

# Tesoro refinery barred inspectors from site of accident in California

Eric Abu Kweder  
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On 12 February, two workers at the Golden Eagle (GE) plant owned by Tesoro Corporation in Martinez, California suffered severe facial burns early in the morning after a pipe containing sulfuric acid burst, spraying acid. After being airlifted by helicopter to a hospital in Sacramento, California, the two received treatment for first-and second-degree facial burns. They were released that day.

The next day, CEO Gregory Goff forced three US Chemical Safety Board (CSB) investigators to leave after Tesoro's lawyers raised "jurisdictional challenges." Although Tesoro eventually allowed investigators back on site on February 28, the location of the accident was already back in production, hindering any investigation.

CSB's three-member board is alleging several violations of federal law governing safety at GE, including "refusing to permit the CSB to return to the site, refusing to preserve the site, prohibiting the conduct of certain interviews and indicating [non-compliance] with a duly issued document subpoena."

The GE refinery, also known as the Avon refinery, produces motor fuels, such as cleaner burning California Air Resources Board (CARB) gasoline and CARB diesel fuel, as well as conventional gasoline and diesel fuel.

According to its web site, the GE refinery employs 700 full-time workers and produces 166,000 barrels per day. It is the second largest refinery in Northern California and is only one of many oil refineries that the Fortune 100 company, Tesoro, operates.

Tesoro is the 24th largest source of air pollution in the United States, releasing roughly 3,740,000 lb (1,700 t) of toxic chemicals annually into the air.

The Environmental Protection Agency named Tesoro as the culprit in the creation of four Superfund or

Comprehensive Environmental Response, Compensation, and Liability Act toxic waste sites, all of which have destroyed the surrounding environment.

In November 2013 a worker suffered facial burns from sulfuric acid during repairs on a leaking acid pipe, after earlier makeshift repairs with a clamp failed.

Almost a month before the previous injury, the US Chemical Safety Board called Tesoro's safety culture "deficient" in a draft report following a 2010 explosion that killed seven workers at a Tesoro refinery in Anacortes, Washington.

Then on February 9—three days before the sulfuric acid burst—a minor fire broke out. The company sought deliberately to downplay the significance of this event.

Less than a day after the February 12 injuries, the California Environmental Protection Agency, together with the California Department of Industrial Relations, issued a news release announcing the publication of the Interagency Working Group on Refinery Safety's final report "outlining recommendations to improve public and worker safety at and near the state's oil refineries."

"A task force has already begun overseeing implementation of many recommendations and will continue meeting regularly to ensure the report's goals are met," the report stated. The news release, however, did not mention the recent or previous sulfuric acid burst or the recent fire at the GE refinery.

On February 18, almost a week later, the Division of Occupational Safety and Health (DOSH) within the State of California Department of Industrial Relations ordered Tesoro to shut down the section of the refinery where the two workers received their injuries, pending an investigation.

This investigation found violations of state regulations for injury and illness prevention and safe handling of hazardous materials.

In the report, workers noted that they have continually expressed concerns over their safety, explaining that sulfuric acid leaks in the dangerously thin pipes occur “all the time.”

In fact, only than four days after the two workers’ injuries, the same pipe burst again, exposing workers yet again to the same sulfuric acid leaks. As the report stated: “The piping came apart in the exact same spot as it did during the accident.”

Suffering from massive cuts to its pool of inspectors, the federal Occupation Safety and Health Administration (OSHA) employs only 2,200 inspectors for enforcing the safety of 130 million workers in America—i.e., no more than one inspector per every 59,000 workers, a figure which is expected to worsen as a result of bipartisan budget cuts. This renders OSHA structurally incapable of actually enforcing regulations, let alone carrying out “reviews,” however meaningless they may be.

Elizabeth Watters, a Tesoro company spokeswoman, sought to downplay the significance of the workers’ injuries, describing the sulfuric acid burst as a “minor chemical release” that left the two workers with “minor chemical burns.”

“We were surprised when the Chemical Safety Board notified the company that the agency intended to deploy a team to investigate, as the (board) is not charged with investigating a personal safety incident that did not result in serious injuries or substantial property damage,” Watters said.

Watters did not mention that the workers burned in the latest incident had not been issued the specialized equipment required by law to protect the face and body from acid burns.

The recent disaster at GE is only one in a long, uninterrupted string of industrial disasters in the United States. Among the most significant of recent incidents was the West Virginia chemical spill. In that case, Freedom Industries filed bankruptcy after the spill to avoid all responsibility for contaminating the water of 300,000 West Virginians.

After having shielded companies responsible for environment and workplace disasters (most significantly, BP) Obama has championed the fact that his administration has eliminated regulations, giving a green light for companies like Tesoro to violate safety codes.

With the collusion of Washington and both big business parties, large multi-billion dollar companies like Tesoro are left free to engage in unsafe business practices, let its infrastructure rot, act with impunity, pollute or contaminate the air or water in its environs, injure, maim, or kill workers—in short, go about the world wreaking havoc.



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