



From the Vice President's Desk

Our Campaign Will Continue Until Health & Safety Issues are Resolved

I want to thank everyone who attended the National Oil Bargaining (NOB) conference in September. It was good to see you all!

During the conference the delegates elected the 2010-2013 National Oil Bargaining Policy Committee and alternates. Your new policy committee is Dave Danko (Local 7-1), Jim Savage (Local 10-1), Mike Maloney (Local 11-574), Don Houtchens (Local 12-590) and Larry Burchfield (Local 13-1).

Your policy committee has as alternates Steward Armstrong (Local 912), Ken Gomeriger (Local 4-898), Mike McFadden (Local 558), Steve Swader (Local 534) and Darrell Kyle (Local 13-243).

I encourage all of you to support these committee members. I also want to thank the former policy committee for all their hard work. Being a committee member is a demanding job and it will be especially so for this next round of negotiations.

On our oil bargaining website you'll find an article about the conference and a slideshow of photos taken by brother Pat Patterson. Check it out by going to www.oilbargaining.org. The article is entitled, "Refinery Safety Major Focus of Oil Bargaining Conference."

Shell Prepares for NOB Strike

Shell Oil, has hired a manager for workforce contingency planning in preparation for the 2012 NOB talks. The anticipated assignment duration is two years, and the person had to start in this full-time position by Oct. 1, 2010.

According to the job notice, this manager will be working with the manufacturing vice presidents and manufacturing site general managers to develop and implement comprehensive strike contingency

plans for all represented Shell and Motiva U.S. refineries. He or she will engage in resource identification and planning; determine training needs and coordination; provide guidance on overall plan execution; and establish and maintain internal networks to implement site contingency plans.

Other job duties are to implement a comprehensive plan that enables Shell and Motiva to continue operations during a strike, engage in strategy and planning sessions prior to NOB and to be up-to-date with competitor practices and regulatory requirements.

If Shell has hired someone to prepare for a strike you can bet that the other oil companies have done so as well.

This should be a wake-up call to all the locals. Don't be surprised if you start seeing want ads for your jobs. Your supervisors, if they haven't already started, will be pumping you for information about the union's strategy. When they ask about this, tell them to give you the company's strategy first.

Supervisors will ask if you or your union is going to go on strike. Let them know it's an internal union matter, and don't let on how you feel about the issue because your message will get to the top, I guarantee it and what you say influences our bargaining power.

Start Getting Ready

I've always said that the best way to avoid a strike is to prepare for one. Start setting aside money each month to supplement strike benefits and avoid making major purchases until after contract talks are settled. That's what our predecessors did when they wanted to make the contract gains we take for granted now.

As I told the media, I'm not marching

toward 2012 with the intention of having a strike. However, we need to get a comprehensive agreement that has enforceable health and safety language so we have recourse if something is not safe. The industry agrees to the language but they don't want to make it subject to the grievance procedure or arbitration. If there is no enforcement, the language becomes meaningless and managers and supervisors can ignore it.

Ask yourself: Isn't your life and job worth fighting for?

Get Information Out

The best source of information about our health and safety campaign to protect ourselves, our communities and secure our jobs is The Oil Worker. That's why it's important we get it into the hands of every member. Some locals are distributing it using their Communications and Action Team (CAT), Rapid Response network or steward network. Others are collecting the home email addresses of every member and emailing the newsletter to them.

While it's okay to post the newsletter on union bulletin boards in the plant and on local union websites, please don't make that your only distribution method. We must get this newsletter into the hands of every member.

Our oil website, www.oilbargaining.org, also has the back issues of The Oil Worker and features the video "Out of Control" which illustrates why we're doing this health and safety campaign. Refer members to the website if they need more information.

The new video we're producing, "Still Out of Control" will be completed this fall and can be screened at your monthly membership meetings.

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Where the Oil Products Imports Issue Stands Today

By Keith Romig, USW staff

The import of finished oil products into the United States is a significant problem right now and soon will get worse. USW was alerted to this issue over a year ago by activist members on the East and Gulf Coast as we began to experience refinery cutbacks and shut-downs that USW believes are caused in part by products imports from overseas.

USW has been analyzing statistics from the Energy Information Administration (EIA) for the last 12 months. In addition, members have shared a lot of anecdotal information including news reports that back up these statistics.

During a recent meeting with the National Petrochemical and Refiners Assn. (NPRRA) the union found NPRRA staff shared our concern about imports, no doubt based on concerns expressed by those of the association's members that are independent refiners. NPRRA corroborated just about everything USW learned both from our members and from the statistical analysis.

Proof Needed

I mentioned at the 2010 oil bargaining conference that the imports issue was a high hill to climb and that there was no better group of people to climb it with than USW oil workers. Let me illustrate with a little bit of autobiography.

When I moved to Colorado in 1980 to further my education I found a lot of high mountains to climb. Wide-eyed and naïve my friends and I began to climb them. We quickly found out that the trails up the mountains not only were high, they were long, with a lot of bends in the road. There were very long walks in the wood before we could even get far enough to see anything, let alone make it to the top.

That's basically where we are with the products imports issue. We have a long complex road to walk. Right now we have evidence, but we need proof.

USW has discussed this issue with top staff at the Wessell Group, the union's primary outside trade experts. These people are passionately dedicated to helping USW and its impacted industries get the

trade relief we need to keep our industries alive and our members in their jobs.

Right now in the United States the establishment bias is very much in favor of free trade. That means if we or anyone else wants to convince the International Trade Commission, the Department of Commerce, or the White House that tariffs or other relief should be given, the burden of proof is extraordinarily high.

Types of Trade Cases

There are three forms of trade cases I will discuss here. One is anti-dumping. Dumping is where a company overseas sells products here both below the cost of production and below the prices it is charging in its home markets. If the company is just underselling because it has to undersell to sell at all, it's not dumping. If the company sells below the price it charges in its home market but can still make a profit on the prices it charges here, that's not dumping either.

