

# Tesoro bashed for dropping worker-safety programs at Contra Costa refinery where acid spills occurred

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MARTINEZ -- Political and labor leaders ripped Tesoro on Tuesday for backing out of two volunteer worker-safety programs in 2012 as scrutiny of the company grew in the wake of two acid spills in less than a month that sent workers from its Golden Eagle oil refinery to the hospital.

Tracy Scott, a representative of United Steelworkers Local 5, said Tuesday that Tesoro management opted out of the union-driven Triangle of Prevention safety program and the Voluntary Protection Program, a cooperative program among management, workers and Cal/OSHA, the state workplace safety agency, designed to prevent and control occupational hazards.

"We believe pulling out of (the programs) was a mistake," Scott said. "Other refineries we represent have these multilayered programs in place and embrace them, whereas Tesoro is decidedly against them."

Rep. George Miller, D-Martinez, also slammed Tesoro for ditching the Triangle of Prevention program in a news release Tuesday, noting that the program remains in place at other Tesoro refineries in California and Washington.

"Tesoro should reinstate its successful labor-management safety program ... that it has regrettably terminated," Miller said in the release.

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As part of the program, the local refinery union appoints a representative who coordinates and participates in on-site training, organizes incident and near-miss investigation teams, takes part in the investigation process and communicates results of investigations and the status of recommendations to the refinery community. VPP includes regular on-site evaluations and is overseen by Cal/OSHA, which works with labor and management to "systematically identify and correct hazards," according to Cal/OSHA's website.

Tesoro, which previously came under fire for refusing to allow officials from the U.S. Chemical Safety Board on site to investigate the Feb. 12 accident before relenting last week, defended its safety record at Golden Eagle, saying 2013 was the safest on record at the refinery near Martinez, with the equivalent of three recordable injuries in approximately 3.5 million working hours. The refinery has about 700 full-time workers.

"Our Golden Eagle refinery has more than 10 represented health and safety workers, which is a robust group, and employee engagement remains an integral part of our safety and incident investigation process," spokeswoman Tina Barbee wrote in an email.

Barbee also said the refinery had dropped the Triangle of Prevention program because of "inherent shortcomings" and had replaced it with something more comprehensive.

Asked about the shortcomings of the program, Barbee wrote, "We believe our current system has better root cause analysis during incident investigation than the TOP program."

Barbee said safety indicators in Tesoro's performance review made it technically ineligible to participate in the Voluntary Participation Program.

But Scott said workers see the situation differently. He said an internal survey of workers at the refinery last year revealed "a significant disconnect between management and hourly (workers) in their beliefs about the refinery's safety."

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"The survey was to ascertain how people felt about certain things, including safety," Scott said. "Management gave a glowing report, while employees who deal directly with the work in the refinery had an opinion that was considerably deteriorated from the last survey in 2007."

Scott added that workers are concerned with the refinery's widespread use of "leak seal repairs," which bolster failing pipes with wraps consisting of Fiberglas and durable resins.

The rapid succession of two incidents involving acid burns has drawn harsh spotlight onto the refinery, which, according to Tesoro's website, is the second-largest in Northern California.

Two contract employees of Brinderson, a refinery contractor in Benicia, were treated at a hospital Monday morning after they were exposed to sulfuric acid, according to county health officials and Cal/OSHA spokesman Peter Melton. The workers, who were wearing protective clothing, were taken by ambulance to a hospital for injuries and released later that night.

Monday's spill occurred while the workers were trying to remove a damaged pipe, according to Contra Costa County Hazardous Materials Division Director Randy Sawyer.

An official who answered the phone at Brinderson said the company would have no comment.

Two refinery employees, who reportedly were not wearing protective clothing, were burned with sulfuric acid in the same alkylation unit on Feb. 12 in a mishap that resulted in the release of an estimated 84,000 pounds of sulfuric acid, according to the Chemical Safety Board, which accused Tesoro in a statement on Monday of publicly downplaying the scope of that release. After that incident, Cal/OSHA shut down the unit from Feb. 18 to Feb. 28 while it investigated.

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" ... based on what we have learned so far, there is a troubling trend of degraded safety conditions, and a loss of confidence by employees that the refinery's management will adequately maintain equipment and piping," Miller said in his statement.

Contra Costa County Supervisor John Gioia, of Richmond, also stepped up pressure on Tesoro.

"This raises a very serious red flag that there is a safety culture issue at the refinery," Gioia said.

In an email Monday night, Barbee disputed the Chemical Safety Board's claim that Tesoro had misrepresented the scope of the Feb. 12 spill, saying "the release was contained in a process sewer, which is part of the system's design."

But on Tuesday, Sawyer of the county's Hazardous Materials Division disputed any classification of the incidents as "minor."

"Any time you have workers burned I consider it serious," Sawyer said.

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