

Fact Sheet

July 2016

Proposed Regulatory Changes to Improve Oil Refinery Safety

Background

A fire at the Chevron refinery in Richmond in August, 2012 raised serious concerns about refinery safety in California. In response to the fire, the Governor's Working Group on Refinery Safety issued a [report](#) recommending a set of major changes to worker and community safety regulations governing refineries in California.

Proposed Amendments

Two regulations are being changed: the [California Accidental Release Prevention \(CalARP\)](#) Program through the Governor's Office of Emergency Services (OES) and the [Process Safety Management \(PSM\) regulations, proposed by Cal/OSHA](#), within the Department of Industrial Relations (DIR). Although the substance of both regulations is very similar, the PSM regulation is focused on minimizing risks to employees, whereas the CalARP regulation is designed to protect the safety and health of the community.

Steps to Improve Public and Worker Safety

The new regulations would require refineries to take the following actions:

- Use a systematic approach known as the Hierarchy of Hazard Controls to eliminate or minimize hazards in refinery processes whenever possible;
- Perform periodic refinery safety culture assessments to evaluate whether management is appropriately emphasizing safety over production pressures;
- Perform damage mechanism reviews on equipment to systematically identify problems such as corrosion before leaks occur;
- Account for human factors and organizational changes, including employee fatigue and experience, and operational reorganization;

- Use structured methods to ensure adequate and independent safeguards are in place to prevent incidents;
- If a major incident occurs or is narrowly avoided, conduct thorough investigations to identify underlying root causes and develop interim and permanent corrective actions;
- Implement corrective actions for all aspects of the process safety program according to clear and enforceable timelines, with consequences for delays;
- Involve employees and employee representatives in all elements of the process safety program, including all activities required above;
- Give operating employees clear authority to shut down a process due to safety concerns, and give all employees the ability to anonymously report process safety concerns and refuse work due to process safety concerns;
- Make more information available to the public, including annual safety metrics for each refinery.

Rulemaking and Public Input

The regulations are posted at the following links:

- [California Accidental Release Prevention Program](#)
- [Process Safety Management for Petroleum Refineries](#)

The public comment period began on July 15, 2016 and ends on September 15, 2016. Comments may be submitted as follows:

Written comments can be sent via e-mail to jack.harrah@caloes.ca.gov for the CalARP regulation and to OSHSB@dir.ca.gov for Cal/OSHA's PSM regulation.