Countervailing duty is where a foreign government is giving illegal subsidies to its producers to undersell producers over here. If the Department of Commerce and the International Trade Commission find proof of these subsidies, they can assess tariffs. The same is true with anti-dumping.

With a Section 201 case, the injured parties petition the White House directly for relief. When USW forced the Bush Administration to grant relief to the steel industry in the first half of the current decade, close to 30% of the industry had closed its doors. There has to be a tremendous amount of injury before this remedy can be used.

USW has won numerous trade cases in the rubber, steel, paper, aluminum, glass, nuclear, cement, and other industrial sectors over the years. In every one of these cases the union had the support of companies in the industry and access to the needed confidential business information to make its case. Without this support and this information it is impossible to prove that the refinery closings and job loss are related to the import problem.

Unwilling to Break Rank

It is clear NPRRA staff is concerned.

And they are concerned because they have heard a lot from independent refiners that are very concerned. But so far neither NPRRA nor any of the independent refiners has been willing to break rank with Big Oil—companies like BP, Shell, ExxonMobil, ConocoPhillips, Chevron, and Marathon that are to one degree or another part of the products import problem.

There also is a public perception that any company involved in oil from the corner gas station to truck stop chains to small independent refiners, to little wildcat drillers, right on up to the big boys is all Big Oil. We are going to have to use all our public relations skills to overcome this public perception.

The main thing we have to do as a union is break one or more independent refiners away from the pack. USW is going to keep talking to NPRRA and to the independent refiners on a company level.

First Step to Take

In addition, it is absolutely vital that local union leaders who work for these
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How to get *The Oil Worker*

If you are an oil worker and are not receiving *The Oil Worker* newsletter and would like to get it, please send your home e-mail address to International Vice President Gary Beever's administrative assistant, Julie Lidstone, at jlidstone@usw.org. Besides your home e-mail address, please state the name of the company you work for and your job title.

The Oil Worker comes out at least once per month and features information about oil bargaining, the oil industry, health and safety, oil unions from around the world and health care.

Our Campaign Will Continue Until Health & Safety Issues are Resolved

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Remember, there is a Community Outreach Toolkit on the flash drives we handed out at the emergency oil health and safety meeting in June and at the oil bargaining conference. Start with one activity and then move on to the others. These activities can help our campaign to secure our jobs.

More injured

At the end of September two of our members at BP's Texas City refinery were burned by steam while working on a pipestill.

One worker had minor burns and the other had 2nd and 3rd degree burns and had to undergo skin grafts. Our best wishes go out to those members in their recovery.

The next day non-essential personnel gathered for safety review meetings called safety stand downs. This process happens when there are serious injuries and was implemented when BP overhauled its safety procedures in response to the horrific 2005 explosion and fire. This is a step in the right direction.

A contract worker died October 6 while repairing a pipe leaking hydrogen sulfide gas at ExxonMobil's Chalmette, La., refin-

ery. According to press reports, it is not clear whether the man died from exposure to the leak or had a previous medical condition.

A fire forced shut the fluid catalytic cracker (FCC) at Citgo's refinery in Lemont, Ill., Nov. 2. The FCC received minor repairs after the brief fire. Chicago gas rose as a result.

A 45-year-old maintenance mechanic from Local 10-901 was severely burned Nov. 12 around 2 a.m. at the Sunoco refinery in Philadelphia. At the time of this writing, he was in critical but stable condition at the Temple University Hospital intensive care unit. He is in an induced coma and received second- and third-degree burns over 25 percent of his body on his head, face, neck, shoulder, hands and lower arms.

The USW Emergency Response Team has been called to the scene and OSHA is in the plant doing its investigation.

Tesoro

It looks like Tesoro is cutting benefits for its employees and retirees to pay for its explosion and fire last April. The company wants to change healthcare options, eliminate retiree medical care and change the defined benefit pension to a cash balance

system.

Our position is that you don't pay for the deaths of seven employees by cutting your workers' and retirees' benefits.

Tesoro could have prevented the April disaster, according to the Washington State Department of Labor & Industries. We'll have a story in the next Oil Worker about their findings and our investigation.

Oil Product Imports

Keith Romig gave a presentation at the oil conference on oil product imports. In this newsletter you can read his article on where the oil products imports issue stands today. I'll keep you updated in The Oil Worker on future developments.

We need your help on this issue. If your local has not already done so, please submit a USW data demand on oil product imports to your employer. You can get a copy of the data demand on the flash drive we gave everyone or you can call my office (409-838-1972) and I'll have my assistant, Julie Lidstone, send one to you.

Gary Beevers

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Chair, National Oil Bargaining Program

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Where the Oil Products Imports Issue Stands Today

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independent refiners talk to their local managements to see how hard those managers who understand what is going on are willing to push inside the company to get it to work with USW to tackle this problem.

This first step is absolutely vital in any sort of trade action. It's the first big part of the hill we have to climb together. We must get one or more independent refiners that are being injured by the imports problem or stand to be injured when it gets worse to break rank with Big Oil and support USW, both to save our members' jobs and to save their own ability to operate.

The work members have done has been absolutely crucial. Leo Gerard, Tom Conway, Gary Beevers and USW staff are committed to working alongside you to get the support we need to bring and win such a case.



Books You Should Read

During Keith Romig's presentation on the state of the oil industry at the National Oil Bargaining conference, he mentioned four books everyone should read to better understand the sector. These books are:

Ida Tarbell, **The History of the Standard Oil Company**. This was published in 1904, but still is available in several editions at powells.com and amazon.com.

Anthony Sampson, **The Seven Sisters**.

Daniel Yergin, **The Prize**.

