

# Washington State "PSM for Refineries" Rulemaking and Lessons-Learned from California

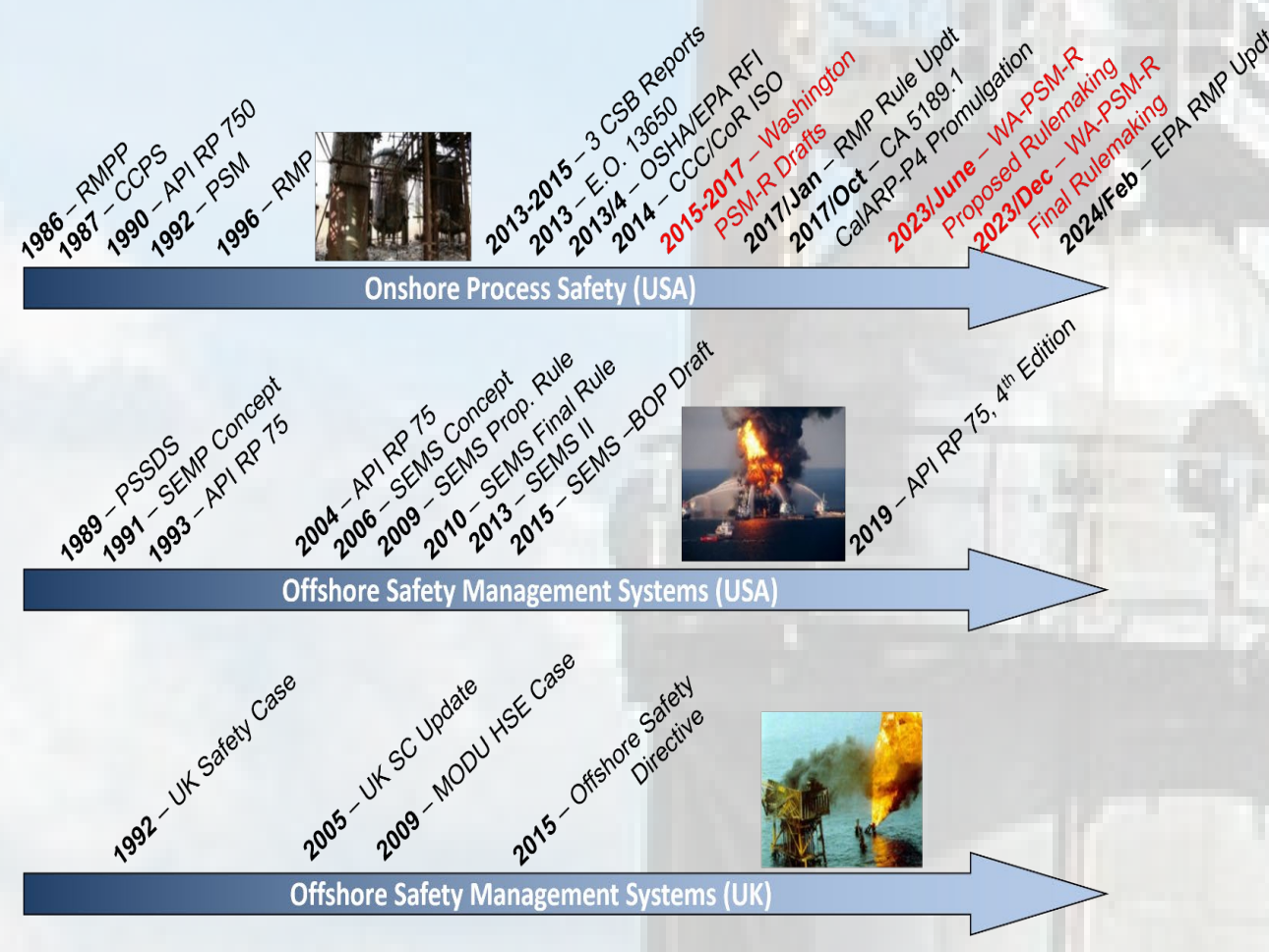
