



Agenda

INDUSTRIAL SAFETY ORDINANCE/ COMMUNITY WARNING SYSTEM AD HOC COMMITTEE

May 16, 2022
10:00 AM

Join from a PC, Mac, iPad, iPhone or Android device:

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Webinar ID: 940 6974 9596

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Supervisor John Gioia
Supervisor Federal Glover

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Call to Order and Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

DISCUSSION

3. Process Safety Culture Presentations from Chevron Richmond Refinery, Phillips 66 Rodeo Refinery, and Martinez Refining Company
4. Staff update on potential regulatory amendments to address gaps in regulatory oversight of bulk storage facilities such as the NuStar facility in Selby
5. Future items to be scheduled to present to the Committee

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Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

Randy Sawyer, Committee Staff
Phone (925) 957-2668
Randy.Sawyer@cchealth.org

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

AB	Assembly Bill	HCD	(State Dept of) Housing & Community Development
ABAG	Association of Bay Area Governments	HHS	Department of Health and Human Services
ACA	Assembly Constitutional Amendment	HIPAA	Health Insurance Portability and Accountability Act
ADA	Americans with Disabilities Act of 1990	HIV	Human Immunodeficiency Syndrome
AFSCME	American Federation of State County and Municipal Employees	HOV	High Occupancy Vehicle
AICP	American Institute of Certified Planners	HR	Human Resources
AIDS	Acquired Immunodeficiency Syndrome	HUD	United States Department of Housing and Urban Development
ALUC	Airport Land Use Commission	Inc.	Incorporated
AOD	Alcohol and Other Drugs	IOC	Internal Operations Committee
BAAQMD	Bay Area Air Quality Management District	ISO	Industrial Safety Ordinance
BART	Bay Area Rapid Transit District	JPA	Joint (exercise of) Powers Authority or Agreement
BCDC	Bay Conservation & Development Commission	Lamorinda	Lafayette-Moraga-Orinda Area
BGO	Better Government Ordinance	LAFCo	Local Agency Formation Commission
BOS	Board of Supervisors	LLC	Limited Liability Company
CALTRANS	California Department of Transportation	LLP	Limited Liability Partnership
CalWIN	California Works Information Network	Local 1	Public Employees Union Local 1
CalWORKS	California Work Opportunity and Responsibility to Kids	LVN	Licensed Vocational Nurse
CAER	Community Awareness Emergency Response	MAC	Municipal Advisory Council
CAO	County Administrative Officer or Office	MBE	Minority Business Enterprise
CCHP	Contra Costa Health Plan	M.D.	Medical Doctor
CCTA	Contra Costa Transportation Authority	M.F.T.	Marriage and Family Therapist
CDBG	Community Development Block Grant	MIS	Management Information System
CEQA	California Environmental Quality Act	MOE	Maintenance of Effort
CIO	Chief Information Officer	MOU	Memorandum of Understanding
COLA	Cost of living adjustment	MTC	Metropolitan Transportation Commission
ConFire	Contra Costa Consolidated Fire District	NACo	National Association of Counties
CPA	Certified Public Accountant	OB-GYN	Obstetrics and Gynecology
CPI	Consumer Price Index	O.D.	Doctor of Optometry
CSA	County Service Area	OES-EOC	Office of Emergency Services-Emergency Operations Center
CSAC	California State Association of Counties	OSHA	Occupational Safety and Health Administration
CTC	California Transportation Commission	Psy.D.	Doctor of Psychology
dba	doing business as	RDA	Redevelopment Agency
EBMUD	East Bay Municipal Utility District	RFI	Request For Information
EIR	Environmental Impact Report	RFP	Request For Proposal
EIS	Environmental Impact Statement	RFQ	Request For Qualifications
EMCC	Emergency Medical Care Committee	RN	Registered Nurse
EMS	Emergency Medical Services	SB	Senate Bill
EPSDT	State Early Periodic Screening, Diagnosis and Treatment Program (Mental Health)	SBE	Small Business Enterprise
et al.	et al (and others)	SWAT	Southwest Area Transportation Committee
FAA	Federal Aviation Administration	TRANSPAC	Transportation Partnership & Cooperation (Central)
FEMA	Federal Emergency Management Agency	TRANSPLAN	Transportation Planning Committee (East County)
F&HS	Family and Human Services Committee	TRE or TTE	Trustee
First 5	First Five Children and Families Commission (Proposition 10)	TWIC	Transportation, Water and Infrastructure Committee
FTE	Full Time Equivalent	VA	Department of Veterans Affairs
FY	Fiscal Year	vs.	versus (against)
GHAD	Geologic Hazard Abatement District	WAN	Wide Area Network
GIS	Geographic Information System	WBE	Women Business Enterprise
		WCCTAC	West Contra Costa Transportation Advisory Committee