Antonia Juhasz, **The Tyranny of Oil**.

Romig says Yergin's book is a bit pro-company, but is crammed full of useful and otherwise hard-to-find information. The other three books also have great information and all are written as exposes of the companies' bad practices. All these books can be found at powells.com or amazon.com. Powells's workers are unionized.

World Energy Conference Issues Resolution on Safety in Oil, Gas Sector

(Editor's note: USW Vice President Gary Beevers attended the ICEM World Energy Conference and spoke on health and safety problems within the oil industry.)

The International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM) World Energy Conference, meeting in Stavanger, Norway on September 6-7, 2010, is deeply disturbed by the extraordinarily high number of workplace deaths and injuries in recent months, in both upstream and downstream oil and gas industries. It must be remembered that these are workers who died producing profits for corporations that failed to provide safe working conditions.

Specifically, the ICEM notes a rash of explosions and fires in US oil refineries, including the tragic refinery explosion of the Tesoro company at the Anacortes, Washington, refinery that killed seven dedicated union members in April 2010. The ICEM grieves the death of a Petrobras worker at an onshore oils field in the state of Bahia in May. Much has rightly been made of the environmental destruction along the United States Gulf coast brought about by the BP-operated oil rig explosion and blow-out in the Gulf of Mexico earlier this year. After the initial news, however, the fact that 11 offshore workers died and 15 others were severely injured has been largely ignored. These are examples only. ICEM also recognizes that there have been many further workplace deaths in the oil and gas and other sectors.

This deterioration in safety and health conditions is attributable, the Conference believes, to the rush by corporations to maximize profits in the wake of the financial crisis, and a general disregard for best practices in safety and health. Indeed, many oil and gas companies, rather than create or re-create decent jobs as the economy recovers, have instead made a hazardous industry more hazardous by expanding the utilization of contract workers, combining existing jobs, and decreasing direct employment. This situation is made worse by the non-regulation, deregulation and non-enforcement of safety and environmental regulations by many governments.

The ICEM calls on the industry to engage the legitimate workers' representatives in implementing proper procedures and best practices such as Process Safety Management and Joint Union-Management Health and Safety Committees to remedy the inherent risks in these industries.

ICEM insists that trade unions be fully involved in all design, safety methodology and implementation of safety equipment, as well as fully involved in investigative work following accidents or malfunctions.

The ICEM pledges to alert affiliates whenever it becomes aware of mass deaths inside any work facility caused by negligence or faulty safety systems. It is the expectation that trade union affiliates will bring attention to these horrific acts to their own governments and inside their own enterprises in order that a new

safety consciousness is raised and a new culture of health and safety is built.

The ICEM also calls for ratification and strict adherence to all of the important International Labor Organization (ILO) instruments on occupational health and safety, including: ILO Convention 155, the Occupational Safety and Health Convention; Convention 174, the Prevention of Major Industrial Accidents Convention; Convention 162, the Asbestos Convention; Convention 148, the Working Environment (Air Pollution, Noise, Ventilation); Convention 136, the Benzene Convention; Convention 170, the Chemicals Convention; Convention 115, the Radiation Protection Convention; Convention 139, the Occupational Cancer Convention; Convention 183, the Maternity Protection Convention; and Convention 176, on Safety and Health in Mines, as well as attention to the ILO Guidelines on Health and Safety Management Systems.

Finally, the ICEM calls on other Global Union Federations to join its campaign for better safety and health conditions throughout all industries.

Remembering Glen Teddie "Ted" Allen

Brother Ted Allen was a doer and was active in health and safety affairs for Local 13-555 up until his death Sept. 22 at his home in Dry Creek, La.

He worked for 33 years at the ConocoPhillips refinery in Lake Charles, La., and was the head operator on the fluid catalytic cracker unit.

Allen was a charter member of the joint health and safety committee and refinery rescue team at ConocoPhillips. The rescue team started in 1983 and he was an active member up until his death. He was the first facilitator for the behavior-based safety process, which started in 1995 at the refinery, and was involved with CAPS (Changing Awareness Produces Safety).

Besides being Local 13-555's secretary-treasurer from 1984 until 2006, Allen was on the local's negotiating committee in 1982 and 1984 and was an operations committeeman.

"In a workplace where so few volun-

teers do so much, he will be irreplaceable," said Leon Royer, chair of the negotiating committee.

A member of Dry Creek Baptist Church, Allen was a deacon and sang in the choir. He loved to fish and hunt. His girls, Veronica and Marcie, and granddaughter, Felicity, were the apples of his eye.

"Ted was a man of character and integrity," said USW Vice President Gary Beevers. "He will be sorely missed. Our condolences go out to his family."

Allen is survived by his wife of 37 years, Mary Yeates Allen; daughters, Veronica Allen and Marcie Allen Dobbs and husband, Chris (whom he considered a son); mother, Margie Mae Allen; twin brother, Floyd Eddie Allen; sisters Jerrie Rae Young and husband, Oris, and Barbara Barton; and one granddaughter, Felicity Grace Breaux. In addition, he is survived by 28 nieces and nephews.

Health & Safety Problems Discussed at Oil Bargaining Conference

After showing the original “Out of Control” video that discussed process safety problems 21 years ago, USW Vice President Gary Beavers told the delegates to the National Oil Bargaining (NOB) conference that our current health and safety campaign resumes where we left off in 1989.

“Not a lot has changed since that video was made,” Beavers remarked.

Our “Safe Refineries, Secure Jobs, Healthy Communities” campaign was the main focus at the September NOB conference, which drew several hundred participants. Other topics addressed included the state of the industry, the USW emergency response team, the single payer healthcare campaign, and oil products imports.

Delegates participated in workshop sessions, attended their respective company council meetings and elected a new NOB Policy Committee.

