

Richmond Chevron refinery: Federal officials say regulatory overhaul needed in wake of blaze

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RICHMOND -- Willful disregard of internal safety policies and a failure to replace corroded pipes led to the massive Aug. 6 fire at Chevron's Richmond refinery, top state and federal investigators said Friday.

A decade of neglect by the company and ineffective regulatory oversight by underfunded agencies meant that Chevron missed multiple opportunities to replace the corroded pipe that later leaked and exploded, shutting down the heart of the refinery for months.

"As early as 2002 ... the Richmond refinery could have taken timely action to replace the piping that failed on Aug. 6," said Dan Tillema, the U.S. Chemical Safety Board's lead chemical incident investigator. "However, Chevron failed to do so. In



Assemblymember Nancy Skinner, left, and Senator Loni Hancock, center, hold a public meeting on last year's Chevron Refinery fire (Dan Rosenstrauch/Staff)

fact the California process safety regulatory system lacked sufficient well-trained, technically competent staff and also lacked more rigorous regulatory requirements to require Chevron to reduce safety risk."

The California Occupational Safety and Health Program, commonly known as Cal/OSHA, determined that the pipe that leaked and exploded had been passed over for replacement at least three times, according to agency chief Ellen Widess.

"(Chevron) knowingly failed to comply with standards," she said.

Chevron also failed to shut down the unit after the pipe sprang a leak of high-temperature gas oil, which could have averted a subsequent ignition of hydrocarbons, and did not promptly evacuate workers from the danger area.

The critical report was aired during a public meeting called by state Sens. Loni Hancock (D-Berkeley) and Mark DeSaulnier (D-Concord) and Assemblywoman Nancy Skinner (D-Berkeley) at the Richmond Memorial Civic Center to review what happened in this disaster and avoid future accidents.

Earlier Friday, Cal/OSHA gave Chevron the green light to restart operations at crude unit No. 4, which Chevron anticipates starting up before the end of June.

Chevron spokeswoman Melissa Ritchie said in an email statement that the company is committed to working with state officials in the "development of new regulations" while improving internal safety operations.

"We are strengthening our reliability and inspection programs, increasing management oversight and accountability, and enhancing leak response protocols," Ritchie wrote.

More than 15,000 people sought treatment at area hospitals after the fire and several refinery workers were treated for minor injuries. A plume of smoke was visible throughout the Bay Area.

Cal/OSHA has slapped Chevron with 25 citations, 11 of them the most serious, for "willful" violations of safety rules. The fines, the steepest in the agency's history, amount to \$963,000.

Chevron has appealed all citations.

Both Skinner and Hancock have authored bills targeting industrial working conditions and penalties that may be imposed on industries that emit air pollution. Both are working their way through the Legislature.

Donald Holmstrom, western regional office director of the Chemical Safety Board, said serious questions remain about the regulatory framework governing California's 1,600 refineries and chemical plants given that the overlapping oversight agencies are undermanned and overwhelmed.

Chevron's refinery answers to Contra Costa County, the city of Richmond, the EPA and

Cal/OSHA, yet none detected the refinery's lax maintenance of its pipes. "This patchwork system of regulation has serious challenges,"



A large crowd filled the Richmond Civic Center during a public meeting about last year's Chevron Refinery fire to hear reports from the many governmental agencies that have been investigated in Richmond, Calif., on Friday, April 5, 2013. Richmond (Dan Rosenstrauch/Staff)

Holmstrom said. "In the case of the Chevron refinery fire, the reactive system of regulation simply did not work to prevent what was ultimately a preventable accident."

County Supervisor John Gioia said the county must conduct its own top-to-bottom audit of the refinery.

"The corroded pipes were only the tip of the iceberg," Gioia said. "There is clearly a larger safety issue at the refinery."

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