Message

From: Jones, Joel E. [Jones.Joel@epa.gov]
Sent: 3/5/2018 7:25:18 PM
To: Mogharabi, Nahal [MOGHARABI.NAHAL@EPA.GOV]
CC: McDaniel, Doug [McDaniel.Doug@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]
Subject: RE: Torrance Daily Breeze: Torrance Refinery ordered to remove tens of thousands of tons of hazardous waste

Great story, thanks.

From: Mogharabi, Nahal
Sent: Monday, March 5, 2018 10:40 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Glenn, William <Glenn.William@epa.gov>; Maier, Brent <Maier.Brent@epa.gov>; LEONIDO-JOHN, STEVEN <Leonido-John.Steven@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>; Jones, Joel E. <Jones.Joel@epa.gov>; McDaniel, Doug <McDaniel.Doug@epa.gov>; Lin, Sharon <Lin.Sharon@epa.gov>; Minor, Dustin <Minor.Dustin@epa.gov>
Subject: Torrance Daily Breeze: Torrance Refinery ordered to remove tens of thousands of tons of hazardous waste

In case you haven't seen the article that ran on Friday evening.

Torrance refinery ordered to remove tens of thousands of tons of hazardous waste
By MEGAN BARNES | mbarnes@scng.com | Daily Breeze
March 2, 2018 at 7:09 pm

More than a year after state and federal regulators discovered thousands of tons of hazardous waste stored illegally at the Torrance refinery, the plant has been ordered to get rid of it.

The order Friday by the California Department of Toxic Substances Control comes one day after two environmental organizations filed a notice of intent to sue PBF Energy over the waste discovered in December 2016, some of it for more than 26 years.

The groups, Environmental Integrity Project and Environment California, called for an independent investigation last month into why the U.S. Environmental Protection Agency has not taken action.

Eight-month deadline
The joint investigation by the agencies found the Torrance Refining Co. plant illegally accumulated more than 300 20-cubic-yard bins of hazardous waste without the necessary equipment and authorization to process it.

"The company illegally stockpiled hazardous waste rather than properly recycling or disposing of it," DTSC Director Barbara Lee said in a news release. "This activity could harm public health and the environment, and we take that seriously."

Under the terms of the order, the refinery has until April 2 to submit a game plan outlining how it will remove or recycle half of the waste by June 30 and the rest by Sept. 30.

PBF Energy must submit monthly status reports during the removal process and could face financial penalties for failing to comply.

DTSC and the EPA are preparing to take action on additional violations, including unpermitted hazardous waste stored in two on-site tanks and a concrete pit, according to the release.

Refinery responds

In a statement, the Torrance Refining Co. said it is "disappointed by the actions taken today by the Department of Toxic Substances Control (DTSC) as we have been working cooperatively with them to resolve any alleged violations associated with the December 2016 U.S. Environmental Protection Agency and DTSC joint inspection."

"We disagree with the characterization of Oil Bearing Materials as being hazardous waste and deny all other allegations. However, we continue to work cooperatively with the agencies involved to resolve this matter," the company said. "We continue to be dedicated to running the refinery in a safe, reliable, and environmentally responsible manner."

News of the order was a victory for environmentalists, though they want regulators to take tougher action.

"Our first read on this is that we're really pleased they are taking action to address the existing hazardous waste, but we're disappointed that the order itself only leaves open the possibility of penalties and doesn't actually levy any penalties," said Michelle Kinman, clean energy advocate for Environment California.

The notice of intent sent to PBF Energy on Thursday outlined grounds to sue "regarding serious and ongoing violations of the Resource Conservation and Recovery Act."

The groups have 60 days to file their lawsuit in U.S. District Court. Kinman said they will be watching developments closely as they review their next steps.

Sally Hayati, president of the grass-roots group Torrance Refinery Action Alliance, said she also was pleased with the order, though she wants to see regulators take action on issues related to the refinery's use of modified hydrofluoric acid.

"They always say they have earned the right to operate in our neighborhood — well they haven't and this proves it," she said. "They needed an order from CalEPA to just clean up the mess."
https://www.dailybreeze.com/2018/03/02/torrance-refinery-ordered-to-remove-tens-of-thousands-of-tons-of-hazardous-waste/

Nahal Mogharabi
Public Affairs Specialist
U.S. Environmental Protection Agency | Los Angeles
D: 213-244-1815| **C:** 213-514-4361| **E:**mogharabi.nahal@epa.gov