

PATTY MURRAY
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United States Senate
WASHINGTON, DC 20510-4704

September 7, 2010

William K. Reilly, Co-Chair
Senator Bob Graham, Co-Chair
Presidential Commission on the Gulf Oil Spill
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Senator Graham and Mr. Reilly:

I write to express my concern about a recent report that the Presidential Commission on the Gulf Oil Spill is "strongly considering" the creation of a body similar to the Institute of Nuclear Power Operators to "fill a gap" in the regulation and oversight of health and safety on off-shore oil and gas operations. I believe that in order for this industry to truly be put on the path to safety, the Commission must include a number of specific proposals in their recommendations.

I understand the Commission's interest in a structure modeled on the nuclear industry's Institute of Nuclear Power Operations (INPO). I believe that there are models in the nuclear industry, and other industries, that we can and should consider as we move forward with improvements in worker health and safety in the petrochemical industry.

I appreciate the Commission's intent to recommend a structure through which the industry can set safety standards and to which all companies within the industry must adhere. I also understand that Mr. Reilly stated that an "INPO-like facility" should be very strongly backed by a government regulatory authority. I firmly believe that the industry, given its past behavior and unwillingness to take seriously existing opportunities to hold itself accountable, cannot be given much freedom and must earn any trust that it can be a responsible partner in the protection of its workers, their workplaces, and the communities and environments in which they operate. Strong and expanded oversight by a federal regulator is an absolute must.

Furthermore, I believe such a regulatory body—and any new structures and frameworks—must be set up to oversee the entire petrochemical industry in the United States, including all operations on-shore and off-shore, and operations that range from exploration to drilling and production, to refining, and to transportation and distribution.

The industry as a whole is unsafe for workers and the communities and environment in which they work. For example, between April and June of this year, onshore refineries alone have reported 21 fires, 26 deaths, and 33 injuries. Throughout this year, there has been on average one fire per week at refineries.

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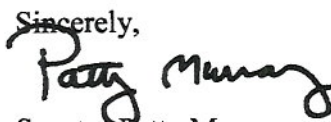
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Furthermore, between 2006 and 2009 there were an additional 30 worker deaths, 1,298 injuries, and 514 fires reported on rigs located on the outer continental shelf. And the Bureau of Ocean Energy Management, Regulation, and Enforcement (formerly the Minerals Management Service) determined that there were also 356 pollution events on off-shore rigs. Finally, onshore pipelines accidents accounted for 2,554 significant incidents, 161 fatalities, and 576 injuries between 2000 and 2009 in the United States.

Just last week the country was shocked by two new catastrophes in the industry—another oil rig fire and explosion in the Gulf that injured a worker and released oil into the Gulf, and revelations that the BP Texas City refinery released a total of 538,000 pounds of toxic chemicals—including 17,000 pounds of benzene, 37,000 pounds of nitrogen oxides, 186,000 pounds of carbon monoxide, and another 262,000 pounds of various volatile organic compounds—over a period of 40 days without notifying state agencies or the public. These toxins escaped into surrounding neighborhoods, undoubtedly impacting the health and well-being of both children and adults.

Given the ongoing problems we see in all aspects of the petrochemical industry, I strongly encourage the Commission to issue a set of recommendations that encompasses the entire industry, as well as ensure that there remains strong, comprehensive, and consistent federal oversight agency of the industry.

Sincerely,

A handwritten signature in black ink that reads "Patty Murray". The signature is written in a cursive, flowing style.

Senator Patty Murray
Chair

Subcommittee on Employment and Workplace Safety