Being at the NOB conference was a new experience for Local 13-12 member Hughes Jenkins, who is an operator at ExxonMobil’s chemical plant in Baton Rouge. He said in his unit old equipment needs to be replaced and employees need to be updated on hazards.

“One of my officers told me the video “Out of Control” is Mandan in 2010,” said Local 10 member Javier Montoya, who works at the Tesoro refinery in Mandan, North Dakota. “They bring contractors with no experience to do turnarounds. They use people off the street. One day they’re pipe fitters, the next day they’re laborers and the following day they’re carpenters.

“A lot of contractors get a 20-minute video on safety policies and procedures in our facility. We’ve let management know that these guys are not totally trained, but management says they are trained correctly,” Montoya said.

Legal Requirement

Employers are required by law to provide employees with a safe workplace even if it costs more or takes a little longer to do the job.

“Now that doesn’t mean it will get done,” said Mr. Kim Nibarger of the USW Health, Safety and Environment department to the delegates. “It is much cheaper for companies to play the odds.



The odds are in their favor that they will never get busted on a compliance issue because they probably will never be inspected.”

He said when OSHA began its National Emphasis Program and sent letters to refiners telling them what was going to be looked at, refiners did not try to fix those areas before the inspectors came into the plants.

It is cheaper for companies to contest OSHA citations rather than fix the problems because it is likely many of the safety issues will be vacated and fines reduced, he said.

Hydrogen Fluoride Use

Part of our “Safe Refineries, Secure Jobs, Healthy Communities” campaign is to persuade refiners to discontinue the use of hydrogen fluoride (HF) acid in the alkylation process and replace it with a safer solid acid catalyst.

HF is a corrosive poison. Inhalation of it can damage the nose, throat, lungs, heart, liver and kidneys. It readily penetrates the skin and destroys soft tissues and decalcifies bone. Exposure to high concentrations of it can cause death.

“The companies have produced a false and misleading report, through the National Petroleum Refiners Association, comparing the safety of HF to sulfuric acid and ignoring solid acid catalysts as an unproven technology,” Nibarger said.

He said that even during this depressed economic time for refiners, the cost is not prohibitive.

“They plain just don’t want to change and see no reason to switch, safer or not,” he said.

Nibarger said one reason for the resistance may be that the oil companies have

not perfected the catalyst; however, one company is working at it diligently. He suspected the companies might have a different attitude if they don’t have to rely on an outside vendor and supply the solid acid catalyst themselves.

“One failure with an HF alkylation unit on the scale of failure of the Deepwater Horizon drilling rig and all refiners will be struggling to keep operating,” he said.

One-Sided Effort

“Our experience with the American Petroleum Institute (API) and working to develop two standards were met with the same one-sided effort as most of our actions are with this industry,” Nibarger said.

The fatigue standard group refused to incorporate our union’s request for a reduction in open shifts over a five-year period from a base year number. The companies decided each site should determine what works best for them.

“In other words, keep doing what you are doing,” Nibarger said.

This would be like each airline having its own fatigue standard. Fortunately, for the public’s safety, that is not the case.

The API came up with its own fatigue standard and some companies are pushing this at several sites as the answer to the fatigue problem. Nibarger reminded the delegates that this is an NOB issue and that they should contact VP Gary Beavers immediately if presented with a fatigue proposal.

As for the other standard, the safety metrics standard group did not want to incorporate public reporting of events “other than what they could not hide from the public,” Nibarger said.

He said when the union suggested reporting of a process relief valve or safety system activation, the companies responded that such systems are doing what they are supposed to do and everything is fine.

“We could not convince them that a safety system activation was a signal of a failure in the management system up the line,” Nibarger said.

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Oil Worker Talks about Refinery Health, Safety

As promised in USW Vice President Gary Beavers' column from the last edition, several issues of *The Oil Worker* will feature the stories of oil workers who spoke about health and safety hazards in the refining sector at the emergency oil health and safety meeting. What follows is a transcript of the message John Warner gave the delegates. Warner is president of Local 13-647 at the Citgo refinery in Corpus Christi, Texas, and has worked at the facility for 28 years. What could not be deciphered was left out.

John Warner

Look across at your neighbor. Imagine him not being here at our next meeting in Dallas or if they are there, they're missing an arm, a leg or they're burned to the point you can't recognize them. That's why I'm here today.

On July 19, 2009 I got a call from my vice president that we had an incident at the refinery, a hydrogen fluoride (HF) incident. There was a fire and an explosion. The first question I asked was 'Is anybody hurt?' He told me yes.

Charles is here to tell his side of the story. He lived it. What I'm going to tell you is that in our investigation we found a callous disregard for life. We found our people had become complacent to live with the safety hazards.

They had a clamp on a line that goes up to the iso-stripper that looked like a mini Volkswagon. It had a clamp on top of a clamp. They kept building clamps on this.

We had clamps throughout the whole unit.

On July 19 a hydrocarbon vapor cloud ignited at the Citgo Corpus Christi refinery, injuring Gabe Alverado. He was an MSW technician. He was doing maintenance work and he was learning operations. He had less than two years experience in his current job position. The technicians who responded to the fire had less than five years of experience between the two of them. The operator had 15 years of experience.

Our investigation noted that there was a comment from an inspector's report that the nipples on some screwed piping were not back-welded. This was found

two years prior to the incident and nothing was done.

The company turned around and blamed the contractor for not getting the work order issued. The contractor gave those reports to supervision who initiated the work request. They extended the turnaround schedule. They took this turnaround and extended it by another year because it was running so good. Yet we had all these patches.