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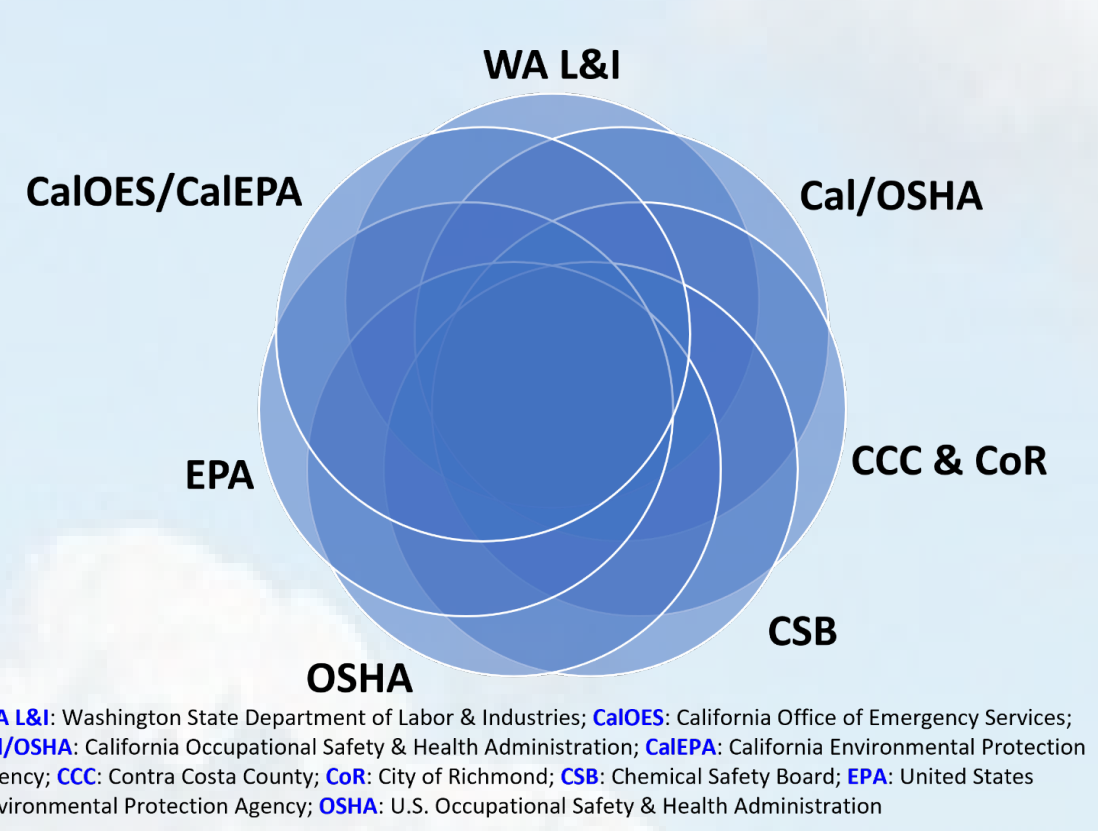
## Current SMS Program Elements & Overlap