SAFETY CULTURE ASSESSMENT

Contra Costa County

Nicole A. Heath

Supervising Accidental Release Prevention Engineer

SAFETY
CULTURE
ASSESSMENT

May 16, 2022



SAFETY
CULTURE
ASSESSMENT
(SCA) STATUS

FACILITY	DATE OF SCA	WORKFORCE COMMUNICATE	MID CYCLE SCA	METHOD
Air Liquide Large Industries	Oct-19	Nov-16	*Not Required	Written Survey
Air Products Shell	Aug-19	Apr-15	*Not Required	Written Survey
Chemtrade Richmond	Aug-18	Sep-18	*Not Required	Written Survey
Chevron	Oct-20	Jul-21	N/A	Written Survey
Phillip-66 Refinery	Apr-16	Jun-16	Nov-19	Written Survey
Shell Martinez Refinery	Dec-18	Apr-19	N/A	Written Survey

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Richmond Refinery Safety Culture Assessment

Laura Leeds
PSM Manager, Richmond Refinery

May 16, 2022



Safety Culture Assessment - Overview

- Last Safety Culture Assessment: October 2020
 - Survey Method: Online Survey
- Results, milestones, and action plans were reported to workforce and management: July 2021
 - Action plans and metrics are tracked through Chevron systems of records
 - Employees and their representatives were involved in review of survey data, development of improvement recommendations, and final action plan milestones and metrics.
- Mid-Cycle Progress Evaluation: Expected May 2024



Observations and Recommendations

Observations:

- Employees are comfortable reporting hazards and know how to do so (88%)
- Individuals have a strong knowledge of what process safety means (86%)
- Employees are comfortable using Stop Work Authority (85%)
- Employees are comfortable communicating safety concerns (83%) and challenging decisions if there are process safety concerns (83%)

Continual improvement recommendations:

- Improve ways to make **navigating work instructions** easier through simplification and training.
- Improve methods to **keep procedures current** through simplification of work processes and training.
- Improve transparency on **staffing plans**.
- Explore ways to improve how **critical spare equipment** is prioritized for maintenance work.



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Rodeo Refinery –
Process Safety Culture Assessment

May 16, 2022



Phillips 66 Rodeo Refinery – Process Safety Culture Assessment

Last Process Safety Culture Assessment was completed:

4/15/2016

Survey Method:

Written Survey

Date Results Communicated:

Workforce:

6/24/2016

Management:

4/15/2016

Areas of improvements being addressed:

No areas were identified as scoring significantly below normal values

- Improvements require too many reviews/approvals
- Employees are reluctant to reveal problems or errors
- Having enough qualified people to do the work in their area

Action Plan made progress on the Identified areas for improvement?

Yes

If Yes, did the improvements meet the goals and if not, was the action plan amended to address what is being done to meet the goals?

Yes – progress was made, and improvements observed in the subsequent SCA. Improvement opportunities were identified in the most recent SCA and recommendations identified.

Mid cycle review was conducted in November of 2019.

Phillips 66 Rodeo Refinery – Process Safety Culture Assessment

Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented?:

Yes. Specific improvements were identified by a management & union team and implemented.

Describe the process in place that includes employees and their representatives that will determine if the action items effectively changed the expected culture items:

A mid-cycle team review was done to evaluate the effects of the actions on the safety culture. The evaluation included management and union representatives per policy.

Date of the mid-cycle progress evaluation:

November 1, 2019

Did the action plan make progress on the identified areas of improvement?

Yes

If a mid-cycle progress evaluation was performed during this reporting year, describe the process that included participation of employees or their representatives that determined whether the action items effectively changed the expected culture items:

By policy, our process includes management and union representatives to review the results and develop modified recommendations as appropriate. Each action was discussed and compared to site performance indicators to determine if improvement was made. The Mid-Cycle Review was conducted on November 1, 2019 by the Process Safety Director, USW PSM Representative, and Senior H&S Consultant.