What Happened July 19

They called the unit operator up and told him we lost recycle flow. Recycle flow pulled the unit and heads into the reactors. That's where we start getting our alkalization reaction and start breaking it into hydrocarbons and the gas lane. It's where the gases and the acid mix, where ever

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HEALTH & SAFETY

Health & Safety Problems Discussed at Oil Bargaining Conference

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A Growing Crisis

"We see a growing crisis of safety in the oil sector," said Rafael Moure-Eraso, chair of the U.S. Chemical Safety Board, who spoke at the NOB conference. He cited the Gulf rig disaster as well as recent explosions and fires at onshore production, processing, and refining facilities.

Moure-Eraso said operators have told him that turnarounds that normally occur every two to three years are happening now every four to five years. They have said that broken equipment is not immediately addressed and workers are told to "work around the problem."

Companies need to strengthen their mechanical integrity programs so that problems are detected before releases occur, the chairman said.

Moure-Eraso said that CSB investigations of the 2005 Texas City explosion and other refinery disasters highlight

additional safety concerns, including job consolidation, decreased staff, operator fatigue, inadequate training, and lack of effective, transparent process safety indicators.

Run to Failure

Beevers told reporters attending the conference that the oil industry runs its equipment until it breaks down.

"It's all about money," he said. "The refiners run the units longer to sell as much product as possible."

He said the industry needs to bring back shorter periods between turnarounds so equipment can be better maintained.

The API told the media that refiners look at the hazards of delaying maintenance or turnarounds before taking any action. "You are dealing with hazardous materials, and accidents unfortunately happen," an API spokesperson said.

"We can't accept the attitude that upsets are bound to happen because of

the hazardous nature of the refining process," Beevers said. "Just imagine if the nuclear industry had this attitude. Where would we be today?"

"If refiners paid greater attention to safety instead of production and reinvested more of their profits into their infrastructure instead of buying back their stock, there would be fewer, preventable accidents," he added.

Path Forward

Delegates agreed to keep track of refinery events and send them on a regular basis to Nibarger. A sequel to "Out of Control" is being developed and a copy of the video will be sent to each local for a membership viewing. Delegates were encouraged to use the Community Outreach Toolkit on the flash drives that were handed out at the emergency oil health and safety meeting and at the conference. In 2011 there will be many activities for locals to participate in leading up to the 2012 NOB talks.

Oil Worker Talks about Refinery Health, Safety

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thing comes together. We lost the coolant to that section of the refinery of the unit.

When we lost that coolant there started a violent chain reaction that started the pipe movement. It was bouncing not only in that section but it affected other sections. The strainer section of the reactors has those threaded nipples that needed to be back-welded. They cracked. There was a small release that led across the ground.

Then the nipples broke off completely, releasing not only isobutene but hydrogen fluoride alkalization acid. As it comes through the unit the next thing you see is a massive explosion.

The company blamed the people saying, 'Hey, you didn't tell us you had a release. Why didn't you tell us?'

Well, at that point in time they were hauling ass out of the unit trying to save their lives.

The night before, our terminal department had to isolate a water leak and called supervision in, asking 'Come help us isolate this so we don't kill the power

water system to the alkylation unit.'

Three times they called; three times they were denied. The line was isolated.

Gabe had gone to a line to open up the power wash to knock the vapor down. When he opened the valve up there was nothing there and they (the company) asked why he went to that valve. He was on the Emergency Response Team. He was a firefighter prior to coming to work for Citgo. For him it was second nature.

He tried to knock it (HF vapor) down. There was nothing there and he started to run. He was engulfed. The next thing that happened he wandered down the unit. His suit melted to him; his hat blown off; his glasses gone; his hair burned off; his eyelashes gone. He fell into the arms of my vice president, Mr. Charles Wharton.

Taking Action

I called on OSHA. I called on the Chemical Safety Board. They showed up with flags flying—oh we're ready to do something—but when they get into a conference with the company they want

to reduce their penalties. Hell no, I don't want to reduce the penalty. It needs to be more.

I've fought this company since day one I became president. Three weeks into my presidency I had a man who was electrocuted to the point that he lost his fingers. He's alive today because we forced the company to give us CPR training in order to revive somebody when they're down. They weren't going to give it to us. We forced them. We said we will not do your electrical work on the 138th line unless you give us the training.

We've got to stand up brothers and sisters. We can't just lie down and take it. I am not going to take it anymore. We need to stop talking, stop accepting and get behind the eight ball and do something. We need to write our congressman, our senators and you young people need to get involved. I'm an oldster. I'm headed out of this thing. I've made it, but my friends are dying. You're my friends. I see a lot of old ones out there and I see a lot of new ones that I'll make friends with.

But the time has come for us to stand up against this monster we call the oil industry and tell them, by God, we are going to work in a safe place.

HEALTH & SAFETY

Locals Must Complete Hydrofluoric, Sulfuric Acid Refinery

Survey

USW is launching a new nationwide survey, *the HF and Sulfuric Acid USW Refinery Survey*, to document and better understand health, safety, and environmental issues related to alkylation units and the catalytic chemicals they use—hydrofluoric acid and sulfuric acid.

Hydrofluoric (HF) and sulfuric acid refinery incidents, in the US, have already led to workers killed and injured, thousands of community residents evacuated and requiring medical attention, and water-ways polluted.

In March of this year, there were two major HF incidents in Pennsylvania. On March 11, 10 workers were injured at the Sunoco refinery in South Philadelphia due to a release. Then 11 days later a truck carrying 33,000 pounds of HF on its way to a refinery

overturned, resulting in the evacuation of 5,000 residents north of Philadelphia.

Incidents regarding sulfuric acid include: A large tank of spent sulfuric acid ignited during nearby hot work at Motiva's Delaware City refinery; one worker was killed and eight were injured. More than 1 million gallons of spent acid spilled, with some reaching the Delaware River and resulting in a toxic plume (7/2001).

Based on these and other tragedies, USW has launched a survey to assess the extent of potential hazards related to alkylation operations and the hazardous materials used.

