

CONCURRENCE IN SENATE AMENDMENTS

AB 3258 (Bryan)

As Amended August 20, 2024

Majority vote

SUMMARY

Expands the scope of the California Refinery and Chemical Plant Worker Safety Act of 1990 by revising the definition of “refinery” to mean an establishment that produces gasoline, diesel fuel, aviation fuel or biofuel through the processing of crude oil or alternative feedstock.

Senate Amendments

- 1) Revise the definition of “refinery” to mean an establishment that produces gasoline, diesel fuel, aviation fuel or biofuel through the processing of crude oil or alternative feedstock.
- 2) Define “biofuel” to mean biodiesel, renewable diesel, renewable aviation fuel, or other liquid products derived from alternative feedstock if the alternative feedstock is refined through coprocessing or at a refinery that was converted from petroleum to alternative feedstock.
- 3) Require, by January 1, 2026, the Division of Occupational Safety and Health to propose, and the Occupational Safety and Health Standards Board to consider for adoption, regulations that implement process safety management standards for refineries.

COMMENTS

None

According to the Author

“Throughout history, refinery workers have fought tireless battles to secure their rights and protections. They have faced hazardous working conditions, often risking their well-being in the pursuit of livelihoods. In 2012, a pivotal moment occurred when a pipe failure and fire erupted at the Richmond Chevron refinery. As a result, The Process Safety Management (PSM) regulations were updated to protect petroleum refinery workers. Over a decade later, our industrial landscape has evolved. Technological advancements and process innovations now drive production, yet the risks remain unchanged. The PSM framework fails to encompass the newer processes that utilize the same machinery.

AB 3258 seeks to redefine the term “refinery.” This definition explicitly includes processes like crude oil refinement, alternative feedstock utilization, redistillation of unfinished petroleum derivatives, and cracking. By broadening the definition, we take a significant stride toward addressing the core issue. Regardless of the specific products or methods involved, all refineries must adhere to existing PSM regulations. This crucial safeguard ensures the well-being of communities and every worker employed at refineries.”

The author continues, “This bill will promote an equitable solution because it will protect all refinery workers that can be exposed to toxic materials and dangerous conditions. It will make sure that all refinery workers, regardless of the product or process, will be protected and not left vulnerable to the potential hazards of refineries.”

Arguments in Support

The Coalition of California Labor for Climate Jobs is in support and states, “Absent proper process safety management procedures and worker training, refineries are hazardous and deadly worksites. AB 3258 will ensure that no refinery falls below our California’s mandated standards.

California Labor for Climate Jobs is a statewide coalition of labor unions organizing for a worker-led transition to a climate-safe and just economy. Our labor unions represent oil and gas workers, public sector workers in oil and gas dependent counties and across the state, as well as teachers, domestic workers, healthcare workers, farmworkers, janitors and many more. Together we are workers leading on solutions that protect working people, create family-sustaining jobs, and improve our collective health and well-being. As workers we have witnessed companies exploit the shifting economic conditions and new technologies emerging in the low carbon economy to evade life-saving safety regulations. The current labor code is outdated for our 21st century refining economy, especially as California moves away from petroleum refining, toward biofuel and other “renewable” and/or alternative fuel production. We must act now to close the loophole that exempts newer refining technologies from the safety regulations that protect our workers and their neighboring families. AB 3258 aims to close that gap in workplace safety for the entire refining and chemical plant industry.”

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee pursuant to SR 28.8 negligible costs.

VOTES:**ASM LABOR AND EMPLOYMENT: 7-0-0**

YES: Ortega, Flora, Alanis, Wendy Carrillo, Lee, Ward, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Sanchez, Arambula, Bryan, Calderon, Wendy Carrillo, Dixon, Mike Fong, Friedman, Haney, Hart, Jim Patterson, Pellerin, Ta, Villapudua

ASSEMBLY FLOOR: 71-0-9

YES: Aguiar-Curry, Alanis, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Chen, Connolly, Davies, Dixon, Essayli, Mike Fong, Friedman, Gabriel, Gallagher, Garcia, Grayson, Haney, Hart, Holden, Hoover, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Robert Rivas

ABS, ABST OR NV: Addis, Alvarez, Cervantes, Megan Dahle, Flora, Vince Fong, Gipson, Irwin, Mathis

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk

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