Safety Culture Assessment Presentation



May 16, 2022

Ken Axe

Process Safety & Assurance Manager





Most Recent SCA

- Date of most recent SCA: December 2018
 - Follow-up survey in February 2019 directed toward non-respondents (*see next slide*)
 - Focus group convened February 28, 2019
 - Further examined lowest and highest scores
 - Clarified understanding of questions, particularly where there was low response rate
- Date results communicated to workforce: April 10-22, 2019
- Methodology: anonymous survey (online and paper)
 - Not all contractors (especially turnaround contractors) have online access
- Date of mid-cycle SCA: no mid-cycle SCA

Is Non-response Negative?

- Follow-up survey in February 2019 directed toward non-respondents (see *image below*)
- Very little difference between the mean (8.4 versus 8.5), range (1.67 versus 1.68), and standard deviation (0.47 versus 0.37)
- We did not detect a negative shift among non-respondents

**PLEASE COMPLETE THIS ONLY IF YOU DID NOT
COMPLETE THE 2018 CULTURE SURVEY**

Martinez Refinery HSSE and Process Safety Culture Assessment
Your Anonymous Opinion on our Safety, Health, Environmental (HSSE) and Process Safety Culture

Why I Didn't Complete the Survey Back in 2018 (check the box or write in details please):

☐no time ☐wasn't aware of it ☐my opinion doesn't matter ☐company doesn't care ☐everything's good

Or: _____

Circle or mark the number closest to your opinion; 1 = 'never', 10 = 'always'.
Answer "NA" if the question doesn't apply or you don't understand the question.

		<small>Circle or Mark the Number for Your Answer</small>									
		NEVER	SOMETIMES	MOSTLY	ALWAYS						
1	I feel that I am working in a safe workplace.	1	2	3	4	5	6	7	8	9	10 NA
2	I believe good Health, Safety, Environmental (HSSE) and Process Safety performance is my responsibility, and I take that responsibility seriously.	1	2	3	4	5	6	7	8	9	10 NA
3	I believe this refinery Process Safety work processes are										

May 2022



Areas for Improvement, and Progress

- Analysis of the survey results identified the following areas for improvement:
 - Hazard reporting, and response to reports of hazards
 - Ensure that incentive programs don't have the unintended consequence of discouraging the reporting of hazards
- Improved hazard reporting tool has been developed and implemented
- Targets for response timing have been established and are driving faster resolution
- A team (represented employees and staff) has been established to identify hazard reports for recognition (incentive); the team reviews the impact this program and others have on hazard reporting, with emphasis on unintended disincentives to reporting
- Progress evaluated (internally) February 9, 2021
 - Reviewed with CCHS during audit being conducted at the time
 - Actions redirected based on review: milestones and metrics adjusted
 - Team of represented employees and staff convened to adjust actions, milestones, and metrics



Milestones and Metrics

- Established milestones included:
 - FOCUS program design and governance (governance team includes represented employees and staff)
 - Coding and testing
 - Program rollout
- Metrics include:
 - Number of hazards reported (measured monthly)
 - Overdue responses (measured monthly)





NuStar Working Group Recommendations

May 16, 2022



“Preventing and reducing the number, frequency, and severity of accidental releases in the county to the greatest extent feasible. ”

— Contra Costa County ISO, Section 450-8.004 (10)

INTRODUCTION

NuStar working group was developed to evaluate the Root Cause Analysis report from the 2019 incident

Our mission

To identify regulatory gaps that would address the Root Cause Analysis (RCA) findings, including evaluating the Industrial Safety Ordinance (ISO) to determine a need for applicability

Who was involved

This was a multiagency working group comprised of members from Con Fire, Crockett-Carquinez Fire, Department of Conservation Development, and Contra Costa Health Hazardous Materials Program.

What were our conclusions?

Contra Costa County and Richmond ISO

"Origin"

Implemented in 2000 as a result of multiple Major Chemical Accidents or Releases (MCAR) in the county from the early to late 1990s

"Evolution"

It has continually been evaluated and amended to incorporate new process safety elements to strengthen the existing programs.

"Impact"

Over the last 20+ years, there has been a major reduction in the number of MCARS in the county.

