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S. LIND CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA

By _____ Deputy Clerk

K. WHITWORTH

15 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
16 IN AND FOR THE COUNTY OF CONTRA COSTA

18 THE PEOPLE OF THE STATE OF } Case No. **C26 - 00490**
19 CALIFORNIA, }
20 Plaintiff, } COMPLAINT FOR INJUNCTION, CIVIL
v. } PENALTIES AND OTHER RELIEF
21 MARTINEZ REFINING COMPANY, LLC, } Exempt from fees per
22 Defendant. } Government Code § 6103

24 Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA, *ex rel.* Diana Becton,
25 District Attorney of Contra Costa County, and *ex rel.* the Bay Area Air Quality Management
26

1 District (“Air District”) (collectively, “the People” or “Plaintiff”), allege the following on
2 information and belief:

3 **DEFENDANT**

4 1. Defendant, MARTINEZ REFINING COMPANY, LLC (hereinafter “MRC”), is a
5 limited liability company incorporated in Delaware and conducting business in Contra Costa
6 County.

7 2. MRC owns and operates a refinery (“Facility”) that occupies an approximately 860-
8 acre site in Contra Costa County. Part of the Facility lies within the municipal boundaries of the
9 City of Martinez. The remainder of the Facility lies in unincorporated Contra Costa County.
10 The Facility is located at 3495 Pacheco Blvd., Martinez, California.

11 3. From February 2020 to the present, MRC is responsible for the operation,
12 maintenance, and management of the Facility.

13 4. Whenever an allegation regarding any act, or acts, of MRC is made herein, such
14 allegation shall be deemed to mean that MRC, or its employees and agents, did or authorized
15 such acts, while actively engaged in the operation, management, direction, or control of the
16 Facility and while acting within the scope and course of employment.

17 5. MRC is a “person” as defined in Business and Professions Code section 17201 and as
18 defined in Health and Safety Code section 39047 pursuant to Health and Safety Code section 19.

19 **JURISDICTION AND VENUE**

20 6. Diana Becton, District Attorney of Contra Costa County, and the Air District, acting
21 to protect the environment and the public from unlawful business practices, bring this action in
22 the public interest in the name of the People.

23 7. The authority of the District Attorney of Contra Costa County is derived from the
24 statutory law of the State of California, specifically Business and Professions Code sections
25 17203, 17204, and 17206, and Health and Safety Code section 42403(a).

26 8. The authority of the Air District is derived from the statutory law of the State of
27 California, specifically Health and Safety Code sections 40700, 40701, 41513, and 42403(a).

9. The People allege that, at all relevant times, MRC has transacted business in Contra Costa County. The alleged violations of law described in this Complaint were carried out, wholly or in part, within Contra Costa County. The alleged actions of MRC as set forth below are in violation of the laws of the State of California.

ENFORCEMENT AUTHORITY

10. Health and Safety Code section 42403(a) provides that civil penalties for violations of applicable air quality regulations under Health and Safety Code sections 42402 *et seq.* shall be assessed and recovered in a civil action brought in the name of the People of the State of California by (*inter alia*) a district attorney and the attorney for the air district in which the violations occurred.

11. Health & Safety Code section 41513 provides that any violation of applicable air quality regulations may be enjoined in a civil action such as this one brought in the name of the People of the State of California.

12. Pursuant to Fish and Game Code section 5650.1, a district attorney may bring a civil action in the name of the People of the State of California for civil penalties and injunctive relief for violations of Fish and Game Code section 5650 (water pollution).

13. Health and Safety Code section 25515.7 provides that every civil action brought under Article 1 or 2 of the Health and Safety Code shall be brought by the city attorney, county counsel, district attorney, or the attorney general in the name of the People of the State of California, and any actions relating to the same violation may be joined or consolidated.

14. Business and Professions Code section 17206 authorizes a district attorney to bring an action and to seek civil liability for any act of unfair competition, as defined in Business and Professions Code section 17200.

15. Business and Professions Code section 17204 authorizes a district attorney to seek injunctive relief and section 17203 authorizes the Court to issue an order that enjoins any person who engages, has engaged, or proposes to engage in unfair competition, as defined in Business and Professions Code section 17200.

GENERAL ALLEGATIONS

16. The People allege that MRC violated applicable regulations by virtue of the ownership, management, and/or operation of MRC's Facility located in Martinez, California as set forth in (i) Contra Costa County Health Case No. CCHMP 23-001, (ii) Department of Fish & Wildlife Citation No. AD2265072, and (iii) the following Air District Notices of Violation (including all other violations that could have been alleged based on the conduct, acts and/or omissions described therein, collectively, the "NOVs"), all of which are incorporated herein by reference with the same force and effect as if fully set forth herein: Notices of Violation Nos. A52402, A52403, A52404, A52405, A52406, A52407, A52408, A52409, A52416, A52417, A52418, A56449, A56451, A57837, A57838, A57839, A57840, A57841, A57842, A57843, A57847, A58110, A58111, A58112, A58115, A58116, A58117, A58118, A58119, A58120, A58121, A58122, A58123, A58124, A59346, A59347, A59348, A59349, A59350, A59351, A60418, A60419, A60420, A60421, A60422, A60423, A60424, A60425, A60426, A60427, A60753, A60754, A60755, A60756, A60757, A60758, A60761, A60762, A60828, A60829, A60830, A60831, A60832, A60833, A60834, A60835, A60836, A60837, A60838, A60839, A60840, A60841, A60842, A60843, A60844, A60845, A60846, A60847, A60848, A60849, A60850, A60851, A60852, A60899, A60900, A60901, A60902, A61978, A61979, A61981, A61982, A61983, A61984, A61985, A61987, A61988, A61989, A61990, A61991, A61992, A61995, A61996, A61997, A62000, A62001, A62002, A62078, A62079, A62080, A62081, A62082, A62083, A62084, A62085, A62086, A62087, A62088, A62089, A62090, A62091, A62092, A62093, A62094, A62095, A62096, A62098, A62099, A62100, A62101, A62102, A63153, A63154, A63157, A63158, A63159, A63161, A63163, A63164, A63218, A63219, A63220, A63222, A63223, A63224, A63221, A63303, A63304, A63305, A63306, A63308, A63309, A63803, A64803, A64804, A64806, A64807, A64808, A64809, A64810, A64811, A64812, and A64816.

FIRST CAUSE OF ACTION

(Health and Safety Code Section 42402 *et seq.*)

17. The People reallege and incorporate by reference paragraphs 1-16, inclusive, as though fully set forth herein.

18. The People are informed and believe and thereupon allege that the acts and omissions of MRC, as set forth in such paragraphs, are air quality violations of the California Health and Safety Code for which MRC is liable for civil penalties pursuant to Health and Safety Code sections 42402 *et seq.*

19. Health and Safety Code sections 42402 *et seq.* provide that, for any violation, each day during any portion of which a violation occurs is a separate offense.

20. Health and Safety Code sections 42411 increases the statutory maximum penalty annually based on the California Consumer Price Index as compiled and reported by the Department of Industrial Relations.

SECOND CAUSE OF ACTION

(Health and Safety Code Section 41513)

21. The People reallege and incorporate by reference paragraphs 1-16, inclusive, as though fully set forth herein.

22. The People are informed and believe and thereupon allege that the acts and omissions of MRC, as set forth in such paragraphs, are violations of applicable air quality regulations, and that Health and Safety Code section 41513 provides that such violations may be enjoined.

THIRD CAUSE OF ACTION

(Business and Professions Code Sections 17200 *et seq.*)

23. The People reallege and incorporate by reference paragraphs 1-16, inclusive, as though fully set forth herein.

24. The People are informed and believe and thereupon allege that the acts or practices of MRC, as set forth in such incorporated paragraphs, are violations of the California Health and

1 Safety Code and Title 14 of the California Code of Regulations, and that such violations
2 constitute unlawful business practices pursuant to Business and Professions Code sections 17200
3 *et seq.*

4 25. Business and Professions Code section 17200 "prohibits any practices forbidden by
5 law, be it civil or criminal, federal, state or municipal, statutory, regulatory, or court-made."
6 (*Saunders v. Superior Court* (1994) 27 Cal.App.4th 832, 838-839; *Roskind v. Morgan Stanley*
7 *Dean Witter & Co.* (2000) 80 Cal.App.4th 345, 352).

