that leads to a few questions. And thinking of the stripper slide valve, which is a very important part of the process right? It just sort of boggles my mind that there isn't a big blinking red light that says: Hey, this is either open or closed and if either open or closed, whether I'm in automatic or manual, and if that is the case, and it is so important, why isn't that status interlocked with the settings on these feed valves that are feeding gas into the reactor?		These comments were submitted in a single cell. They have been broken up for clarity in responding	The operator console does show whether the valve is being controlled in manual or auto. We believe this concern was captured and addressed by the recommendation made both in this investigation and MRC's investigation about providing appropriate warning statements in the procedure.	None needed.
76	Tom Lang	Community Member	And the you know, the other thing that kind of surprised me is the idea of well, hey, you know, maybe we better have a differential pressure sensor between the reactor and the you know the other containment units.		These comments were submitted in a single cell. They have been broken up for clarity in responding	As clarification, add to the Engineering Design part of Section VI.C. that Shell had intended to implement this change at the 2018 turnaround, but ultimately did not. Shell's motives for this deferral were not investigated.	Clarification added. See pages 15 (Engineering Design) and 23 (Status of MRC's Corrective Action No. 1.
77	Tom Lang	Community Member	And I just don't understand why that full plan would not be absolutely full of sensors with the appropriate interlocks.			The plant is indeed full of sensors and interlocks. The specific interlock issue is described in root cause 1 of this report. That is, in Shell's and MRC's PHAs, the potential consequence of the catalyst carry-over scenario was understated, and therefore the need for a specific additional safeguard designed to address this scenario was not identified.	None needed. See page 17, Table 2, Root Cause 1.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
78	Tom Lang	Community Member	Does this reflect a systematic under investment by Pbf in the plan? Because you would think that a you know, a plant with such a high potential environmental impact would have a design where there would be a fundamentally automated control system that human operators would have to consciously override, you know, in order to do things that sort of fell outside the normal range.			Evaluating the financial aspects of this incident fell beyond the scope of the investigation.	None needed.
79	Tom Lang	Community Member	And so this lack of kind of an automated framework, and a modern system of sensors and interlocks makes me think that it leads to this idea that you know, as you pointed out in your report that the operation of the plant sort of relies on these sort of super workers, and there's a tendency of the staff to deviate from procedures. You know things like that? And does that represent kind of an underlying sort of lack of faith in the operational integrity of the plant. And so I guess what in the end, I'm wondering. You know, these recommendations are all about sort of procedures and processes on how to properly operate a manually controlled plan when in reality, you know, there's a fundamental problem that things that should be automatically sensed and controlled and interlocked aren't done that way. So I'm sorry if this has been more of a rant than a you know specific question. But that's my general impression.		These comments were submitted in a single cell. They have been broken up for clarity in responding	This paragraph summarizes Mr. Lang's verbal comments noted above in lines 77-80.	None needed.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
80	Ben Therriault	Community Member	Start off about the slide valve and then basically was the unit shut down? Was it open? Was it inspected for damage? Was there some type of erosion? Or, you know, other type of damage. When, how often did that happen?		These comments were submitted in a single cell. They have been broken up for clarity in responding	The stripper slide valve (SSV) can only be inspected when the entire CCU is down for maintenance. This last happened in 2018 and will happen again until 2025. It was not necessary to inspect the SSV for this investigation because operational data showed that it could have restricted the flow rate of catalyst sufficiently to have prevented the incident, if it had been operated in automatic.	None needed.
