

More evidence emerges about how unskilled contract labor may have contributed to deadly fire at BP Husky refinery in Ohio

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Are you a worker at the BP Husky refinery? Please use the form below to send information about conditions at the refinery that could have led to the September 20 disaster, which killed Max and Ben Morrissey. Your identity will be kept anonymous.

Pipe fitters and other building trades workers at the BP Husky refinery in Oregon, Ohio are asking whether unsafe practices contributed to the deadly explosion and fire on September 20. Two brothers, Ben and Max Morrissey, ages 32 and 34 respectively, died the day after from horrific burns they suffered in the blaze.

Workers have pointed to management's decision to lay off hundreds of union construction workers who have done maintenance and repair work at the refinery, in some cases for decades, and know its complexities and dangers intimately. They have been replaced with less skilled, nonunion contractors from out of state who were reportedly under enormous pressure to finish the job quickly.

As one veteran pipe fitter said in a previous interview with the WSWS, "They were not taking the valves to the wash pads, to clean the valves according to specifications. They were using old gaskets and doing anything to get the job done. This is so the contractor can say, 'We did the job in record time.'"

These remarks have been confirmed by other building trade workers who wrote in to the WSWS:

"I was a pipe fitter foreman during the 2022 BP shut down," one worker said. "70 percent went to nonunion, not 55 percent, which is a huge chunk of that refinery. During a 10-hour day, we only had one 45-minute break. BP allowed us to have every other Sunday off. One of our guys on night shift had a heart attack which could have been caused by not allowing us adequate breaks. Not to mention the shutdown took place in the spring/summer. Long, hot days and only allowed one break. Carelessness and forgetfulness are results of fatigue and BP should be ashamed to break down our conditions. Their penny pinching ultimately led to tragedy."

Another worker wrote: "What a shame. I worked there during the last outage. Over half the workers were from Texas. The local union has strict rules pertaining to training before they enter the refinery. My understanding is BP had a new plant manager from a nonunion plant. Whether that had something to do with getting the job done on time and cheaper labor I don't know. Time will tell.

My condolences to the men who lost their lives and the injured. God bless their souls."

Another wrote along these same lines: "I heard BP had a new plant manager who came from a nonunion plant. Our union has plenty of workers who have training above and beyond what is required. God bless the deceased and the operators who were impacted by this accident."

Another said: "I am a retired Union Boilermaker out of local 85. This should have never happened. This is because of their using unskilled labor to try to save a little money. Come on, it cost more and cost lives! They should have learned from the past. Now we have lost two more good men for no reason. I worked at this BP refinery for a lot of years as a welder and as foreman; it was different then. This sickens me. Two more deaths, you can't put a price on a life."

Several workers say the contractors did maintenance and repair work on the very same units—Crude Vac 2 or "CV 2" and one of the Alkylation or "Alky" units—where the explosion and fire reportedly occurred. According to a report by Reuters, "Leaking fumes from a crude unit may have caused the ignition in another unit at the facility, a source told Reuters. Multiple units were engulfed in flames, the source said."

"In a refinery there are huge valves, sometimes 30-48 inches," a veteran pipe fitter who worked at the refinery told the *World Socialist Web Site*. "These control valves open and close pipelines. They are very sensitive to grease and debris buildup. If they are not cleaned properly, they do not completely close. That would allow product or fumes to escape. It was possible a valve didn't completely seal and when the gasses escaped they were ignited by a source on a different unit."

There are plenty of ignition sources nearby. In the distillation tower and vacuum distillation tower, also known as a Crude Vac, a furnace heats crude oil to temperatures of 700-750 degrees Fahrenheit to produce light and heavy gas oils, which are later refined into lubrication oil, jet fuel, kerosene and diesel.

On September 27, Bloomberg reported that the fire occurred at the refinery's "biggest crude unit." It also said, "All contractors were sent home hours before the fire erupted at the 150,800 barrel-a-day refinery."