### Evolution of SMS Guidelines & Regulations to Performance (Goal) – Based Standards

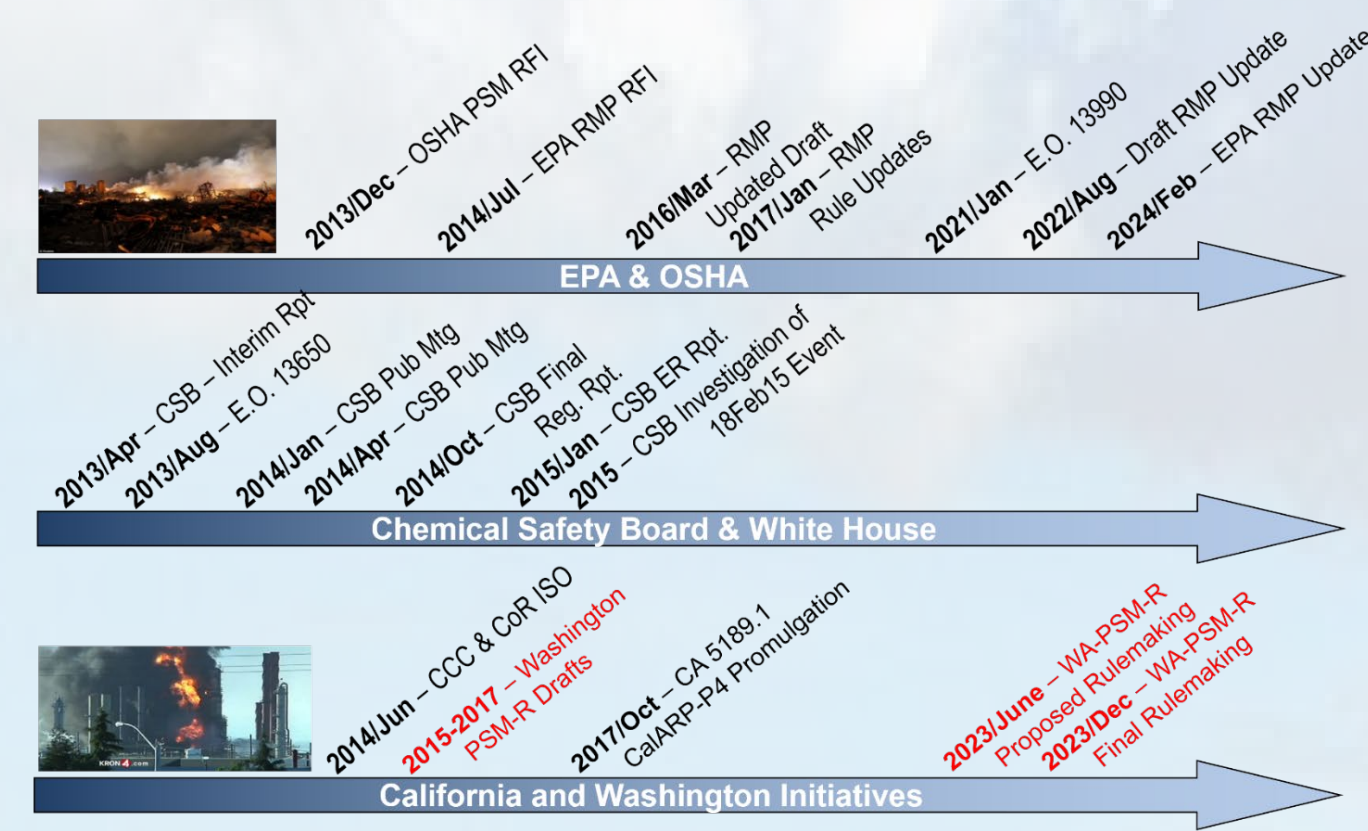


## Flow Toward Washington L&I Refinery PSM Requirements (WAC 296-67-300/387)

### Agency Involvement in Recent SMS Program Updates (Onshore Facilities)

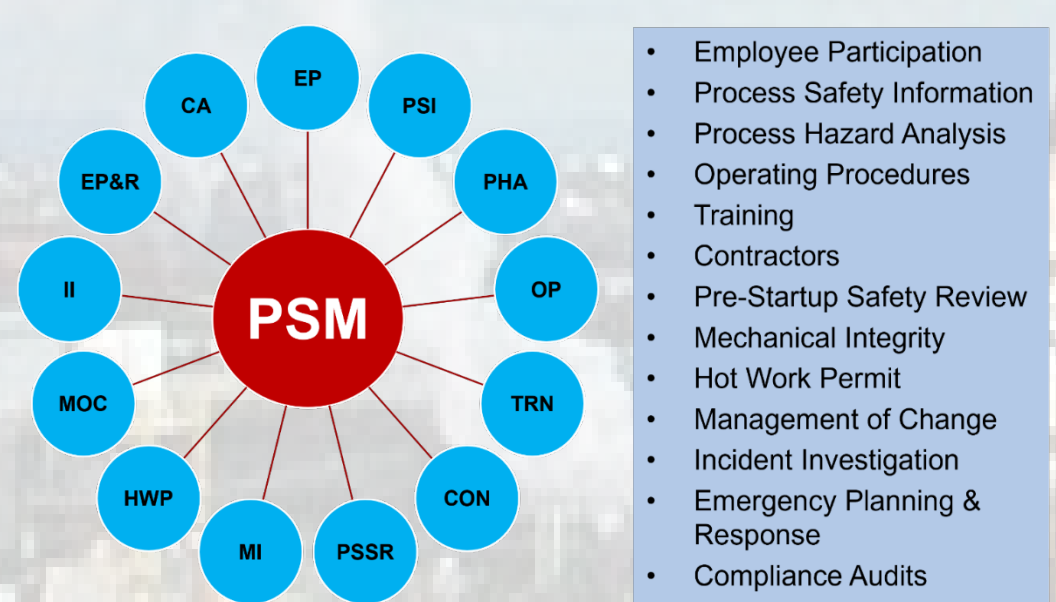


### Recent US SMS Regulatory Activities (Onshore Facilities)

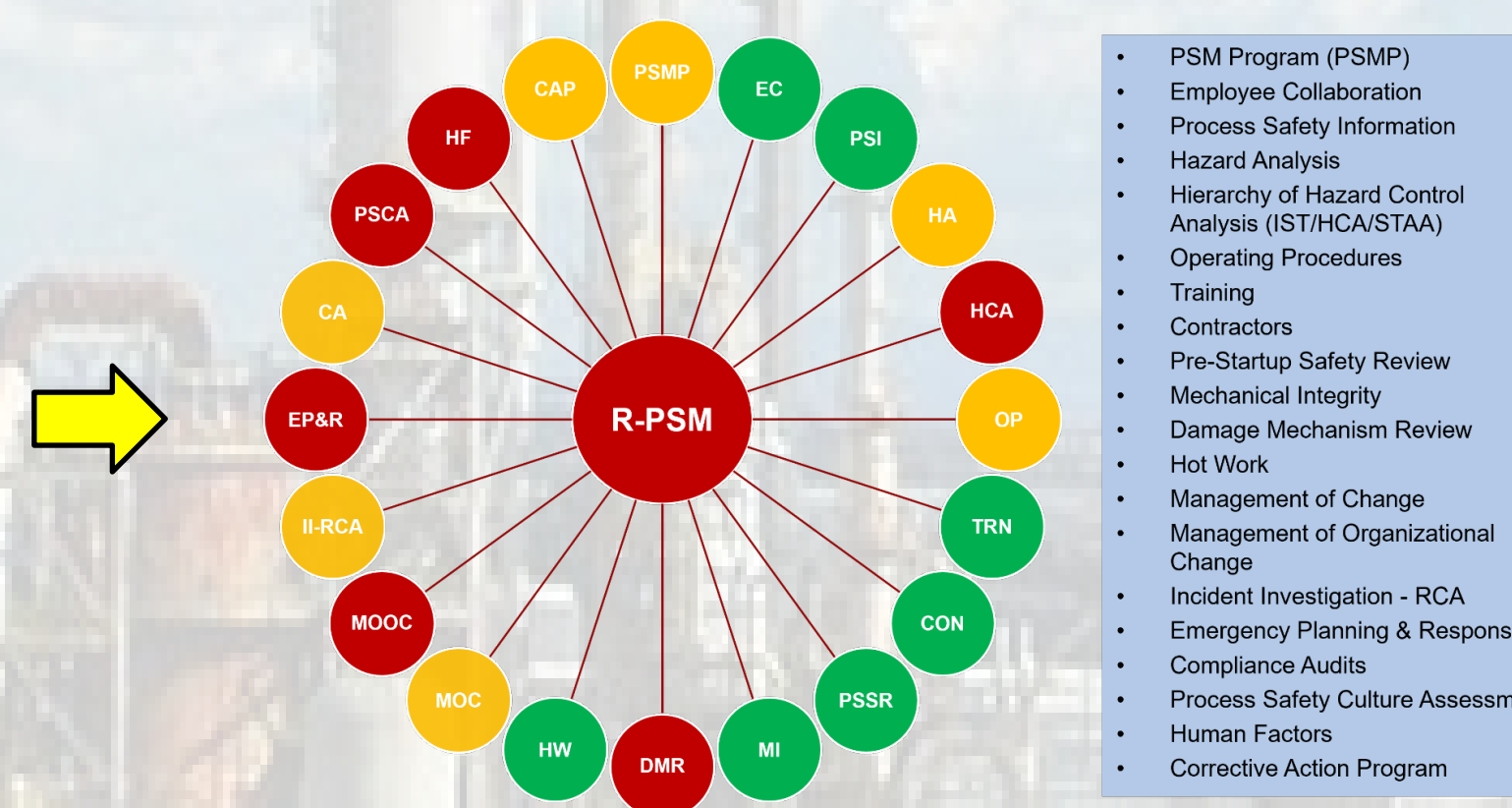


## Key Elements of Washington Refinery PSM Requirements

### Current PSM Elements

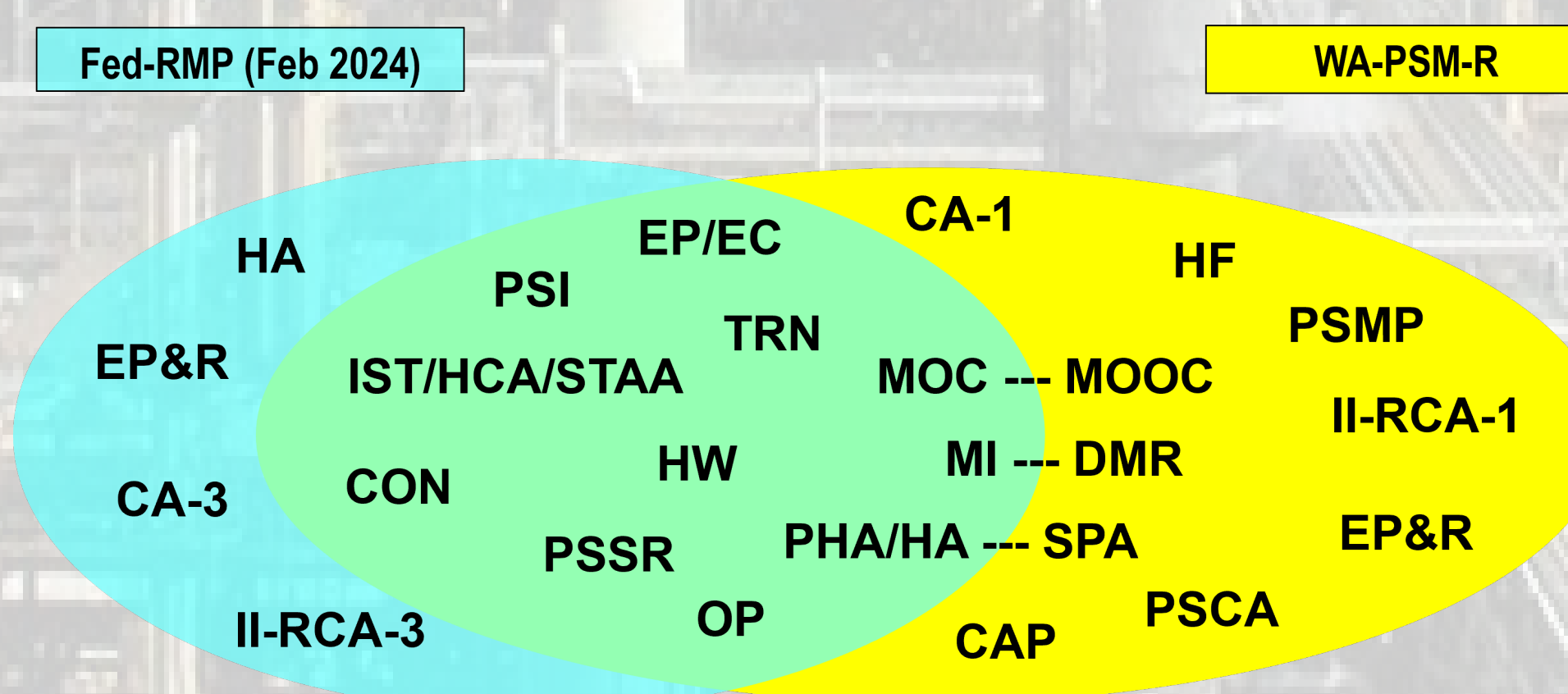


### WA L&I PSM-R Elements



## Status, Impact, & Strategies

### Overlap of Post-24Feb2024 Washington SMS Programs (Petroleum Refineries)



### CONCLUSION & STRATEGY

- California and Washington Refineries are the initial focus of changes to state PSM and accidental release prevention program requirements
  - There is no identified plan for the various agencies to synchronize requirements.
  - Requirements are a "moving target."
  - For California Petroleum Refineries, Fed-RMP, CalPSM-R, and local jurisdiction requirements differ.
  - For Washington Petroleum Refineries, Fed-RMP and WA-PSM-R requirements differ.
  - Multi-State Owner/Operators will have increased challenges in cross-pollination of resources and complexity of internal guidelines.
- Potential For:
  - Later expansion to other highly-hazardous facilities in California and Washington
  - Later expansion to petroleum refineries & other facilities in other locations
  - Inference to new requirements as best practices
  - General Duty Clause Correlation - SB 612 clarifies Owner/Operator responsibilities
- Recommendations
  - Near-term Planning for Focused Compliance Strategy
  - Avoid Last-Minute Scramble