We want to ensure that hazards related to alkylation processes are minimized, controlled, and, where possible, eliminated. The information from the

survey will help us push for needed improvements, including programs to support USW local union leaders, rank and file members, and the communities in which we work.

Please complete surveys by November 29, 2010.

One Refinery, One Survey

Survey materials were mailed to local union presidents and staff representatives the second week in November. There will be a single survey completed by each refinery local or unit. Amalgamated locals were mailed survey materials for each refining unit they represent.

Most sites will only be filling out part of the survey. The survey is divided into two sections: 1) a section on HF, and 2) another on sulfuric acid.

(continued on page 10)

Process Safety Incidents—Oct. 1—Oct. 28, 2010

All information is taken from the Department of Energy (DOE) website. For the complete list of refinery events go to www.oilbargaining.org.

Tesoro Shuts FCC at 166,000 b/d Martinez, California Refinery September 30

Tesoro shut a gasoline-making fluid catalytic cracking unit (FCC) at its 166,000 b/d Martinez, California refinery on September 30, trade and industry sources said. The unit was expected to remain down for approximately one week, according to the sources. <http://af.reuters.com/article/energyOilNews/idAFWEN06282010100>
Posted to DOE website 10-1-10.

ConocoPhillips Shuts Unit at 239,400 b/d Westlake Refinery in Louisiana October 2

The company reported that an emergency of an unidentified unit occurred on Saturday and that a small grass fire resulting from the flaring caused by the shutdown was immediately extinguished. Reuters, 00:06 October 4, 2010. Posted to DOE website 10-4-10.

ConocoPhillips Reports Equipment Upset at its 260,000 b/d Sweeny Refinery in Texas October 2

In a filing to state regulators, the company reported a shutdown to repair a leak on the hydrogen quench line leading to reactor #4. <http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=145603> Posted to DOE website 10-4-10.

Update: Citgo Restarts Units, Resumes Normal Operations at 156,000 b/d Corpus Christi, Texas Refinery by October 4

Citgo restarted a crude unit and a fluid catalytic cracking unit (FCC) last week at its 156,000 b/d Corpus Christi, Texas refinery, and the company returned the units – and the facility – to planned rates by October 4, a company official said. The FCC shut due to a compressor fault on September 19, and the crude unit shut after a brief fire on September 16, according to previous sources.

<http://online.wsj.com/article/BT-CO-20101005-708047.html>

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=145019>

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=144917>

Reuters, 12:26 September 20, 2010

Reuters, 19:51 September 16, 2010. Posted to DOE website 10-5-10.

Line Rupture Forces Offline Multiple Units at Flint Hills' 288,468 b/d Corpus Christi, Texas Refinery October 1

A steam line rupture led to the shutdown of a crude distillation unit (CDU) and other, unspecified units on October 1 at Flint Hills Resources' 288,468 b/d Corpus Christi, Texas refinery, the company said.

<http://www.reuters.com/article/idUSWEN067120101003> Posted to DOE website 10-5-10.

Chevron Restarts SRU after Trip at 45,000 b/d Salt Lake City, Utah Refinery by October 5

A sulfur recovery unit (SRU) shutdown triggered flaring at Chevron's 45,000 b/d Salt Lake City, Utah refinery by October 5, the company said in a filing with the National Response Center. Operators restarted the unit, according to the filing.

<http://www.bloomberg.com/news/2010-10-05/chevron-says-sulfur-unit-restarted-at-utah-oil-refinery.html>

Posted to DOE website 10-5-10.

Flare System Repairs Trigger Flaring at Shell's 156,400 b/d Martinez, California Refinery October 4

<http://www.oes.ca.gov/Operational/MALHaz.nsf/f1841a103c102734882563e200760c4a/5f62c52bbe8d1df8882577b200664da9?OpenDocument> Posted to DOE website 10-5-10.

Fire Forces Shut Hydrotreater at ExxonMobil's 238,600 b/d Joliet, Illinois Refinery October 5-6

An October 5 fire forced offline a diesel hydrotreater at ExxonMobil's 238,600 b/d Joliet, Illinois refinery, a company spokesman said on October 6. He did not say when the unit might return to service, or whether the incident had affected production. Reuters, 11:26 October 6, 2010. Posted to DOE website 10-6-10.

Process Upset Leads to Flaring at ConocoPhillips' 146,000 b/d Borger, Texas Refinery October 5

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=145703> Posted to DOE website 10-6-10.

ConocoPhillips Reports Flaring at 120,000 b/d Rodeo, California Refinery October 5

<http://www.oes.ca.gov/Operational/MALHaz.nsf/f1841a103c102734882563e200760c4a/8a02f6ec41d600ec882577b3007bfb01?OpenDocument> Posted to DOE website 10-6-10.

Tesoro Reports 20-30 Barrel

Naphtha/Water Spill from Pipeline at 97,000 b/d Wilmington, California Refinery October 5 – Spill Contained On-Site

<http://www.oes.ca.gov/Operational/MALHaz.nsf/f1841a103c102734882563e200760c4a/cd9ef50e9a9444c882577b3005f6048?OpenDocument> Posted to DOE website 10-6-10.

ExxonMobil Reports Gas, Hydrogen Sulfide Leak at 200,700 b/d Chalmette, Louisiana Refinery October 4

ExxonMobil was "in the process of containing a leak of compressed flammable gas which contains small amounts of hydrogen sulfide," a company spokesman said. The leak originated from a clamp that had been installed to plug a previous leak, a police official said. A worker died at the Chalmette facility yesterday, but it was not clear if the death was connected to the leak.

<http://www.bloomberg.com/news/2010-10-07/exxon-reports-gas-leak-at-chalmette-refinery-update1-.html>

Posted to DOE website 10-7-10.

