

Congress of the United States
House of Representatives
Washington, DC 20515-0533

March 6, 2015

The Honorable Rafael Moure-Eraso
Chairman
U.S. Chemical Safety Board
2175 K Street N.W., Suite 400
Washington, DC 20037

Dear Chairman Moure-Eraso:

We are writing to request that the U.S. Chemical Safety Board (CSB) investigate the root causes of the February 18, 2015 explosion at the ExxonMobil refinery in Torrance, CA and make recommendations to prevent additional accidents at refineries. An investigation by CSB would complement the investigation into worker safety conditions already underway by the California Division of Occupational Safety and Health (Cal/OSHA) and contribute significantly to Congress' understanding of process safety at petroleum refineries throughout the country.

An investigation is also necessary because this is the third time a significant accident has happened at this refinery. Moreover, this is a national problem because refinery accidents have occurred with much greater frequency in the United States than in other parts of the world, such as Europe.

According to CSB's governing statute, 42 U.S. Code § 7412, "The Board shall investigate (or cause to be investigated), determine and report to the public in writing the facts, conditions, and circumstances and the cause or probable cause of any accidental release resulting in a fatality, serious injury or substantial property damages." The statute further states that "in no event shall the Board forego an investigation where an accidental release causes a fatality or serious injury among the general public, or had the potential to cause substantial property damage or a number of deaths or injuries among the general public."

The February 18 explosion thankfully did not result in any fatalities. However, the incident did cause substantial property damage to the refinery and injured four people. Due to the plant's proximity to the surrounding community, the accident had the potential to cause substantial property damage and deaths and injuries among the general public ("Explosion at Torrance ExxonMobil refinery injures 4; spike in gas prices expected," Daily Breeze, February 18, 2015).

Reports indicate that the force of the explosion registered as a magnitude 1.7 earthquake and was felt for miles. Four workers were hospitalized, and the plant subsequently shot flames high into the air for over 24 hours, burning off toxic gases. The surrounding residential area was sprinkled with a substance composed of metal oxides and silica that can irritate the skin, eyes and throat (“ExxonMobil says dust from explosion can irritate skin, eyes, throat,” Daily Breeze, February 20, 2015). Fortunately, the highly dangerous hydrofluoric acid (HF) located in pipes nearby the explosion was not released into the air.

This is the third time a serious accident has occurred at this refinery. In 1994, a gas explosion ripped through this refinery, injuring 28 people, at least six seriously. In 1988, one person was killed and nine others were injured in a blast at the refinery. (“Huge ExxonMobil explosion a reminder of refinery dangers,” Los Angeles Times, February 18, 2015).

The Torrance plant was also the third U.S. refinery to experience an explosion this year, the latest in a trend of major incidents at petroleum refineries in recent years. In your prior writings, you noted that “According to business insurer Allianz, oil and gas industry losses are the highest of any industrial sector. Swiss Re, a business re-insurer, has determined that the U.S. has three to four times the accident rate of the better-regulated European refinery industry” (“Viewpoints: California is leading the way on oil refinery safety,” Sacramento Bee, Oct 9, 2014).

According to the U.S. Energy Information Administration and the United Steel Workers, there are 142 refineries in the U.S, 50 of which use highly-concentrated amounts of HF as a catalyst in the refining process. The Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) regulate HF as highly toxic.

As part of your investigation, we ask that you address the following questions:

- To what extent did the explosion endanger the Hydrofluoric Acid storage at the refinery?
- How vulnerable is the Hydrofluoric Acid storage at the refinery?
- Given the refinery’s proximity to the surrounding community, are the safety processes in place sufficient to minimize off-site impact in the event of an incident?
- How does the process safety at the Torrance refinery compare to other refineries that use Hydrofluoric Acid?
- Did ExxonMobil follow prior recommendations that CSB issued in response to accidents at other refineries?
- Is the ExxonMobil accident unique or is it part of a pattern of refinery accidents in the United States?
- Did ExxonMobil break any laws or regulations?

Cal/OSHA has already exercised its broad preservation authority in order to conduct their investigation. We encourage you to coordinate with Cal/OSHA, the California Governor's Interagency Refinery Task Force and other agencies to conduct your investigation and issue recommendations.

Upon completion of CSB's collection of evidence and investigation, we request that the Board brief our offices on its findings to help determine appropriate next steps.

Sincerely,

The image shows two handwritten signatures in black ink. On the left is the signature of Ted W. Lieu, and on the right is the signature of Maxine Waters. Both signatures are fluid and cursive.

Ted W. Lieu
Member of Congress

Maxine Waters
Member of Congress

cc:

Senator Dianne Feinstein

Senator Barbara Boxer

Governor Jerry Brown

State Senator Kevin de Leon, Senate Pro-Tempore

State Senator Ben Hueso, Chair, CA Senate Energy, Utilities & Communications Committee

State Senator Bob Wieckowski, Chair, CA Senate Environmental Quality Committee

ExxonMobil