

October 24, 2025

Elizabeth Brega & Jeannie Lee, CalEPA
1001 I Street
Sacramento CA, 95814

cc: Carl Paganelli & Rachel Brill, CalOSHA
1515 Clay Street, Suite 1901
Oakland, CA 94612

Re: October 2, 2025 Fire at Chevron El Segundo Refinery and the Proposed Amendments to the California Accidental Release Prevention Process Safety Management Regulations

Dear Ms. Brega and Ms. Lee,

On behalf of the undersigned organizations representing a cross-section of impacted communities and environmental justice organizations, we urge you to:

1. Pause the current rulemaking related to the proposed amendments to the Process Safety Management (“PSM”) regulations at CalEPA (OAL Notice File Number: Z-2025-0225-02);
2. Assess any relevant information that emerges from investigations into the October 2, 2025 fire at the Chevron El Segundo Refinery;
3. Based on CalEPA’s assessment of that new information, determine if any changes to the proposed amendments are in the best interests of worker and community safety; and
4. If CalEPA finds any such prudent changes to the proposed amendments, publish new proposed amendments and restart the rulemaking process.

PSM History and Current Proposed Rulemaking

An August 2012 fire at the Chevron Richmond Refinery prompted the rules we have today. That blaze injured 19 workers, and sent a black plume over the community and 15,000 people to seek medical treatment.¹ The U.S. Chemical Safety Board later determined the fire was entirely preventable – if only the process safety workers’ insight that the very stretch of pipe that ruptured had needed to be replaced was acted upon by on-site management.²

¹ Memorandum from Michael Wilson, Senior Safety Eng’r, State of Cal. Dep’t. of Indus. Rels., et al., to Autumn Gonzalez, Chief Couns. and Acting Exec. Off. State of Cal. Dep’t. of Indus. Rels., et al. at 3 (Apr. 15, 2024), <https://www.dir.ca.gov/oshsb/documents/petition-601-CalOSHAEval.pdf>.

² *Id.*

Following the fire, workers, Richmond, and other refinery fenceline communities demanded change and, in response, former Governor Brown established the Interagency Refinery Safety Task Force, which included representatives from local, state, and federal government.³ After the Task Force advocated for new rules to be drafted, Cal/OSHA convened labor and industry experts in meetings that were open to the public and produced strengthened PSM rules.⁴ The resulting 2017 Rules were some of the strongest refinery PSM rules in the country.⁵ Several of the 2017 Rules' components may have prevented the 2012 Chevron Richmond fire, and may yet prevent future incidents.

Despite being at the table when these regulations were collaboratively produced, industry's lobbying arm, the Western States Petroleum Association ("WSPA"), sued the state to challenge the 2017 Rules.⁶ The present proposed amendments are a product of a closed-door settlement agreement between the state and WSPA.⁷ This zombie rulemaking uncritically marching forward to a foregone conclusion of a final rule, directed by the settlement agreement, is a far cry from the public and robustly inclusive process that yielded the 2017 Rules. Apart from the process elements, substantively the proposed amendments will weaken refinery PSM.⁸ The proposed rules are a retreat from the strong position the state took with the 2017 Rules to protect workers and community. Said differently, the proposed rules will lead to more worker injuries, community harm, and environmental degradation.

October 2, 2025 Chevron El Segundo Refinery Fire

On the night of October 2, 2025, another Chevron refinery caught fire. This time it was the Isomax unit at the Chevron El Segundo Refinery where it produces jet fuel.⁹ Four contracted specialty welding workers are alleging that they were injured as a result of the blaze, that

³ *Id.*

⁴ *Id.*, at 5.

⁵ "After Five-Year Effort, California Adopts the Nation's Strongest Refinery Safety Regulations," Blue Green Alliance (May 18, 2017), <https://www.bluegreenalliance.org/the-latest/after-five-year-effort-california-adopts-the-nations-strongest-refinery-safety-regulations/>

⁶ *W. States Petroleum Ass'n. v. Cal. Occupational Health and Safety Standards Bd.* at 2, No. 2:19-cv-01270-JAM DB (E.D. Cal. July. 5, 2019) (complaint), <https://www.dir.ca.gov/dosh/doshreg/Refinery-Process-Safety-Mangement/WSPA-v-OSHSB-Federal-Complaint.pdf>.

⁷ Jim Morris and Molly Peterson, "'Secret Deal' in California Would Weaken Regulations for Oil Refineries," Public Health Watch (Apr. 22, 2025), <https://publichealthwatch.org/2025/04/22/secret-deal-in-california-would-weaken-regulations-for-oil-refineries/>.

⁸ See, e.g., Comment Letter from Mike Smith, United Steelworkers, et al., *Community and Worker Opposition to Proposed CalARP Amendments Which Would Make California Refineries Less Safe* (April 22, 2025), <https://www.bluegreenalliance.org/wp-content/uploads/2025/04/Defend-PSM-Refinery-Safety-CalEPA-Sign-On-Letter.pdf>.

⁹ Grace Toohey and Karen Garcia, "What caused the massive El Segundo explosion? Refinery experts have some theories," *Los Angeles Times* (Oct. 8, 2025), <https://www.latimes.com/california/story/2025-10-08/what-it-takes-to-contain-a-oil-refinery-fire>.

Chevron is to blame for failing to maintain equipment, and that the fire was preventable.¹⁰ The cause of the fire and what could have prevented it are still under investigation. Complicating matters further, the U.S. Chemical Safety Board, which investigated the 2012 Chevron Richmond fire and wrote recommendations codified by Governor Brown's Task Force in the 2017 Rules, has been debilitatingly defunded in this era of federal regulatory degradation.¹¹

A proper investigation into the October 2025 Chevron El Segundo fire, like the 2012 Chevron Richmond fire, may yet illuminate critical safety measures for the state to adopt to prevent another horrific incident, or underscore the need to better enforce the 2017 Rules. Proceeding with the proposed amendments in the present rulemaking willfully ignores the sure-to-emerge wisdom from any pending investigation, codifying already out-of-date measures. Apart from rejecting new insight that could strengthen the rules, the proposed amendments may weaken the rules in such a way that could have exacerbated the 2025 blaze. To carry on is to accept lethal risks at oil refineries throughout California, exposing workers and vulnerable communities to the bottom-line decisions made by refinery executives.

For all these reasons, we urge CalEPA and Cal/OSHA to pause the current rulemakings to allow for a proper investigation, the results of which should be incorporated into any further rulemaking before proceeding. If CalEPA or Cal/OSHA would like to discuss this letter further, please contact our coalition via Kerry Guerin at Communities for a Better Environment at kerry@cbeal.org.

Signed:

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Dee Fromm

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¹⁰ Leane Suter, "4 contract workers sue Chevron after refinery fire, alleging they have serious injuries," *ABC7* (Oct. 10, 2025), <https://abc7.com/post/4-contract-workers-sue-chevron-el-segundo-refinery-fire-alleging-have-serious-injuries/17981043/>.

¹¹ Alejandro Lazo, "Federal oversight is disappearing as multiple refineries explode. Who's in charge now?" *CalMatters* (Oct. 9, 2025), <https://calmatters.org/environment/2025/10/refinery-explosion-federal-state-oversight/>.

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