



Doug Powell, Senior Manager, Projects & Turnarounds
Cenovus Energy, Toledo Refinery
Testimony before Senate Energy and Public Utilities Committee

Mr. Chairman, Ranking Member Smith, and members of the Committee, thank you for the opportunity to testify today on behalf of Cenovus Energy. Cenovus is strongly opposed to House Bill 205 and urges the Committee to reject this flawed legislation.

My name is Doug Powell, and I serve as Senior Manager, Projects & Turnarounds at Cenovus’s Toledo refinery. I was born and raised in Lima and like most people in Lima, I grew up knowing many people who made their careers in our refinery. I have worked in the industry for 32 years, including 26 years at the Toledo Refinery. I’ve been involved in maintenance, operations, turnarounds, and project work throughout my career, and I am responsible for leading the development and execution of projects and turnarounds in a safe and high-quality manner.

Between growing up in a community supported by a refinery and establishing my career in a refinery, I have understood the importance of safe refinery operations my entire life. I do not take this opportunity to testify about refinery safety lightly.

I would like to briefly address a few issues and correct false claims made against Cenovus before this Committee and the House Homeland Security Committee:

- After the 2022 incident at the Toledo refinery, not a single refinery employee was laid off.
- According to both OSHA’s findings and the U.S. Chemical Safety Board’s interim report, you will not find any mention of contractor training or performance associated with the incident.
- During the 2022 turnaround, the refinery had more than 2,000 union-affiliated crafts on site, which was almost half of the contract workforce for that turnaround.
- Cenovus does not hire illegal workers. Our contractors undergo rigorous federal, state, and local background checks and drug testing – in accordance with our rigorous screening process and with U.S. Department of Homeland Security requirements – to ensure every worker is legally authorized to work in our refineries.

HB 205 will not make Ohio’s refinery industry safer. To the contrary, this bill will impose more safety risks on our business by eliminating our ability to select contractors based on factors that are important to achieve our expectations of safe, reliable, and efficient operations. Our contractor selection is not about choosing union or non-union. We focus on the companies and crews that can perform work in a manner that meets our high standards.

We have many good union contractors working at the refinery on an daily basis and performing essential work. Those firms and their steady employees understand their jobs and perform them well. We consider our union contractors to be highly valued contributors to our operations and the communities we serve.

However, as workload and the demand for skilled workers increases beyond routine levels, such as during turnarounds, we have experienced problems with adequate staffing from firms employing union-represented crafts – and with the quality of refinery-specific skills in these crafts. This applies to both the additional local and the traveling trades who do not have the same level of refinery skills and performance, although they might be capable of performing well in other industrial or commercial jobs.

The local union halls are unable to staff the demand for skilled trades on our large turnarounds, which makes it problematic to have enough crafts with apprenticeship training supplemented by refinery-specific skills. Particularly during our large projects, the building trades provide significant quantities of crafts *from all regions of the United States* to supply our union contractors.

Proponents of this legislation claim that it is not a mandate to hire only union-affiliated firms. However, just because the bill doesn't explicitly mention "union" does not mean it is not a mandate.

This legislation requires a specific approach to training crafts which mirrors building trades apprenticeship programs. These programs do well with training members for a wide variety of work across various commercial and industrial jobs. Some programs *might* be relevant to refinery work, but they do not always provide the level of expertise that refiners look for. There are other approaches to training and ensuring competency in crafts to work in the refinery which are NOT modeled after union apprenticeship programs. Many contractors have in-house training programs that train on specialized crafts, equipment, and other criteria specific to refineries. These in-house training programs do not always follow the journeymen apprenticeship programs mandated by House Bill 205.

Refiners must be able to contract with the companies that help them achieve their safety and performance goals, but HB 205 would require Cenovus to contract with workers who have not consistently met our needs. During projects contracted to union-affiliated shops in 2016 and 2019, the Lima Refinery saw weld rejection rates as high as 30 percent, which required significant rework. In Toledo, in addition to unacceptable weld failure rates, we saw safety performance and professionalism issues that had to be addressed. Throughout the past couple of years, due to deliberate contractor selections that have seen specialty contractors brought in, all key indicators of safety, professionalism, and performance have improved.

As we have stated before, Cenovus remains committed to supporting supplemental training programs that are specific to refining operations and ensuring that local building trades are competitive with specialty contractors. We are ready and eager to invest in such programs – and in fact we are already doing so, because we are invested in Ohio for the long term. Thus far, unfortunately, there has been little uptake from the building trades to work with us and create new training programs.

It is critical for the safety of our workforce and operations, and for the future of our business, that we select contractors without the unnecessary and misguided staffing mandates that HB 205 would impose on their employees. Mr. Chairman, Ranking Member Smith, and members of this Committee, we urge you to reject this highly flawed bill.

Thank you for allowing me to testify.