VERBAL COMMENTS

Before the

Chemical Facility Safety and Security Working Group

Houston, TX

January 24, 2014
Introduction
Good morning, my name is, Kenan Stevick, Chief Process Safety Engineer for Dow, a member of the American Chemistry Council (ACC). The Executive Order (EO) notes that measures can be taken utilizing existing regulatory authority to further improve chemical facility safety and security. ACC agrees. I would like to briefly address three issues to support this approach: 1) industry performance programs and third-party audits, 2) the use of metrics, and 3) incident investigation resources.

Industry Performance Programs and Third-Party Audits
We are proud to be part of an industry group that has placed safety and security at the core of its operations. ACC members have reduced worker recordable injury and illness rates at their facilities by 79 percent since 1990. They have a worker safety rate five times better than the U.S. manufacturing sector as a whole, and have reduced the number of process safety incidents by 58 percent since 1995.

One important factor contributing to this strong safety record is the ACC Responsible Care® program, which is mandatory for all member and partner companies. This program is designed for continuous improvement of environment, health, safety, security, product stewardship, transportation safety, emergency response and stakeholder outreach performance. A key requirement of the Responsible Care® Management System process is the certification by an independent, accredited third-party auditor that certifies a company’s internal management system for conformity to Responsible Care® requirements. Of particular relevance to the EO, the Process Safety Code requires companies to consider safer alternatives. ACC urges the Working Group to draw from our industry’s experience with this program to meet its goals.

An excellent example of industry-government cooperation which can, and should continue to serve as a foundation for future collaborative efforts is OSHA’s Voluntary Protection Program (VPP). This program aims to improve worker safety and health through excelling beyond regulatory requirements. The program has facilitated tremendous results in improved safety performance, increased public recognition, and enhanced employee benefits. According to OSHA’s data, VPP participants experienced 52% fewer injury incidences than respective industry averages.

Metrics
ACC member companies currently track and report process safety performance to ACC via the Responsible Care® program, based upon the Center for Chemical Process Safety (CCPS) lagging process safety indicators. ACC member companies will soon be transitioning to API’s Recommended Practice 754: Process Safety Performance Indicators for the Refining and Petrochemical Industries, which requires reporting both leading and lagging indicators. Leading metrics can promote continuous improvement and should be company-specific to be most effective. ACC supports a single, global set of process safety lagging indicators that can be applied by chemical manufacturers worldwide. The advantages of a single scheme are numerous and include simplified reporting and benchmarking, and teachable experiences that can be disseminated across all facilities, continuous process safety improvement, and mitigation and elimination of risks.
**Incident Investigation Resources**
ACC strongly recommends using existing recognized industry resources to investigate incident root causes. For example, CCPS offers several resources, including the “Guidelines for Investigating Chemical Process Incidents,” which provides valuable, practical reference tools, and focuses on process-related incidents with real or potential catastrophic consequences. There are also a number of companies that provide excellent root cause failure analysis training. ACC believes that agencies can immediately benefit in this area by subsidizing the distribution of CCPS material free of charge, as they did successfully with the “Essential Practices for Management of Chemical Reactivity Hazards” in 2003. I believe incident investigations are a significant opportunity for both industry and investigating bodies. One of the key tenets of a good investigation is ensuring that, as a minimum, every protection layer failure and its associated management system failure must be determined and corrected.

**Conclusion**

I would like to thank the Working Group for the opportunity to present today. I encourage them to focus on facilities that may be now or have previously been “off the radar” and need significant help with security and safety measures as well as on improving communication and coordination among all regulators and first responders at all levels of government. The tools and approaches discussed here should be considered by the Working Group as they develop options to improve awareness and implementation of the regulatory programs already in place. ACC believes this is the fundamental goal of the Executive Order.