The latter statement confirms reports from workers that management sent the bulk of the workforce home on the morning

of September 20 because of “unstable conditions” at the refinery. Unionized refinery operators also reportedly wanted to halt production because of the unsafe conditions, but management refused, according to still unconfirmed reports. Max Morrissey and his younger brother Ben—who had worked at the refinery for only six months—were among the operators kept on the job despite the imminent danger.

The use of nonunion contractors, along with manpower shortages and exhausting work hours, is a long-standing issue in the industry. But the United Steelworkers (USW) and the construction unions have blocked any serious struggles. In 2015, the USW sold out a limited strike of refinery workers, including BP Husky workers, and then pushed through contracts in 2019 and 2022 that further undermined working conditions.

In October 2020, union construction workers held a protest outside of the BP Husky refinery saying it was “reckless” for BP to replace them with nonunion workers. The job cuts were part of the oil giant’s plans to cut 15 percent of its workforce worldwide in response to falling prices due to the pandemic. Although prices and profits have risen sharply, BP and other oil monopolies have not hired back the laid-off workers.

In April 2021, Cenovus Energy laid off 3,000 union building trades workers at the Husky refinery, 75 miles south of Toledo in Lima, Ohio and replaced them with nonunion “turnaround specialists” for their fall shutdown. Cenovus, which acquired Husky in 2021, is also taking over BP North America’s 50 percent share of the Oregon refinery after a \$300 million deal with BP.

“The union signed a deal covering BP Whiting, which gave up 15 minutes of our break time,” the veteran pipe fitter told the WSWS. “Then they brought this into Toledo. I know guys who were hired as contractors during the turnaround last summer. Management cracked the whip on them to get the job done fast. One of the workers, in his early 40s, had a heart attack because of all the stress, because it was very hot out there. They laid him off immediately to get him off the contractor’s books so it would not hurt them for the next bid. The companies are always manipulating data about injuries, so they don’t show up on their records.

“As far as the union is concerned, they have been tight-lipped about this situation and the officials don’t want to rock the boat. Because of this, the working conditions for operators, for pipe fitters and other refinery workers, have been going backwards.”

Like BP, the United Steelworkers union, which counted the deceased Morrissey brothers among its 315 members at the refinery, has maintained a guilty silence over the events of September 20. The union operates joint labor-management safety committees with the company at the refinery and would have been fully aware of any safety complaints from workers in the period prior to the disaster. In the only public statement since the disaster, Eric Sweeney, the District 1 staff representative for USW Local 1-346, told the *Toledo Blade* that “no one wants to rush to judgment.”

On Monday, USW Local 1-346 President James Witt hung up the phone when this reporter said he was from the *World Socialist Web Site* and had several questions for him.

This reporter has reached out to the US Department of Labor’s Occupational Safety and Health Administration (OSHA) for an

update on its investigation. OSHA has repeatedly charged BP North America with “willful” safety violations at its refineries, including the Oregon facility. In 2020, the Houston-based company agreed to pay \$2.6 million in fines to settle long-standing air pollution, monitoring, maintenance and record-keeping violations at the refinery.

On Tuesday, this reporter phoned and sent a detailed email to OSHA Public Affairs Regional Director Scott Allen, which raised workers’ safety concerns.

The email asked:

- 1) What is the status of the ongoing investigation? Will there be an interim report and when do you expect to complete the investigation? How many inspectors are working on this?
- 2) Workers have reported that the fire took place at the CV-2 and/or the Alky units. Can you confirm this?
- 3) Workers familiar with the incident said refinery operators said the units were “unstable” and unsafe on the morning of September 20 and did not want to work there. Management, however, continued production. Can you confirm these reports?
- 5) Union pipe fitters reported to us that lesser skilled contractors were hired to do the maintenance and repair work during this year’s “turnaround.” They report that their failure to properly clean valves may have contributed to leaking gasses that were ignited. Can you confirm these reports?

As of this writing, OSHA has not responded to this inquiry.

Postscript: On Wednesday, October 12, Allen emailed this author to say, “No information will be available until OSHA has completed its investigation, which, by law, they have 6 months to complete.”



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