Hydrogen Plant Shutdown Leads to Flaring at ConocoPhillips' 120,000 b/d Rodeo, California Refinery October 6

The shutdown of a "third party hydrogen plant" led to flaring at ConocoPhillips' 120,000 b/d Rodeo, California refinery on October 6, the company said in a filing with state regulators. It was not clear if the incident had any impact on production.

<http://www.oes.ca.gov/Operational/MALHaz.nsf/f1841a103c102734882563e200760c4a/8259fc6fc3d2e1ad882577b5000eb682?OpenDocument> Posted to DOE website 10-7-10.

BP Reports FCC-Related Malfunction at 467,720 b/d Texas City, Texas Refinery October 10

"The loss of circulation in North Riser" led to the shutdown of "the Electrostatic Precipitator in the Fluid Catalytic Cracking Unit" (FCC) at BP's 467,720 b/d Texas City, Texas refinery on October 10, the company said in a filing with state regulators. Operators restarted the affected Electrostatic Precipitator within minutes, according to the filing. It was not clear if there was any impact on production.

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=145872>
Posted to DOE website 10-12-10.

Valero Sees No Impact on Production after SRU Snag at 100,000 b/d Three Rivers, Texas Refinery October 11-12

Valero saw no impact on production after a "process unit upset" related to a sulfur recovery unit at its 100,000 b/d Three Rivers, Texas

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refinery on October 11-12, according to a company spokesman and a filing with state regulators.

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=145925>

<http://www.reuters.com/article/idUSN121778020101012> Posted to DOE website 10-12-10.

Tesoro Extinguishes Fire at 166,000 b/d Refinery near Martinez, California October 10

A fire broke out in a holding tank at Tesoro's 166,000 b/d Golden Eagle refinery near Martinez, California on October 10, but the company extinguished the fire within about three hours. It was not clear if the incident had any impact on production.

<http://www.martinezgazette.com/news/story/i1531/2010/10/12/tesoro-fire-erupts-level-two-warning-activated> Posted to DOE website 10-13-10.

ExxonMobil Sees No Impact on Production after Brief Oil Spill at 567,000 b/d Baytown, Texas Refinery October 11

A "leak at the tank mixer seal" spilled an unspecified quantity of crude oil at ExxonMobil's 567,000 b/d Baytown, Texas refinery on October 11, the company said in a filing with state regulators. The "mixer seal was isolated," according to the filing. The incident lasted just 15 minutes and did not affect production.

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=145971>

<http://www.bloomberg.com/news/2010-10-12/exxon-reports-oil-leak-from-tank-at-baytown-refinery-update1.html> Posted to DOE website 10-13-10.

Compressor Failure Triggers Flaring at ConocoPhillips' 238,000 b/d Bayway, New Jersey Refinery by October 15

A compressor failure led to flaring at ConocoPhillips' 238,000 b/d Bayway refinery in Linden, New Jersey by October 15, according to a regulatory filing. The company "curtailed the refinery" by an unspecified amount, according to Reuters.

Reuters, 00:36 October 15, 2010. Posted to DOE website 10-15-10.

Coffeyville Resources Reports Equipment Malfunction, Hydrogen Sulfide Release at 115,700 b/d Coffeyville, Kansas Refinery

It was not clear if the incident had any impact on production.

Reuters, 01:23 October 15, 2010. Posted to DOE website 10-15-10.

Delek Reports FCC Snag at 58,000 b/d Tyler, Texas Refinery October 14

"An equipment malfunction" at a gasoline-making fluid catalytic cracking unit (FCC) led to flaring at Delek's 58,000 b/d Tyler, Texas refinery on October 14, the company said in a filing with state regulators.

"Operators made adjustments... to stabilize the unit as quickly as possible," and the incident lasted only twenty minutes, according to the filing. It was not clear if there was any impact on production.

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=146117>

<http://af.reuters.com/article/energyOilNews/idAFWEN122220101014> Posted to DOE website 10-15-10.

ExxonMobil Reports Compressor Trip, Flaring at 567,000 b/d Baytown, Texas Refinery October 18

ExxonMobil reduced two pipe still units to minimum rates after a "compressor trip" led to flaring at its 567,000 b/d Baytown, Texas refinery on October 18, the company said in a filing with state regulators. The incident did not impact production. Separately at Baytown, the company began restarting a gofiner on October 15, according to another regulatory filing.

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=146247>

<http://af.reuters.com/article/energyOilNews/idAFN1719717420101017> Posted to DOE website 10-19-10.

Valero Fixes Leak at 142,000 b/d Corpus Christi, Texas Refinery October 19-20

Valero fixed a leak in a butamer unit at its 142,000 b/d Corpus Christi, Texas refinery, but the incident did not affect production, according to a regulatory filing and a company spokesman.

Reuters, 11:16 October 20, 2010. Posted to DOE website 10-20-10.

Compressor Snag Leads to Flaring at Valero's 135,000 b/d Wilmington, California Refinery October 19

The incident did not impact production and operators restarted the compressor, a spokesman said. The flaring lasted less than 45 minutes, according to a regulatory filing. DJN, 13:07 October 20, 2010. Posted to DOE website 10-20-10.

Coffeyville Resources to Shut Unit at 115,700 b/d Coffeyville, Kansas Refinery

Coffeyville Resources planned to shut an unidentified unit for repairs at its 115,700 b/d Coffeyville, Kansas refinery on October 19, the company said in a regulatory filing. The company said a malfunction had led to flaring, but it was unclear if the incident had any impact on production.

Reuters, 00:28 October 20, 2010. Posted to DOE website 10-20-10.

Compressor Trip Leads to Flaring at ExxonMobil's 567,000 b/d Baytown, Texas Refinery October 20

ExxonMobil reduced two pipe still units to minimum rates after a "compressor trip" led to flaring at its 567,000 b/d Baytown, Texas refinery on October 20, the company said in a filing with state regulators. The incident did not impact production. The company reported a similar event at the facility on October 20; it was not clear if the disruptions were related.

