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**SENATE COMMITTEE ON ENVIRONMENTAL QUALITY**

**Senator Blakespear, Chair**

**2025 - 2026 Regular**

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**Bill No:** AB 605  
**Author:** Muratsuchi  
**Version:** 6/10/2026  
**Urgency:** No  
**Consultant:** Heather Walters

**Hearing Date:** 7/1/2026  
**Fiscal:** Yes

**SUBJECT:** Employment: refineries: task force: safe staffing management plans

**DIGEST:** This bill establishes the Refinery Safe Staffing Task Force (Task Force) to develop standards and best practices for retaining safe staffing levels at refineries and directs the California Environmental Protection Agency (CalEPA) and the Division of Occupational Safety and Health (Cal/OSHA) to adopt regulations that require all refineries to develop safe staffing management plans, as specified.

**ANALYSIS:**

Existing law:

- 1) Establishes the California Accidental Release Prevention program (CalARP) with the goal of reducing regulated hazardous substances accident risks and eliminating duplication of regulatory programs. CalARP implements the federal risk management program, as provided in the federal Clean Air Act and as promulgated by the Federal Environmental Protection Agency, in the state, with certain amendments that are specific to the state. (Health & Safety Code §25531 et seq.)
- 2) Requires, under the California Occupational Safety and Health Act, an employer to: furnish employment and a place of employment that is safe and healthful; furnish and use safety devices and safeguards, as well as adopt and use practices, means, methods, operations, and processes that are reasonably adequate to render employment and the place of employment safe and healthful; and do everything reasonably necessary to protect the life, safety, and health of employees. (Labor Code §6300 et seq.)
- 3) Establishes the Division of Occupational Safety and Health (Cal/OSHA) within the Department of Industrial Relations (DIR) to, among other things, propose, administer, and enforce occupational safety and health standards. (Labor Code §6300 et seq.)

- 4) Establishes the Occupational Safety and Health Standards Board (Standards Board), within DIR, to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for workers. (Labor Code §140-147.6)
- 5) Directs the Standards Board and Cal/OSHA, in accordance with the California Refinery and Health Standards Board Act of 1990, to promote worker safety through implementation of training and process safety management (PSM) practices in refineries and chemical plants and other facilities deemed appropriate. (Labor Code §7852(a))
- 6) Defines “refinery” as an establishment that produces gasoline, diesel fuel, aviation fuel, or biofuel through the processing of crude oil or alternative feedstock. (Labor Code §7853(c))
- 7) Defines “process safety management” as the application of management programs, which are not limited to engineering guidelines, when dealing with the risks associated with handling or working near hazardous chemicals. PSM is intended to prevent or minimize the consequences of catastrophic releases of acutely hazardous, flammable, or explosive chemicals. (Labor Code §7853(b))
- 8) Directs the Standards Board to adopt, by March 31, 2014, process safety management standards for refineries, chemical plants, and other manufacturing facilities, as specified. (Labor Code §7856(a))
- 9) Directs Cal/OSHA to propose, and the Standards Board to consider for adoption, regulations to implement PSM standards for refineries by January 1, 2026. (Labor Code §7856(b))
- 10) Requires the operator of any refinery in California to report to the California Energy Commission at least twelve months in advance if that refinery operator intends to permanently shut down, shut down to reconfigure, or sell a refinery in a transaction that may result in a refinery shutting down or reconfiguring. (Public Resources Code §25354(p))

This bill:

- 1) Establishes the Refinery Safe Staffing Task Force (Task Force) consisting of the following members: Three representatives of unions representing proprietary employees at refineries, as specified, one each appointed by the Governor or their appointed DIR PSM Unit regional manager, the Speaker of the Assembly, and the Senate Committee on Rules, respectively; Three

representatives of unions representing building trades whose members serve as contractors at refineries, one each appointed by the Governor or their appointed DIR PSM Unit regional manager, the Speaker of the Assembly, and the Senate Committee on Rules, respectively; Three representatives of refinery employers, one each appointed by the Governor or their appointed DIR PSM Unit regional manager, the Speaker of the Assembly, and the Senate Committee on Rules, respectively; Three representatives of nongovernmental organizations whose mission relates to the well-being of workers and refinery communities, one each appointed by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules, respectively; and Two members of the public with expertise in refinery process safety, to be appointed by the Governor or their appointed DIR PSM Unit regional manager.

