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**Senate Energy and Public Utilities Committee  
HB 205 – Opponent Testimony  
Don Thoren, Vice President, State & Local Outreach  
November 14, 2023**

Chairman Reineke, Vice Chair McColley, Ranking Member Smith, and members of the Senate Energy and Public Utilities Committee:

My name is Don Thoren, and I am here on behalf of the American Fuel & Petrochemical Manufacturers. AFPM is a national trade association representing virtually all of the domestic petroleum refining and petrochemical manufacturing capacity. Our members are also leading producers of renewable and biofuels in Ohio and across the country. In Ohio, our industries support 80,000 direct and indirect jobs and contribute more than \$17 billion annually to the state economy.

AFPM opposes HB 205 and respectfully requests members of the committee to reject this legislation. HB 205 would represent an unnecessary, duplicative, and costly burden for our industry.

There is nothing more important to the fuel and petrochemical industries than worker safety. Our members invest significant time and money to train employees and contractors, routinely upgrade their equipment, and develop and implement new management systems to drive continuous improvements in process and occupational safety. This commitment to safety is evident in the demonstrated track record of our industries over the last several decades. During the past forty years of OSHA recordkeeping, our industries routinely score as having some of the lowest injury rates when compared to the almost five hundred different industries across the greater manufacturing sector. Furthermore, since AFPM began collecting the data in 2011, we have seen an approximately fifty percent reduction in the number of process safety events among our members.

As noted earlier, our members invest significant resources in training their employees and contractors, focusing on both regulatory compliance and specific on-site hazards and tasks. Before any contractor enters a facility, they must complete verifiable OSHA Process Safety Management compliance training that is delivered nationwide through a network of Contractor Safety Councils. Additional site-specific training may also be required prior to starting work, and depending on the precise nature of the work, there may also be additional skills or equipment training workers must undergo. While the work is being performed, contractor employee competence is continuously evaluated either through hands-on verification or by the contracting company.



As a part of our industries' commitment to worker safety, AFPM works to ensure that best practices and lessons learned are regularly shared industry wide. One such example would be our Occupational & Process Safety Conference where we convene both operators and contractors annually to discuss industry safety guidelines, recent safety challenges, and the latest innovations in safety technology and services. Throughout any given year, AFPM will also host over fifty meetings for our members across several different internal safety committees to encourage peer-to-peer networking and the exchange of ideas to enhance occupational and process safety. AFPM also maintains an online educational resource dedicated to industry safety that centralizes government agency reports on past incidents, presentations from safety conferences, safety alerts, statistical reports, and other analytical resources that help both operating and contractor employees continuously improve their procedures and training.

To conclude, safety is a core value of fuel and petrochemical manufacturers. Our industries' safety records demonstrate a forty-year decline in rates of injury and illness to levels below that of 90 percent of other industries in the manufacturing sector. Much like the proponents of HB 205, our members believe a goal of zero workplace injuries and incidents is achievable, and AFPM is doing our part to help them meet it. However, we worry that HB 205 will complicate the task at hand by imposing unnecessary and costly burdens on our members, and we respectfully request that members oppose this legislation.

Thank you very much for your time and attention, and I am happy to answer any questions you may have.