




Meeting Minutes MRC Oversight Committee

 **Date:** 5/16/2024
 **Start:** 3:05 PM
 **End:** 4:30 PM

Information about the Oversight Committee including agendas, meeting minutes, recordings, etc., can be found at <https://cchealth.org/hazmat/mrc/>

I. CALL TO ORDER

Meeting called to order by Michael Dossey at 3:05 PM.

Attendance

Community Members: Benjamin Therriault, Tony Semenza, Deirdre Castillo, Kent Hull, Cheryll Grover (absent), Pedro Babiak (absent), Thomas Lang (absent)
City of Martinez: Steven Devine
City of Benicia: Josh Chadwick (absent)
Contra Costa Hazmat: Nicole Heath, Adam Springer (absent), Michael Dossey, Sam Calvert, Jeff Geiger, David LeCount (absent)
MRC: Ken Axe
MRC USW Rep: Nick Plurkowski

II. OPEN ISSUES

a. Status update on Safety Culture Review

SB: Draft report presented by Scott Berger (SB) and Kenan Stevick (KS), who were hired by CCHMP to conduct a Safety Culture Review at MRC. This report is in a draft state following on-site activities that took place early March 2024. The purpose of the Safety Culture Review was to independently evaluate the leadership and management systems in place at MRC which in turn establish and drive the process safety culture at the facility. Scott Berger presented a PowerPoint presentation with highlights from the report.

The report identified four key findings:

MRC's incident investigation approach was not effective in identifying true root causes.

Procedure deviations are not managed well, including identification of modes of control.

Asset integrity is lacking in some key plant areas, although strong in others.

Audit findings are given inflated timelines, particularly when more urgency may be warranted.

Positive notes included leadership team review of key safety programs, thorough risk criteria, Goal Zero initiative, management engagement, emergency operating procedures, and shift turnover processes.

The Safety Culture Review's objective was to assess MRC's process safety management (PSM) for content and quality, in addition to the execution of PSM program elements at MRC, to then be analyzed in tandem with the safety culture survey provided to MRC employees. The review included PSM documentation, reports, records, metrics, and interviews with key facility personnel, and it encompassed an analysis of all survey question responses. The 62-question survey included statements such as "I often feel I am working in a safe refinery" and "I often have felt that we are working in a safe workplace," to which responders would respond on a 1-10 ranking. The analysis also notes that the refinery's recent acquisition by PBF as well as Covid-19 may have impacted answers to some questions, so those questions were

set aside. Scott Berger and Associates provided a weighted analysis of the survey results, where answers to survey questions 7-10 were included in the sum, while answers below seven were given no value.

Relative strengths included MRC employees' feelings of personal responsibility, management ownership of safety goals, incident reporting, and stop work authority. Medium-high opportunities for improvement include high pressure to get work done or take shortcuts, emergency action preparedness, negative consequences after invoking stop work authority, and training after making changes.

KS: Management system review was also performed, based on the Center for Chemical Process Safety (CCPS) process safety standards. Positive findings included closing identified safety gaps quickly, a management focus on eliminating incidents, regular review of PSM program elements, a strong mechanical integrity program, operating procedures, and emergency response.

Improvement opportunities were four-fold.

Incident investigations at MRC are not designed to prevent future incidents. Investigations at MRC must go beyond equipment error and human failure, to ensure that things are corrected at the right level across the entire plant. Recommend to complete incident investigation policy/standard updates by August 2024, with a lookback in to readdress recently completed investigations by August 2025.

The facility relied too heavily on unreviewed procedure deviations, including the overuse of manual operating modes without clear protocol for managing process control modes. Recommend establishing a procedure that sets clear limits on changing control modes, including tracking systems for when deviations are unavoidable, by the end of year.

Management systems for asset integrity for electrical and rotating equipment are not established to the same rigor as other integrity programs. Recommend revitalizing the program for uniformity site-wide, by end of year.

Internal audit action items are given overly lengthy due dates. Recommend establishing policy requiring due dates for material changes to procedures to be implemented prior to next use, by July 2024, with a lookback into existing open action items.

Scott Berger and Associates also recommends MRC conduct their own safety culture assessment ahead of schedule to track changes to culture as these recommendations are implemented over the course of the next year.

OC Comments:

MRC USW Rep: Nick Plurkowski brought up multiple concerns regarding timelines listed in the report, the items written off in the report due to COVID-19 and PBF buying, stop work authority, risk criteria and targets, workers feeling safe, closure of action items and timelines, and sharing of report with MRC before the OC.

Benjamin Therriault commented on survey scoring and methodology, which was expanded upon further by Scott Berger. Further explanation available in the full report.

Oversight committee comments on the Scott Berger and Associates Draft Safety Culture Review report are currently being addressed. Once this is complete, a public meeting will be held to open a public comment period, similar to the public notice for the Community Risk Assessment and the Independent Incident Investigation reports. No date has been set yet for this public meeting.

III. NEW BUSINESS

Incident Investigation Report Status Update:

Nicole mentioned that the public has raised some concerns on MRC’s CCU slide valves. Because of these concerns, the county conducted additional review of these slide valves. Nicole summarized the information that has been viewed by members of CCHHMP regarding MRC’s CCU slide valves that was posted online. These items can be found at the following link:

<https://www.cchealth.org/home/showpublisheddocument/30190/638514647651530000>

Ken Axe described the recent repair and inspection history about the MRC slide valves operation and relation to incident, including evaluation and reports of valve conditions, which are in working condition. The information Ken shared is available at the following link:

<https://martinezrefiningcompany.com/wp-content/uploads/2024/05/MRC-FCCU-Slide-Valves-Background.pdf>

Nicole identified that because of the additional information being provided regarding MRC’s slide valves, she requested that the public have more time to review this data and asked for the OC to consider extending the public notice period to review the documents. The committee was asked to extend the public comment period by two weeks. A vote was called from members of the OC:

Committee Member	Voting to Extend Incident Investigation Public Comment Period by Two Weeks
Cheryll Grover	absent
Pedro Babiak	absent
nBen Therriault	yes
Kent Hull	yes
Deirdre Castillo	yes
Tony Semenza	yes
Thomas Lang	absent
Ken Axe (MRC)	yes
Nick Plurkowski (MRC. Emp. Rep.)	yes
Josh Chadwick (City of Benicia)	absent
Steven Devine (City of Martinez)	yes
Nicole Heath (CC Health)	yes

The Oversight Committee approved extending the public comment period for the Independent Incident Investigation an additional two weeks to June 3, 2024. (The previous due date to close the public notice period was May 20, 2024. The public comment period opened on April 4, 2024.)

IV. PUBLIC COMMENT

Public Comments:

Members of the public were given two minutes each to comment. The following comments were received from the public. There were three questions asking for clarification on the survey scope and methodology. There were two additional questions regarding the operating unit’s slide valve and whether the public will have access to pictures. Two comments expressing frustration with how the report was shared with MRC prior to the OC and the public. One comment on mechanical integrity and stop work authority. One comment on the audit findings recommendation from the report. One comment that the report is not clear enough to communicate to the public whether they are safe or not.

Replies to Comments:

Scott Berger clarified the analysis of safety culture survey results and referred to the full report for a more thorough explanation.

Nicole Heath noted that public comments will be addressed in the final report following the public notice period.

V. ADJOURNMENT

Meeting adjourned at 4:30 PM.