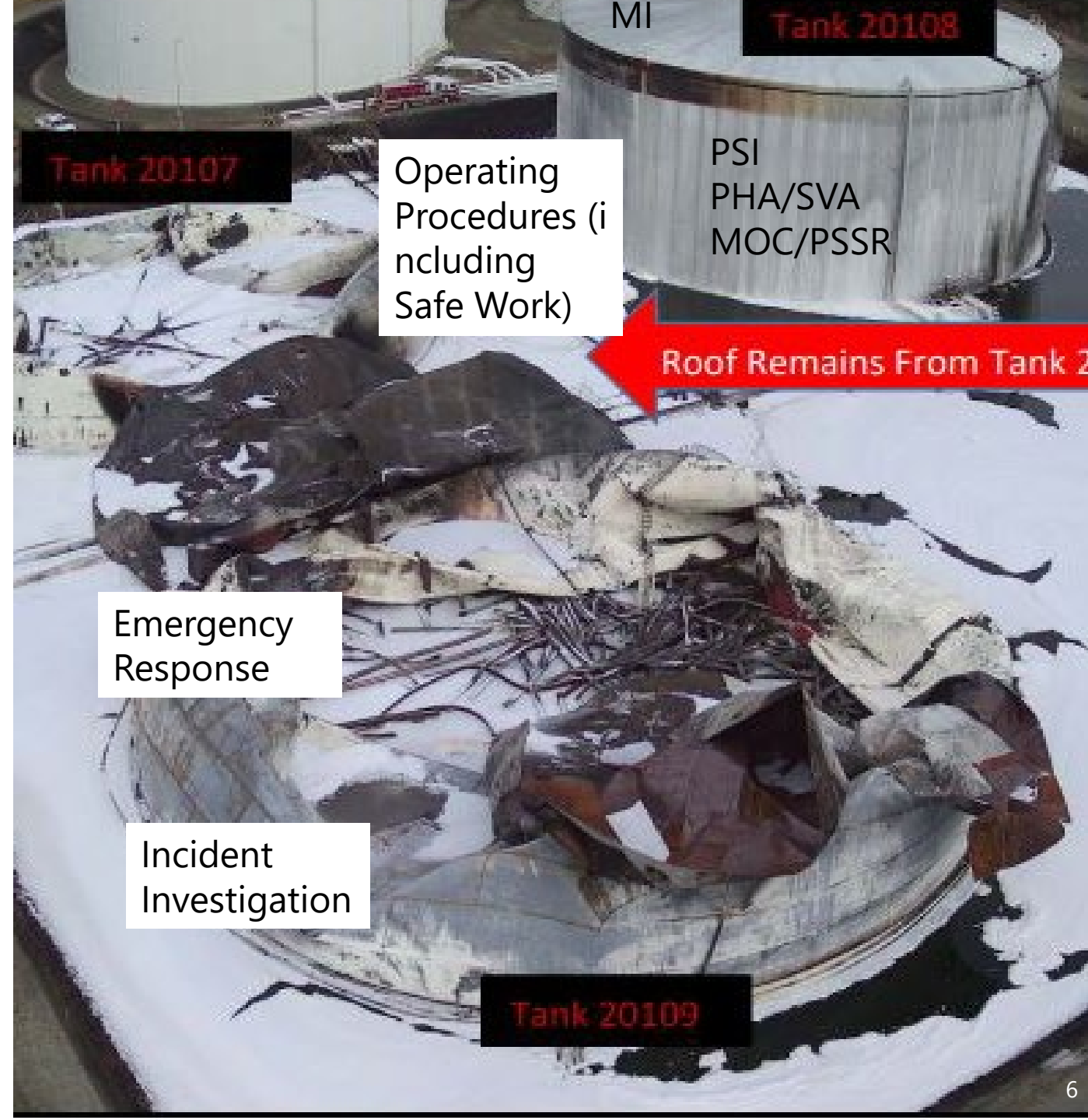


CCHSHMP Recommendations

[To ISO or not to ISO]

Review of RCA

ISO Safety Elements



#		Program	Captured within program	Basis	Relation to Incident
1	Management Systems	PSI		Understanding the hazards	Review of electrical classification areas and design
2		PHA	<i>Inherently Safer Systems</i>	Identifying and understanding risk	Review of hazard scenarios that could lead to fire/explosion
3		OP	<i>Training/Human Factors/Safe Work Practices</i>	Prevent inadvertent mixing and spills; also includes elements from HF and training.	
4		MI	<i>Contractors</i>		Implementation of industry standards via RAGAGEP
5		MOC	<i>Inherently</i>	Managing the risk and ensuring PSI is up to date	Evaluation of safety risks when making changes to design, technology, equipment, process
6		PSSR		Managing the risk and ensuring PSI is up to date	Evaluation of safety risks when making changes to design, technology, equipment, process
7		II		Learning from past experiences	
8		ER		Mitigating Consequences	Requires emergency response coordination (drills) between facility and responding agencies