- 2) Requires all members of the Task Force to be appointed and begin serving no later than January 1, 2028, and prescribes details for its operations, including but not limited to compensation, chairing the Task Force, access to staff, and purpose.
- 3) Requires the Task Force, no later than June 1, 2029, to present to the Legislature, and make available online to the public, both of the following:
- 4) A set of standards and best practices for retaining safe staffing levels at refineries and managing understaffing during, and especially in the time period preceding, an announced or anticipated refinery closure or long-term idling of a refinery.
- 5) A report documenting the facts, analysis, and investigation upon which the standards are based. The report should consider and evaluate the standards and best practices referenced above, including, as appropriate, a wide range of potential methods and strategies for ensuring maximum employee retention in the time period preceding refinery closure or long-term idling of a refinery, including, without limitation, extended severance periods, paid job training, extended job placement assistance, priority transfer to other refineries, and financial and logistical assistance; and should further consider a wide range of methods and strategies for ensuring safe operation in the event of understaffing.
- 6) Makes the provisions that establish the Task Force inoperative on July 1, 2029, and repeals them as of January 1, 2030.
- 7) Requires CalEPA, by January 1, 2028, to adopt regulations that require all of the following:

- 8) All refineries, including, without limitation, all facilities subject to the California Accidental Release Prevention Program 4 regulations, shall develop safe staffing management plans, pursuant to a timeline specified by the agency, to address staffing risks associated with anticipated refinery closure or long-term idling. Each plan shall be required to include the maximum amount of reasonably feasible employee retention strategies and procedures to address risks associated with understaffing.
- 9) Within six months following the Task Force's presentation to the Legislature on standards and best practices, or by January 1, 2030, whichever is earlier, the plans shall be required to, at minimum, adhere to the standards and best practices, unless the refinery operator presents evidence sufficient to justify deviating from those standards and best practices.
- 10) Requires CalEPA, following an announcement of closure or long-term idling, and periodically thereafter, to conduct inspections and investigations to ensure implementation of the refinery's plan and to address noncompliance through all available and necessary enforcement authority.
- 11) Authorizes CalEPA to, upon a determination of noncompliance with these provisions, issue a citation to the operator of the subject of the refinery. This citation is in addition to existing penalties authorized under the California Accidental Release Prevention program. The citation shall be in writing, describing with particularity the nature of the violation, and fixing a reasonable time for abatement of the alleged violation.
- 12) Requires Cal/OSHA, by January 1, 2028, to propose, and the Standards Board to consider for adoption, regulations that require all of the following:
- 13) All refinery employers shall develop safe staffing management plans, pursuant to a timeline specified by the division, to address staffing risks associated with anticipated refinery closure or long-term idling. Each plan shall be required to include the maximum amount of reasonably feasible employee retention strategies and procedures to address risks associated with understaffing.
- 14) Within six months following the Task Force's presentation to the Legislature on standards and best practices, or by January 1, 2030, whichever is earlier, the plans shall be required to, at minimum, adhere to the standards and best practices, unless the refinery operator presents evidence sufficient to justify deviating from those standards and best practices.

- 15) The plans shall be updated periodically and upon announcement of refinery closure or long-term idling pursuant to subdivision (p) Section 25354 of the Public Resources Code, or other applicable law.
- 16) Requires, following an announcement of closure or long-term idling, and periodically thereafter, Cal/OSHA to conduct inspections and investigations to ensure implementation of the employer's plan, and to address noncompliance through all available and necessary enforcement authority, including, without limitation, citations.

## Background

- 1) *A brief history of refinery safety in California.* Generally, refinery safety rules are built around the concept of process safety, which requires refineries to identify and fix hazards before accidents occur and to involve workers directly in investigations when they do. The first safety standard enforced by the PSM Unit was adopted in 1990 under the California Refinery and Health Act and was substantially similar to the federal one.

