



Ms. Tari Enos, Administrative Regulations Analyst  
Division of Occupational Safety & Health  
WA State Dept. of Labor and Industries

Via email: [psmcomments@lni.wa.gov](mailto:psmcomments@lni.wa.gov)

Re: L&I Revision of Chapter 296-67 WAC, Safety Standards for Process Safety Management of Highly Hazardous Chemicals, First Draft of Rules

May 14, 2018

Dear Ms. Enos:

We are writing on behalf of the Washington State Labor Council, AFL-CIO to provide comments on the current rulemaking process regarding changing Washington State's Process Safety Management (PSM) regulations for refineries. We represent more than 600 union locals and councils representing over 450,000 rank-and-file union members throughout Washington state. We wish to thank you for your work so far in strengthening the state's PSM rules that are needed to make our workplaces and communities safer. As the 2010 explosion at the Tesoro Anacortes refinery made all too clear, we need an updated standard to protect workers, surrounding communities, and the environment—and the standard must be as strong as possible.

We believe that the draft PSM proposal can and should be further strengthened, so that we are able to maximize its efficacy and enforceability. Refinery workers and those that live in the communities around these facilities deserve to have strong rules in place to help ensure their health and safety. We cannot wait for the federal government to act. Washington state must take action and lead.

We encourage you to make the following changes and finalize the strongest possible standard as quickly as possible:

1. Implement the changes to the PSM proposal that have been detailed in the formal comments from the United Steelworkers, the BlueGreen Alliance, and other co-signing partner organizations have submitted. Some of the recommendations include:
  - a. **Operating Procedures** – Shall include emergency procedures for each process, including any response to the over-pressurizing or overheating of equipment or piping, and the handling of leaks, spills, releases and discharges of highly hazardous materials provided that only qualified operators may initiate these operations, and that prior to allowing employees in the vicinity of a leak, release or discharge, the employer shall, at a minimum, isolate any discharge or shut down and depressurize all discharges occurring;

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**Washington State Labor Council, AFL-CIO**

Jeff Johnson, President • Lynne Dodson, Secretary Treasurer  
321 16th Avenue South • Seattle, Washington 98144

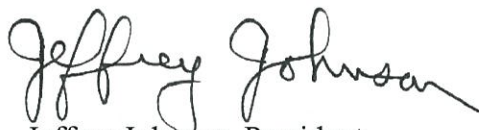
Phone: 206.281.8901 and 1.800.542.0904 • Fax: 206.285.5805 • Web: [www.wslc.org](http://www.wslc.org) and [www.thestand.org](http://www.thestand.org) • Email: [wslc@wslc.org](mailto:wslc@wslc.org)

- b. **Training** – Within twenty-four months of the effective date of this chapter, the employer must develop, implement, and maintain an effective training program to ensure that all affected employees are aware of and understand all PSM elements;
  - c. **Contractors** -- must ensure that each of its employees understands and follows the safety and health procedures of the refinery employer and the contractor.
  - d. **Investigations** – Must use relevant analysis, be timely and include interim measures that prevent a recurrence or similar incidents until final corrective actions can be put in place;
2. Please not allow the proposals to be weakened in any way—the California state regulations already represent a compromise on workplace safety and community health; and
3. Implement the proposal as quickly as possible to ensure health and safety regulations are in place to protect worker and community health and safety.

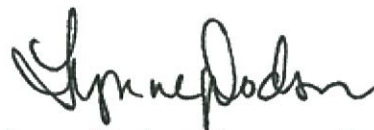
We appreciate your attention to this critically important matter. Our facilities should be held to the highest possible standards to minimize the dangers and burdens they place on workers, the surrounding communities, and the environment. Washington's five refineries can and should be the safest and least polluting petroleum refineries in the world.

We look forward to seeing the important input being offered to keep our refineries and communities safe being reflected in the next stakeholder draft. Please feel free to reach out if we can be of any assistance in achieving these important objectives.

Thank you,



Jeffrey Johnson, President  
Washington State Labor Council, AFL-CIO



Lynne Dodson, Secretary Treasurer  
Washington State Labor Council, AFL-CIO