

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

February 15, 2024

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

CPF 1-2024-005-NOA

Dear Mr. Lucey:

From July 25, 2022 to July 29, 2022, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) conducted an on-site inspection of Toledo Refining Company, LLC's (TRC) procedures and records for control room management of its Woodville Pipeline Control Room in Toledo, Ohio.

As a result of the inspection, PHMSA has identified the apparent inadequacy found within TRC's plans or procedures. The item inspected and the inadequacy is described below:

1. **§ 195.446 Control Room Management.**

(a)

(h) **Training.** Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:

(1) **Responding to abnormal operating conditions likely to occur simultaneously or in sequence;**

TRC's control room management training program procedures were inadequate to assure safe operation of a pipeline facility. Specifically, TRC's training program failed to include elements to train each controller to respond to abnormal operating conditions that are likely to occur simultaneously or in sequence pursuant to § 195.446(h)(1).

During the inspection, PHMSA requested training procedures and documentation relevant to § 195.446(h)(1). TRC referred to its *Control Room Management Manual* (CRM Manual), Section 9 Training. This section repeated the regulations but did not provide any training details or a list of abnormal operating conditions likely to occur simultaneously or in sequence.

TRC's training program procedures failed to include elements for responding to abnormal operating conditions that are likely to occur simultaneously or in sequence and, therefore, were inadequate to assure pipeline safety. TRC must revise its procedures to include details of its training program for complying with § 195.446(h)(1).

Response to this Notice

Enclosed as part of this Notice is a document entitled Response Options for Pipeline Operators in Compliance Proceedings.

Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. § 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. § 552(b).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 30 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Toledo Refining Company, LLC maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Robert Burrough, Director, Eastern Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 1-2024-005-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Robert Burrough
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*