## CalPSM-R (5189.1) & WA-PSM-R (WAC 296-67) Summary Matrix

Program Element	CalPSM-R (5189.1)	WA-PSM-R (WAC 296)	Key Scheduler Requirements (WAC 296)
Process Safety Management Program (PSMP) **	5189.1(v)	67-311	• Triennial Update • Create Process Safety Performance Indicators (PSPi)
Employee Participation (EP) / Employee Collaboration (EC) *	5189.1(q)	67-315	• 27Mar2025 – Key Elements
Process Safety Information (PSI) *	5189.1(d)	67-319	• Keyed to Process Safety Needs (e.g., prior to PHA, DMR, HCA, SPA)
Hazard Analyses (HA) / Process Hazard Analysis (PHA) *	5189.1(e)	67-323	• Not-Previously-Required HAs – 27Dec2027 • SPA – 6 Months of Completing the PHA • Five-Year Revalidation
Safeguard Protection Analysis (SPA) **			• Performed On Recommendations In Concert with the PHA • For Any PHA Recommendation Addressing a Major Hazard Potential – 90 Days Following Recommendation Completion • Major Change (MOC), Major Incidents (II), New Processes
IST / HCA / STAA ***	5189.1(l)	67-323	
Operating Procedures (OP) **	5189.1(f)	67-327	• Annual Certification, with Updates As Needed
Training (TRN) *	5189.1(g)	67-331	• PSM Training – 27Dec2026 • Triennial Refresher Training
Contractors (CON) *	5189.1(h)	67-335	• No Schedule Changes
Pre-Startup Safety Review (PSSR) *	5189.1(i)	67-339	• Perform PHA, HCA, DMR, and SPA as Applicable Prior to Start-up
Mechanical Integrity (MI) *	5189.1(j)	67-343	• Complete 50% of DMRs by 27Dec2027 and 100% by 27Dec2029
Damage Mechanism Review (DMR) ***	5189.1(k)	67-347	• Five-Year Revalidation • Review DMR As Part of II • Review/Complete As Part of MOC
Hot Work (HW) *	5189.1(m)	67-351	• No Schedule Changes
Management of Change (MOC) **	5189.1(n)	67-355	• No Schedule Changes
Management of Organizational Change (MOOC) ***	5189.1(t)	67-359	• Complete MOOC for Changes > 90 Days
Incident Inv. – Root Cause Analysis (II-RCA) **	5189.1(o)	67-363	• Initiate Investigation – 48 Hours • Initial Report – 90 Days, Plus Monthly Status Reports, If Delayed • Final Report – 5 Months
Emergency Planning and Response (EP&R) ***	5189.1(p)	67-367	• No Schedule Changes
Compliance Audits (CA) ** (Fed Rqmt. for 3 <sup>rd</sup> Party)	5189.1(u)	67-371	• Same Triennial Requirement • 18-Month Corrective Action Closeout
Process Safety Culture Assessment (PSCA) ***	5189.1(r)	67-375	• Initial Report – 27Jun2026 • Five-Year Revalidation • Implement Corrective Actions – 24 Months • Assess Effectiveness of Corrective Actions – 3 Years After Each Report/Revalidation – If Corrective Action ineffective, Correct within 6 Months • Deadlines for Communicating PSCA to Affected Personnel
Human Factors (HF) ***	5189.1(s)	67-379	• Program Creation – 27Dec2026 • 50% Assessment – 27Dec2027 • 100% Assessment – 27Dec2028
Corrective Action Item Closure / Corrective Action Program **	5189.1(x)	67-383	• Compliance Audit Corrective Action Completion (18 Months) • Not Requiring Process Shutdown (30 Months) • Requiring Process Shutdown (Next Scheduled Turnaround, Unless Documented as Infeasible) • Potential for Serious Physical Harm (Promptly)

The changes in WA L&I Refinery PSM would be expected to have different implementation challenges:

- \* minimal changes to regulation or minimal effort needed for compliance
- \*\* moderate changes to regulation or moderate effort needed for compliance
- \*\*\* new element or significant effort needed for compliance

Contact for Questions or for PDF Copy



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