Basis for Recommended Safety Elements

1

Understand
the hazards of
the process

2

Identify and
understand the
risk

3

Manage the risk

4

Learn from past
experiences and
near misses

5

Develop
management
systems to
maintain
programs



We must learn from the experience of others rather than
learn the hard way

—Trevor Kletz



Incidents Reviewed

Caribbean Petroleum Refining Tank Explosion and Fire (2009)

Intercontinental Terminal Company (ITC) Tank Fire

Barton Solvents Flammable Liquid Explosion and Fire

Third Coast Industries Petroleum Products Facility Fire

Barton Solvents Explosions and Fire



Conclusion

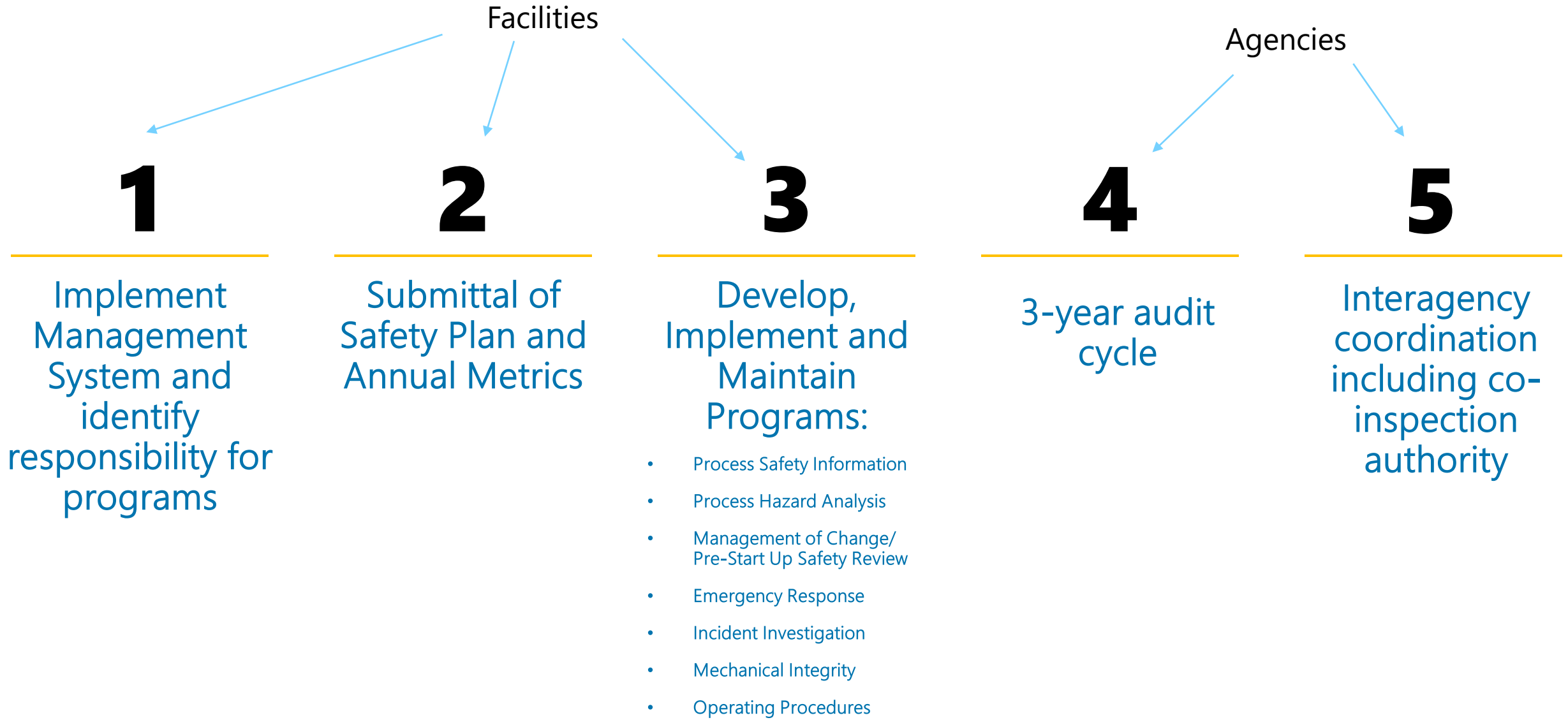
Applicability Review

Facilities Impacted: Bulk Storage Facilities which contain combustible liquids
(8 facilities identified in initial review)



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Responsibilities





“Preventing and reducing the number, frequency, and severity of accidental releases in the county to the greatest extent feasible.”

— Contra Costa County ISO, Section 450-8.004 (10)

Questions

THANK YOU