81	Ben Therriault	Community Member	Then just another issue I wanted raise was, you know, a lot of people understand that the air district found that the wet gas scrubber was feasible in its own air, quality, rule, analysis and decision. A lot of people in the community want to know. You know, we're pointing out the fact that replacing the Esps with a wet scrubbing would eliminate source of ignition. That is an explosion hazard. And this was one of the issues in the incident, you know. Does the report, you know, talk about whether it be inherently safer to have equipment solution? Or you know this company? Do any adequate, inherent safety analysis? And or did report, you know, talk about this this feasibility?		These comments were submitted in a single cell. They have been broken up for clarity in responding	This report agrees that a wet gas scrubber could be safely operated under conditions where an ESP would have to be de-energized. This would have prevented the opacity condition that preceded the catalyst release. However, both ESPs and Wet Gas scrubbers are intended to remove relatively small quantities of catalyst per hour (i.e., pounds per hour), while the incident released catalyst at a rate of tons per hour, well above the capacity of either device. In conclusion, it is valid for the air district to consider wet gas scrubbers for routine conditions, however, the absence or presence of a wet gas scrubber was not a factor in the release of 24 tons of catalyst.	Clarification added that wet gas scrubbers can prevent the opacity condition that is typical when ESPs are de-energized. However, like ESPs they are designed to remove pounds per hour of catalyst fines, and would not be effective against the tons per hour being emitted during this incident. See page 27, Appendix C.

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
82	Ben Therriault	Community Member	And you know the investigation. Investigation can't just be, you know, based on, you know, interviews and documents needs to be people who like took a look and actually looked at the slide valve in particular, and so need to know, like, has that actually occurred, that people actually looked at the equipment? Etc. and you know, on the process hazard analysis.			See line 80.	See line 80.
83	Ben Therriault	Community Member	The Pha of shell you know. It doesn't seem like Mrc, you know, really did a good job of identifying, you know the issues of of that unit. And you know, how is that? Gonna get addressed, you know. Will there be a safety analysis for that?			We understand that MRC repeated the PHA in 2023, and in that PHA they properly quantified the consequences of this scenario. However, we did not verify this as it was outside the scope of our investigation.	None needed.
84	Tony Semenza	Community Member	Yeah, just a couple of questions, Nick asked the question about flaring. I wanna make sure we follow up on that, because I'm not sure I understand whether or not the flaring would have prevented the incident if they flared again.		These comments were submitted in a single cell. They have been broken up for clarity in responding	Opening the valve to the flare system when the reactor pressure rose around 8:30 PM, might have helped prevent the release.	None needed.
85	Tony Semenza	Community Member	So you know the follow up on Nick's comment. also on the fourth stage separator. I guess the question is the alarms, were the alarms going off, were they silenced the how?			It is our understanding that the alarms were acknowledged, but the console operator did not remember having done so. Once an alarm has been acknowledged, it won't sound again unless the alarm condition clears and then reappears.	A clarifying footnote was added to the relevant text in section VI.B. See page 14, footnote 13.
86	Tony Semenza	Community Member	How often are the 4 State separator drained?			Under normal situations, the FSS is drained as needed, perhaps 1-2 times a day. Once the release began, the FSS was being drained almost continuously until near the end of the release.	None needed

	Commenter Name	Organization	Comment	Page of Report	Section of Report	Scott Berger & Assoc. Response	Report Modifications Made
87	Tony Semenza	Community Member	And then I have a question to follow up on what Ken said and this goes to maybe you Nicole, and your team, what's the were you part of the interview process when the interviews were taking place? And if it wasn't said, how did it get into the report? You know, I mean, are you guys involved in the in the interviewing process so that there's a third party, or and then for Scott. Was there anybody who you wanted to interview that that wasn't available to you. And let's see, just those kind of questions. I'll look for answers from either Scott or you, Nicole, or your team, that's all. I had			We took notes of what the individuals said. A few changes were made based on Mr. Axe's comments.	Please see lines 7, 10, and 13.
	<i>CCH notes that Ken Aex and Nick Plurkowski commented but they both indicated they were reading their written comments submitted and noted above</i>						
88	CCH	CCH	Please clarify if the call from Refinery Logistics was following current MRC policies. Page 14 Distractions Bullet 1			Yes, the policies as current at the time.	None needed
89	CCH	CCH	Please clarify which industry standard is being referenced to determine maximum of 10 alarms per 10 minute period for two consecutive periods. Page 22 MRC Corrective Action #2.			ISA 18-2. However, please note that this investigation did not find alarm flooding as a root cause, and related text was removed.	See line 23.