

The Board of Supervisors

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Contra Costa County



David J. Twa
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April 10, 2018

Honorable Kamala D. Harris
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Subject: U. S. Chemical Safety and Hazard Investigation Board (CSB) Funding

Dear Honorable Harris:

The proposed budget that was presented to Congress by the President did not include funding for the CSB. The budget for the rest of this fiscal year that was passed by Congress and signed by the President did include funding for the CSB. This is the second time that the proposed budget by the President has not included funding for the CSB. The CSB performs an important function that is not duplicated by any other government office. The CSB budget is approximately \$11 million dollars that has remained relatively flat for nearly decade.

Throughout its twenty-year history, the CSB has initiated more than 130 deployments and issued more than 800 recommendations related to chemical incidents. Incidents investigated by the CSB have resulted in more than 200 fatalities, over 1,200 injuries, and significant environmental damage. The agency educates regulators, industry personnel, standards setting organizations, academia, and the American people to help make the industries that use hazardous chemicals safer while maintaining economic prosperity. Two of the CSB investigations have occurred in Contra Costa County. The 1999 flash fire at the Tosco Avon Refinery where four people died and another was seriously injured was one of the CSB first investigations. The second investigation was the 2012 Chevron Richmond Refinery Crude Unit fire where over 15,000 people sought medical attention during and after the fire.

The impact of the CSB's investigations and recommendations has resulted in significant safety improvements throughout the country in a wide variety of industries. The following examples of safety improvements were a direct result of CSB safety recommendations:

- The Federal Emergency Management Agency (FEMA) awarded two grants to develop training programs for first responders related to the hazards of fertilizer grade ammonium nitrate.
- The American Chemical Society (ACS) developed guidance to identify, assess and control hazards in research laboratories. The Accreditation Board for Engineering and Technology (ABET), Inc. added a requirement for chemical process safety education in university curricula for a broad range of engineering disciplines.
- BP formed an independent review panel, led by former Secretary James A. Baker III, to conduct a thorough review of the company's corporate safety culture and safety management systems. The lessons

learned from the final report have been shared in the refining industry and led to specific safety improvements.

- The Occupational Safety and Health Administration (OSHA) implemented a national Special Emphasis Program to mitigate the hazards of combustible dust.
- The California Department of Industrial Relations and the California Office of Emergency Services approved new safeguards for refineries to consider safer designs to the greatest extent feasible to increase the safety of refinery equipment.

The costs of chemical disasters total in the hundreds of billions of dollars. To make the safety of Americans our primary priority, it is critical that chemical safety lessons are learned and shared among diverse stakeholders that use hazardous chemicals. The CSB has investigated numerous high consequence incidents that have resulted in millions of dollars in damage and a disruption to the regional and local economies.

- Flooding from Hurricane Harvey in August 2017 disabled the refrigeration system at a chemical plant near Houston. As the temperature of chemicals stored at the facility rose, the trailers containing them began to catch fire, and emergency responders issued a six-day evacuation of residents within a 1.5 mile radius of the plant.
- A 2016 explosion at one of the country's four nitrous oxide production facilities led to a chemical shortage that affected hospitals, dentists, universities, food producers, and other industrial facilities across the country.
- A 2013 explosion at a fertilizer facility resulted in 15 fatalities and more than 260 injuries; \$230 million in insurance-related losses; and \$16 million in Federal disaster assistance; however, the company held only a \$1 million insurance policy.
- The 2012 explosion at a refinery resulted in medical treatment for 15,000 residents; \$2 million in fines and restitution; and \$447 million in increased gas prices for California consumers.
- A 2010 explosion at an offshore drilling rig in the Gulf of Mexico resulted in \$21 billion in settlements; \$13 billion in economic and medical claims from local businesses and residents; 11 workers killed and 17 injured; and four million barrels of oil spilled into the Gulf of Mexico.

If the CSB's many safety lessons prevent at least one catastrophic incident, the costs avoided from damage to facilities and the surrounding communities, legal settlements, and the loss of human lives far outweigh the agency's annual budget. Safety and prosperity are compatible. Strong safety programs are critical for the economic success of the many industries that use hazardous chemicals. If we do not learn from previous incidents, Americans will continue to spend billions of dollars responding to new ones, jeopardizing the prosperity of the affected industries. Through its independent investigations, the CSB plays a unique role in fostering collaboration with industry, regulators, standards setting bodies and professional organizations, thus emphasizing the CSB's vital role in driving critical chemical safety change in the United States.

The Contra Costa County Board of Supervisors request that Congress continues the CSB and the important work that they perform. Please contact Randy Sawyer at (925) 335-3210, randy.sawyer@hsd.cccounty.us or me if you have any further questions.

Sincerely

Karen Mitchoff
Chair

cc: Board of Supervisors
Anna Roth, Contra Costa Health Services Director