



Chemical Safety and Hazard Investigation Board

OFFICE OF GENERAL COUNSEL

Memorandum

To: Board Members
From: Richard C. Loeb *RC*
Cc: Leadership Team
Subject: Board Action Report – Notation Item 2015-27
Date: May 21, 2015

On May 12, 2015, the Board approved Notation Item 2015-27, thereby designating Recommendation 2005-04-I-TX-R7a, to the American Petroleum Institute (from the BP America Investigation), with the status Open – Unacceptable Response and agreeing to schedule a public meeting on this matter within one year from May 12, 2015, the date of Board approval of this recommendation status change. Comments from Member Ehrlich are attached.

Voting Summary – Notation Item 2015-27

Disposition: APPROVED

Disposition date: May 12, 2015

	Approve	Disapprove	Calendar	Not Participating	Date
M. Griffon	X				5/12/2015
M. Ehrlich		X			5/14/2015
R. Engler	X				5/12/2015

Comments of Member Ehrlich:

I commend the CSB staff for an outstanding job analyzing and identifying potential improvements in API Recommended Practice 755, entitled Fatigue Risk Management Systems for Personnel in the Refining and Petrochemical Industries. Nothing in my comments or my vote should diminish the work of the CSB staff on the issue of fatigue, which is critically important.

There is no doubt that worker fatigue contributes to the likelihood of accidents, and the CSB's Texas City investigation highlights fatigue issues that should be taken seriously across the oil and chemical industry. There is also no doubt that API 755 can be made stronger and more effective in future revisions, and I hope the API committee does so and carefully studies the CSB staff critique, which was first released in 2013. I also hope that the United Steelworkers Union, which withdrew from the standards development process in 2009, rejoins the effort under terms agreeable to both sides.

With all that said, I cannot in good conscience agree to the proposed designation of this recommendation to the American Petroleum Institute as "unacceptable." The API committee that developed the recommended practice has clearly put a great deal of time and effort into the document. Calling their effort "unacceptable" only serves to discourage the committee from future work, and to discourage other organizations from engaging with the CSB, out of fear that their efforts will likewise be called "unacceptable" years after the fact. Voting "no" on this notation item, indicates in my opinion that the API is making progress on fatigue issues and should be urged to continue.

We will continue for the next 4-5 years on the refinement of this standard and I encourage all parties to active participate in that review/refinement. I encourage staff to continue their pursuit of human factors analysis as part of incident causation, including the study of fatigue and related issues.