

April 11, 2024

VIA ELECTRONIC MAIL TO: matt.lucey@pbfenergy.com

Mr. Matthew C. Lucey
President and Chief Executive Officer
PBF Energy Inc.
1 Sylvan Way, Second Floor
Parsippany, New Jersey 07054

Re: CPF No. 1-2024-004-NOPV

Dear Mr. Lucey:

Enclosed please find the Final Order issued in the above-referenced case to Toledo Refining Company LLC (TRC), a subsidiary of PBF Energy Inc. It makes a finding of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Eastern Region, this enforcement action will be closed. Service of the Final Order by overnight courier is effective upon the date of mailing as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosures: Final Order and NOPV

cc: Mr. Robert Burrough, Director, Eastern Region, Office of Pipeline Safety, PHMSA
Mr. Gregory Thomas, Senior Coordinator DOT Compliance Coordinator, TRC,
gregory.thomas@pbfenergy.com
Mr. Mike Gudgeon, Refinery Manager, TRC, michael.gudgeon@pbfenergy.com
Ms. Debra Overton, Business Team Lead, TRC, debra.overton@pbfenergy.com

Mr. Dane Holbrook, Assistant General Counsel, PBF Holding Company, LLC,
dane.holbrook@pbfenergy.com

CONFIRMATION OF RECEIPT REQUESTED

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

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In the Matter of)	
)	
Toledo Refining Company LLC, a subsidiary of PBF Energy Inc.,)	CPF No. 1-2024-004-NOPV
)	
Respondent.)	
)	

FINAL ORDER

On February 15, 2024, pursuant to 49 C.F.R. § 190.207, the Director, Eastern Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Compliance Order (Notice) to Toledo Refining Company, LLC (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195. The Notice also proposed certain measures to correct the violation. Respondent did not contest the allegations of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.446(a) (**Item 2**) — Respondent failed to follow its written control room management procedures. Specifically, the Notice alleged that Respondent failed to follow its Control Room Management Plan, dated December 16, 2021, section 6.6 regarding monitoring the content and volume of general activity being directed to and required of each operator to ensure operators have sufficient time to analyze and react to incoming alarms.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

Compliance Actions

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violation. The Director may grant an extension of time to comply with any of the required items upon a written request timely

submitted by the Respondent and demonstrating good cause for an extension. Upon completion of the ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

Warning Items

With respect to Items 1 and 3, the Notice alleged probable violations of 49 C.F.R. §§ 195.446(a) and 195.446(h)(6), respectively, but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

April 11, 2024

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued