

Dear Assembly Toxics Committee—

I was on the telephone line this morning when SB 1044 came up for consideration. When listeners were instructed to push 1-0 to get in the queue for opposition testimony, I was unable to get through after repeated attempts. I hung up and redialed, and finally got through to the operator, but the opportunity had passed and I was unable to provide testimony. I would appreciate it if you could put this note and following testimony into the record for SB 1044:

Good morning chair and members.

My name is Charles White, with the firm of Manatt, Phelps and Phillips, LLC representing the Western Independent Refiners Association (WIRA)

WIRA is an association of small independent refineries operating in California and the west coast. WIRA is striving to provide California with refined hydrocarbon products in compliance with CA policy, statutes and regulations.

WIRA has been an informal member of opposition coalition that has been working with Senator Allen and staff to find a workable approach for SB 1044. WIRA supports the prior testimony just provided by Ms. Parks and Mr. Shestek.

WIRA only desires to have reasonable continued access to the best firefighting tools available for fighting infrequent but potentially catastrophic refinery fires.

WIRA has not had a chance for our members to fully digest the additional proposed changes we just receive this morning.

WIRA is concerned with the provisions of SB 1044 that appear to substantially restrict the use of PFAS firefighting foams at smaller refineries after January 1, 2022.

Although WIRA refineries are not large, there is still the possibility of infrequent but serious fires that endanger our operations and personnel as well as our nearby communities

WIRA hopes to have continued reasonable access to PFAS firefighting foams for limited and contained use until the State Fire Marshall determines that a suitable alternative fire suppressant is available for these types of fires.

I am separately communicating this to Senator Allen and Staff.

Thank you for your consideration in this matter.

Chuck White
Senior Advisor

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