8 26. The People allege that, within four years of commencing this action, MRC has
9 engaged in unlawful acts, omissions, and practices that constitute unfair competition within the
10 meaning of Business and Professions Code sections 17200 through 17208, *et seq.*, including, but
11 not limited to, the acts or omissions and practices alleged in paragraph 24.

12 27. Business and Professions Code section 17200 provides that each and every separate
13 act alleged may constitute an unlawful act and/or unlawful business practice, and each day that
14 an unlawful act and/or unlawful business practice occurred may be treated as a separate and
15 distinct violation.

16 28. Business and Professions Code section 17206 provides for civil penalties for each
17 alleged separate act of unfair competition.

18 **FOURTH CAUSE OF ACTION**

19 (Business and Professions Code Section 17203)

20 29. The People reallege and incorporate by reference paragraphs 1-16, inclusive, as
21 though fully set forth herein.

22 30. The People are informed and believe and thereupon allege that the acts or practices
23 of MRC, as set forth in such incorporated paragraphs, are violations of the California Health and
24 Safety Code and Title 14 of the California Code of Regulations, and that such violations
25 constitute unlawful business practices within the meaning of Business and Professions Code
26 section 17200, and that Business and Professions Code section 17203 provides that unlawful
27 business practices may be enjoined.

FIFTH CAUSE OF ACTION

(Fish and Game Code Sections 5650(a)(6) and 5650.1)

31. The People reallege and incorporate by reference paragraphs 1-16, inclusive, as though fully set forth herein.

32. The People are informed and believe and thereupon allege that the acts and omissions of MRC, as set forth in such paragraphs, are violations of California Fish and Game Code for which MRC is liable for civil penalties pursuant to Fish and Game Code section 5650, *et seq.*

33. Fish and Game Code section 5650(a)(6) provides, in relevant part: "it is unlawful to deposit in, permit to pass into, or place where it can pass into the waters of this state ... (a)ny substance or material deleterious to fish, plant life, mammals, or bird life ..."

34. The People allege that MRC violated section 5650(a)(1) by depositing or permitting to pass into, or placing where it can pass into the waters of this state, spent catalyst created during the oil refining process.

35. Fish and Game Code section 5650.1(e) provides for injunctive relief for alleged violations of Fish and Game Code section 5650.

SIXTH CAUSE OF ACTION

(Health & Safety Code Sections 25510(a) and 25515.7)

36. The People reallege and incorporate by reference paragraphs 1-16, inclusive, as though fully set forth herein.

37. The People are informed and believe and thereupon allege that the acts and omissions of MRC, as set forth in such paragraphs, are violations of the California Health and Safety Code for which MRC is liable for civil penalties pursuant to Health and Safety Code section 25510, *et seq.*

38. Health and Safety Code sections 25510(a) *et seq.* provides, in relevant part: "that, any hazardous material, hazardous waste or hazardous substance release or threatened release shall be reported immediately upon the discovery of a release or threatened release."

39. The People allege that MRC violated Health and Safety Code section 25510(a) by failing to comply with the code's immediate reporting requirements.

PRAYER FOR RELIEF

WHEREFORE, the People pray for judgment against MRC as follows:

- A. That MRC pays civil penalties according to law; and
- B. That the People have such other further relief as the court may deem just and proper.

Date: February 17, 2026

DIANA BECTON,
District Attorney of Contra Costa County

By: Bryan M. Tierney
Deputy District Attorney
Attorney for the People

Date: February 17, 2026

ALEXANDER G. CROCKETT,
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Bay Area Air Quality Management District

By: 
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