Following a 2012 chemical release and fire at the Chevron U.S.A. Inc. Refinery in Richmond, however Cal/OSHA and the Legislature moved to strengthen safety standards. An interagency working group, consisting of Cal/OSHA, CalEPA, and the U.S. Environmental Protection Agency, among others, identified serious concerns with Chevron's PSM procedures and expressed the need for stronger preventative safeguards.

On May 18, 2017, the Standards Board unanimously adopted an updated PSM standard that requires refinery employers to conduct damage mechanism reviews, apply rigorous safeguard protection analyses, integrate human factors and culture assessments into safety planning, involve front-line employees in decision-making, and perform comprehensive process hazard analyses.

- 2) *Program Four.* CalEPA oversees the statewide implementation of the California Accidental Release Prevention (CalARP) program, which aims to prevent accidental releases of extremely hazardous substances that pose the greatest risk of immediate harm to the public and the environment, minimize the damage if releases do occur, and to satisfy community right-to-know laws.

Following the 2012 Chevron Refinery Fire, California created an Interagency Refinery Task Force (IRTF) headed by CalEPA with participation from Department of Industrial Relations and 11 other federal, state, and local

agencies and other departments. The purpose of Program 4 is to prevent major incidents at petroleum refineries in order to protect the health and safety of communities and the environment.

- 3) *Lawsuits against PSM regulations.* In 2019, Western States Petroleum Association (WSPA) filed two lawsuits regarding the 2017 PSM safety standard (CCR §5789.1).<sup>1</sup> In a complaint filed in Sacramento Superior Court, WSPA alleged that the standard 1) did not meet requirements under the California Administrative Procedure Act; 2) was invalid; 3) was unenforceable because it was inconsistent with governing statutes; and 4) was neither reasonably necessary nor sufficiently clear.<sup>2</sup> Additionally, in a complaint filed in the Eastern District of California, WSPA alleged that the standard was preempted by the National Labor Relations Act.<sup>3</sup>

The two lawsuits were ultimately settled. Some union leaders and community advocates — who were excluded from the settlement negotiations despite the United Steelworkers’ (the sponsors for AB 605) standing as an intervenor in the lawsuits — said the changes would put workers and the public at greater risk.

- 4) *Recent amendments to Program Four.* Part of the settlement agreement with WSPA was that Cal/OSHA and CalEPA must update their regulations to their respective programs. To comply with the terms of the settlement, CalEPA recently amended the CalARP regulations to: Amend and clarify the definitions of highly hazardous material, process, major change, and employee representative; Amend and clarify the requirements pertaining to the Hierarchy of Hazard Control Analysis; Amend and clarify, with respect to employee participation in Accidental Release Prevention element activities, how owners and operators will allow for effective participation by employees engaged in such activities; and, Amend a footnote to address an error in a reference citation. These amendments were approved by the Office of Administrative Law in April and become effective today (July 1, 2026).

## Comments

- 1) *Purpose of Bill.* According to the author, “When California refineries begin procedures to close or enter long-term idling, employees are often laid off or

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<sup>1</sup> OSHSB, Process Safety Management for Petroleum Facilities. “[Notice/Informative Digest](#)” 2025.

<sup>2</sup> Western States Petroleum Association v. California Occupational Safety and Health Standards Board, California Division of Occupational Safety and Health, and California Environmental Protection Agency (Sacramento Super. Ct., Case No. 34-2019-00260210).

<sup>3</sup> Western States Petroleum Association v. California Occupational Safety and Health Standards Board, et al. (E.D. Cal., Case No. 2:19-cv-1270)

leave to seek new opportunities. While understandable, these staffing shortages result in health and safety risks to both refinery employees and the surrounding communities.

“AB 605 addresses this issue by requiring refineries to develop safe staffing management plans to address staffing risks associated with anticipated refinery closure or long-term idling. Each plan shall be required to include the maximum amount of reasonably feasible employee retention strategies and procedures to address risks associated with understaffing. In addition, AB 605 establishes a task force that will provide additional recommendations on ensuring maximum employee retention.

