Five years since refinery disaster at Anacortes, Washington

USW “partnership” with oil companies and Democrats undermines strike and worker safety

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Over 200 workers are on strike at the Tesoro oil refinery in Anacortes, Washington, a city on the Puget Sound around 70 miles northwest of Seattle. Workers are picketing the facility as part of the nearly six-week strike, which involves 6,500 oil workers in Texas, California, Louisiana, Indiana, Ohio, Kentucky and Washington.

In an effort to appease the oil giants, the United Steelworkers union has limited the strike and has ordered 23,500 USW members in the oil industry to continue working even as their brothers face strikebreaking threats. The Anacortes facility, where seven workers were killed nearly five years ago, was chosen by the USW to highlight the issue of the unsafe conditions in the industry. But the experience at Anacortes only demonstrates the failure of the USW’s claims that the safety of workers can be achieved through collaboration with the oil bosses and the Democratic Party.

On April 2, 2010, an explosion rocked Anacortes. Residents could see flames coming from the facility as thick, black smoke moved towards them from the refinery a couple of miles away. Three workers were killed immediately and two others were transported to the hospital and succumbed to their injuries within hours. Another two workers held on for a couple of days before dying from severe burns.

This accident occurred despite the fact that in 2007 Anacortes was part of a USW survey and report called “Beyond Texas City: The State of Process Safety in the Unionized US Oil Refining Industry.” The survey found that most of the refineries contained a number of highly hazardous conditions similar to those that led to the March 23, 2005 explosion at a BP refinery in Texas City, Texas, which killed 15 workers and injured another 180. The survey was to measure how well the industry had followed through with a USW-initiated agreement with BP “to work together” for the health and safety of employees.

The report noted that BP did not have to register any of the workers killed in Texas City on its log of occupational injuries because they were contract workers and not directly employed by BP. Rather than demanding that the oil companies eliminate the inferior category of contract workers—who are lower-paid and receive no pensions or health benefits—and hire them as full-time employees, the report urges the corporate executives not to employ less skilled contractors in the most dangerous refinery operations.

The main federal agency involved in the investigation at Texas City, the Chemical Safety Board (CSB), noted that there were many lessons that could have been learned by BP because of previous incidents and recommendations before the fatal blast. However, “Safety goals often do not coincide with performance goals and in fact, they conflict,” noted one of the members of the board. The CSB reported the fact that a profit-making industry would not be inclined to worry about the safety of its employees and that the company already had plenty of information on what needed to be done to insure their safety.

After a four-year investigation into the 2010 explosion at Anacortes, the CSB concluded that the explosion had been the result of 15 years of neglect during which time hazardous leaks had become more frequent and safety procedures lax. (See the YouTube video: Behind the Curve.)

Management's response to the frequent leaks was to increase the amount of staff in the area when restarting equipment called heat exchangers, which are used to heat raw naphtha—a light component of crude oil—and hydrogen to remove impurities as part of the process to produce gasoline and other fuels.

The forty-year-old heat exchanger had cracks inside its inch-thick shell from wear and tear over many years and exploded. The CSB blamed the refinery's insistence on having so many employees gather around this procedure on the large number of deaths. Part of the recommendations after the Texas City explosion had been to remove nonessential personnel from the area when a system was being restarted.

The report noted that the Washington Department of Labor and Industries was understaffed and ill equipped to enforce even weak regulations. Unreliable inspections were performed and the agency lacked specialists that understood complex operations like oil refineries. The department fined Tesoro $2.4 million dollars, citing the company for 44 workplace violations, including willful disregard of safety regulations and failing to maintain 40-year-old equipment.

While this was the largest occupational safety fine in state history, it was a drop in the bucket for Tesoro, the Fortune 500 corporation—whose name means "fortune" in Spanish—which paid its CEO Gregory J. Goff more than twice that amount in salary, bonus and stocks.

However, even this was too much for the state's so-called safety regulators. After an appeal from Tesoro, Washington Board of Industrial Insurance Appeals Judge Mark Jaffe reduced the fine to $490,500 and even that could be reduced even further later this year. In making his ruling, Jaffe reasoned that the Tesoro should not be fined $385,000—or $55,000 for each worker—for failing to provide fireproof clothing to the seven victims because there was no material that could have protected them from such a raging fireball anyway.

After outrage erupted over yet another case of industrial murder and criminal neglect by major US corporations, the Obama administration announced that it would conduct a Justice Department investigation into possible violations of federal occupational safety and environmental laws.

In August 2014, the administration wrapped up the investigation, concluding that no crimes had occurred. The evidence that was reviewed, federal attorney Jenny Durkan said, "does not reach the exacting bar for criminal prosecution.

The claim by the USW that the Obama administration and the Democratic Party are friends of labor who can be relied on to defend workers' safety and living standards is a fraud. President Obama has repeatedly backed the energy conglomerates, from his shielding of BP from any real consequences for the Gulf of Mexico disaster to the continued deregulation and corporate tax breaks for the industry. Both big-business parties have received large amounts of money from oil companies and do their bidding.

The safety and wellbeing of oil workers and the surrounding communities is incompatible with the profit system, which subordinates every aspect of life to the singular drive to boost the fortunes of the corporate and financial elite. It is impossible for workers to wage a struggle to defend their lives and livelihoods it they are tethered to trade unions, which unquestionably defend the profit system and are allied with the big-business political parties.

The strike by oil workers can become the beginning of a counteroffensive by the working class only if workers break free from these pro-capitalist organizations and take the conduct of the struggle in their own hands. Rank-and-file committees should be elected to spread the strike throughout the whole industry and fight to mobilize broader sections of the working class in defense of oil workers.

This should become the basis of the development of a political movement of the working class, independent of both big-business parties, to break the grip of the banks and big corporations and reorganize the economy to meet social needs, not private profit. This includes placing the oil industry under the democratic control of working people.