



September 29, 2025

Department of Industrial Relations
1515 Clay St., 17th Floor
Oakland, CA 94612

RE: Title 8 Section 5189.1 for Renewable Refineries; Petition 601 and AB3258 - SUPPORT

On behalf of California Labor for Climate Jobs (CLCJ), a statewide coalition of labor unions representing more than half a million workers, we write in strong support of the proposed changes to Title 8 section 5189.1, which will ensure all current and future refinery facilities operate at the highest level of safety for both workers and surrounding communities. Absent proper process safety management procedures and worker training, refineries are hazardous and deadly worksites. These proposed changes will ensure that no refinery falls below California's mandated standards.

California Labor for Climate Jobs is a statewide coalition of labor unions organizing for a worker-led transition to a climate-safe and just economy. Our labor unions represent oil and gas workers, public sector workers in oil and gas dependent counties and across the state, as well as teachers, domestic workers, healthcare workers, farmworkers, janitors and many more. Together we are workers leading on solutions that protect working people, create family-sustaining jobs, and improve our collective health and well-being. As workers we have witnessed companies exploit the shifting economic conditions and new technologies emerging in the low carbon economy to evade life-saving safety regulations. **The current section 5189.1 is outdated for our 21st century refining economy, especially as California moves away from petroleum refining, toward biofuel and other "renewable" and/or alternative fuel production. The proposed changes are necessary to close the loophole that permits newer refining technologies to evade the safety regulations that protect our workers and their neighboring families.** These changes will clarify the PSM process and close that gap in workplace safety for the entire refining and chemical plant industry.

In California we have witnessed the dire consequences that can befall both workers and community members when a refinery is improperly regulated to the highest process safety management procedures. In 2012 a catastrophic pipe failure at the Richmond Chevron refinery plant endangered the lives of 19 workers who were caught in the flammable vapor cloud, and it caused some 15,000 residents to seek medical attention for symptoms related to smoke exposure. As a result the U.S. Chemical Safety and Hazard Investigation Board (CSB) and the Governor's Working Group on Refinery Safety were forced to investigate. They determined that weaknesses in the Process Safety Management (PSM) for Petroleum Refineries contributed substantially to the deferred maintenance, poor safety culture, and lack of accountability on the part of Chevron management that ultimately led to the accident. With

intense advocacy efforts on the part of many labor and community organizations, the OSHA Standards Board updated the PSM rule to better ensure worker safety.

Recently we have seen these dangerous conditions play out again as an increasing number of refineries converted their operations from petroleum based refining to biofuels refining. While this is a change in feedstock into the refining process, the process and final product is still highly flammable and dangerous for workers and the community. In fact, in 2023 a worker at the Marathon Refinery, which converted to biorefining, suffered extremely life threatening burns from a loss of containment of flammable liquids at that site. Unfortunately, at that time 5189.1 did not explicitly include coverage of biofuels feedstock, and only explicitly named petroleum-based feedstocks. **The result is a loophole that refining companies currently exploit to allow their biofuels refining operations to fall outside of the necessary process safety management rules.**

We appreciate the effort to close this loophole and clarify that all feedstocks must be covered under the highest possible PSM standard - section 5189.1

For these reasons, the California Labor for Climate Jobs supports the proposed changes.

Sincerely,

Julia Sebastian
Coalition Coordinator
California Labor for Climate Jobs