“AB 605 takes a proactive approach to protecting worker and community safety by promoting safe staffing and requiring refineries to plan ahead of closures and long-term idling.”

- 2) *Committed committee amendments.* This bill was heard last week in the Senate Labor, Public Employment, and Retirement Committee on June 24<sup>th</sup>, 2026, where it passed 4-1 with a commitment to take amendments in this committee. Those amendments, briefly:
  - a) Reframes the Task Force’s roles to have them develop potential methods and strategies for ensuring maximum employee retention and a wide range of potential methods and strategies for ensuring maximum employee retention, rather than develop a set of standards and best practices for retaining safe staffing;
  - b) Strike the requirement for CalEPA to adopt regulations that adhere to the standards and practices described by the Task Force; and
  - c) Strike the requirement for Cal/OSHA to adopt regulations that adhere to the standards and practices described by the Task Force.

These amendments will be processed as part of this committee’s actions on this bill. There will be no further amendments suggested by this committee’s staff, although the author is encouraged to evaluate whether the timings required by the Agency and Board for developing their regulations are sensible and appropriate, in light of the significant changes to the bill.

- 3) *There’s no refining without workers.* Owing to the challenges faced by the State and local communities when a refinery closes, the special session legislation from 2023, SBX1-2 (Skinner, Chapter 1, Statutes of 2023) created a requirement for refineries to give one year’s notice if they intend to close or otherwise cease operations. This has provided some advanced warning to allow the state and local governments to respond, although transparency has still

stymied efforts by government to best adapt to the changing state fuel supply and local and regional economies.

One very tangible impact the one-year notice requirement has had is on worker retention. In describing the situation at the Phillips 66 Los Angeles Refinery after the notice of intent to close was provided, a recent report commissioned by the Asian Pacific Environmental Network and Communities for a Better Environment stated:<sup>4</sup>

*An immediate consequence of the closure announcement, coupled with workers' deep apprehension concerning the availability of replacement jobs, has been the steep and rapid loss of qualified workers at the Refinery, as workers facing job loss seek out other opportunities. The result has been severe strain on Refinery operations — and an associated heightened risk of preventable accidents. As of this writing, the remaining workers have been pushed into working lengthy shifts over long stretches of days. One Refinery insider reported that in March of 2025, employees were working 18-hour shifts. These hours were eventually scaled back to 12-hour days, worked 13 days on and one day off, which is expected to remain their schedule for the duration of the Refinery's operation through its fourth-quarter 2025 closure.*

There is clearly a thorny mismatch of wants and needs between refineries, their workers, and the state and local governments' best interests. Although AB 605 does not prescribe a solution to this conundrum, it does task impacted and knowledgeable stakeholders about how to address one portion: worker retention. Given the importance of workers in continuing safe, stable operations at refineries, this bill may provide useful insights into how those workers can be retained and made whole, even as their workplace and industry shift around them.

### **DOUBLE REFERRAL:**

This measure was heard in Senate Labor, Public Employment, and Retirement Committee on June 24<sup>th</sup>, 2026, and passed out of committee with a vote of 4-1.

### **Related/Prior Legislation**

SB 966 (Gonzalez, 2026) would codify specified provisions of Cal/OSHA's PSM safety standard related to employee participation in PSM activities. Specifically, the bill would require an employer, in consultation with employees and employee

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<sup>4</sup> Alexander, Ann. Before the Last Drop: Lessons from the Phillips 66 Los Angeles Refinery Closure. 2025.

representatives, to develop, implement, and maintain a written plan providing for employee participation in all PSM elements, as specified. This bill is pending in the Assembly Appropriations Committee.

AB 2157 (Connolly, 2026) would remove the July 1, 2027, sunset date for the Displaced Oil and Gas Worker Pilot Program, making the program permanent. This bill is pending in the Senate Appropriations Committee.

**SOURCE:** United Steelworkers District 12

**SUPPORT:**

Air Products and Chemicals, INC.  
Long Beach Area Chamber of Commerce  
The Climate Center

**OPPOSITION:**

None received

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