<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=146393>
<http://www11.tceq.state.tx.us/oce/eer/index.cfm?fuseaction=main.getDetails&target=146247>
Posted to DOE website 10-21-10.

Equipment Snag Leads to Flaring at ExxonMobil's 238,600 b/d Joliet, Illinois Refinery October 21

The company repaired the equipment, it said in a filing with state regulators. It was not clear if the incident had any impact on production.

<http://tier2.iema.state.il.us/FOIAHazmatSearch/HazmatDetails.aspx?RptNum=H-2010-1148>
Posted to DOE website 10-22-10.

Multiple Units Malfunction at ConocoPhillips' 280,000 b/d Bayway Refinery in Linden, New Jersey October 21-25

A gasoline-making unit was operating at reduced rates October 22 after an unplanned compressor shutdown October 21, but the unit was expected to return to normal rates by October 23. In an unrelated event, a transformer malfunctioned on October 25, leading to a power outage and flaring. Part of the refinery is currently shut for planned maintenance. It is not clear if either event had an effect on the refinery's output. DJN, 11:04 October 25, 2010

http://www.myfoxny.com/dpp/news/local_news/new_jersey/refinery-controlled-burn-in-linden-20101025-KC

<http://www.reuters.com/article/idUSN2525811520101025>

<http://online.wsj.com/article/BT-CO-20101022-708737.html> Posted to DOE website 10-25-10.

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FCCU Snag at Citgo's 167,000 b/d Lemont, Illinois Refinery Leads to Flaring

The company reported to state regulators that the flaring was caused by "instrumentation issues" at the gasoline-making fluid catalytic cracking unit (FCCU).

Reuters, 00:08 October 25, 2010. Posted to DOE website 10-25-10.

Malfunction Cuts Steam and Hydrogen Supplies at ConocoPhillips' 120,200 b/d Rodeo, California Refinery October 22

The company reported October 24 that it is working to restore the critical systems. It is not clear if the outages affected production. Reuters, 17:05 October 24, 2010. Posted to DOE website 10-25-10.

Equipment Failure Leads to Flaring at Coffeyville Resource's 115,700 b/d Coffeyville, Kansas Refinery October 24

It was not clear what caused the unspecified units to malfunction.

Reuters, 02:08 October 25, 2010. Posted to DOE website 10-25-10.

Equipment Failure Leads ConocoPhillips' 120,000 b/d Rodeo, California Refinery to Release Unburned Gases October 22 after Flares Fail to Keep Up – Local Governments Issue Emergency Alerts, Though No Illnesses Reported

<http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2010/10/22/state/n1644>

Locals Must Complete Hydrofluoric, Sulfuric Acid Refinery

(continued from page 7)

Sites using only HF or only sulfuric acid for alkylation will only fill out the appropriate section. Those sites that use both HF and sulfuric acid for alkylation will complete both sections. The instructions on the survey will lead you to the right questions to fill out.

Survey Teams at Each Refinery

Because the survey requires different kinds of knowledge from a number of members to get the whole health and safety picture, Vice President Gary Beevers is asking each refinery to put together a team of the right people to complete and return this survey.

58D89.DTL&type=newsbayarea
http://www.mercurynews.com/breaking-news/ci_16409189 Posted to DOE website 10-25-10.

Upset Triggers Flaring at ConocoPhillips' 239,400 b/d Westlake, Louisiana Refinery October 25

A "unit upset" resulted in flaring at ConocoPhillips' 239,400 b/d Westlake, Louisiana refinery on October 25, the company said in a filing with the National Response Center. It was not clear if the incident had any impact on production.

<http://www.bloomberg.com/news/2010-10-26/conocophillips-has-unit-upset-at-westlake-oil-refinery.html>

Posted to DOE website 10-26-10.

Update: Unit Damage Forces Tesoro to Postpone Restart of Explosion-Downed 120,000 b/d Anacortes, Washington Refinery

Tesoro postponed the restart of its 120,000 b/d Anacortes, Washington refinery after an explosion damaged a boiler unit on October 24, sources familiar with the facility's operations said. There were no injuries. A fatal explosion led Tesoro to shut the refinery in early April. The company, however, had expected to restart it by the end of this month. It was not clear how long the incident might delay those plans.

Reuters, 16:06 October 26, 2010. Posted to DOE website 10-27-10.

Valero Reports Leak, Expects Flaring at 310,000 b/d Port Arthur, Texas Refinery October 26 – November 2

A leak in a catalytic reforming unit (CRU) led to flaring at Valero's 310,000 b/d Port Arthur, Texas refinery on October 26, and the company expected to perform repairs through November 2, it said in a filing with state regulators. The incident did not impact production, a spokesman said separately.

<http://www11.tceq.state.tx.us/oce/eeer/index.cfm?fuseaction=main.getDetails&target=146621>
<http://af.reuters.com/article/energyOilNews/idAFN2613431020101026> Posted to DOE website 10-27-10.

ConocoPhillips Reports Sulfur Dioxide Release at 120,200 b/d Rodeo, California Refinery October 27

<http://www.oes.ca.gov/Operational/MALHaz.nsf/f1841a103c102734882563e200760c4a/e89f8c61d1a78dee882577c9005b5406?OpenDocument> Posted to DOE website 10-28-10.

Underground Line Leaks about 250 Barrels at ConocoPhillips' 100,000 b/d Ferndale, Washington Refinery by October 27 – Spill Limited to Site of Facility

<http://www.bloomberg.com/news/2010-10-28/conoco-has-diesel-spill-at-ferndale-bellingham-herald-says.html> Posted to DOE website 10-28-10.

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