

EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

Wednesday, June 23, 2010
Press Office, 202-226-0853

Chairman Miller Statement at Committee Hearing On “Worker Health and Safety from the Oil Rig to the Shoreline”.

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. George Miller (D-CA), chairman of the House Education and Labor Committee, for a committee hearing on “Worker Health and Safety from the Oil Rig to the Shoreline”.*

Good morning.

Today, the Education and Labor Committee meets to examine critical issues surrounding the health and safety of workers on the oil rig to the shoreline.

Sixty-five days ago, during the final stages of drilling an exploratory well 52 miles off the coast of Louisiana, a blowout and subsequent fire on the Deepwater Horizon killed eleven workers and injured fifteen others.

This devastating event set into motion the worst environmental disaster in our nation’s history. Even more striking, there seems to be no end in sight.

We’re told it will take months or even years to fully calculate the human, economic and environmental damage.

As clean-up and response activities continue, we must not forget the men who lost their lives and were injured at Deepwater. We must take every step available to protect against something like this happening again.

For the 25,000 workers participating in clean-up work in the Gulf, we must ensure that everything possible is done to protect the health and safety of the workers cleaning up BP’s mess.

At the core of this tragedy is a multinational corporation with a dismal safety record in this country.

This same company cut corners that resulted in 15 deaths at its Texas City refinery.

This same company ignored warnings about corroded pipes that resulted in 200,000 gallons of crude spilled in Alaska’s North Slope.

It appears that Deepwater is simply another example of BP prioritizing profits over the health and safety of workers.

BP's Deepwater Horizon tragedy didn't happen by chance, nor was it the result of a "perfect storm" of events. It was predictable and could happen again.

This is why the work of our nation's health and safety agencies is so important. They are tasked by Congress to protect workers when a company carelessly puts its employees in harm's way.

The 130 crew operation of the Deepwater Horizon was a complex one, with a twenty story-high oil derrick at her center, spanning the size of a city block.

The oversight and regulation of Deepwater and similar operations is a jurisdictional mishmash between three federal agencies and international shipping laws.

The Occupational Safety and Health Act is our nation's premiere law governing workplace health and safety. Since the agency's creation 40 year ago, workplace injuries and fatalities have dropped as workers' have had access to on-the-job protections.

However, OSHA does not have any authority for enforcing safety rules beyond three miles of the coastline. Outside of three miles, the United States Coast Guard has the authority to issue worker safety regulations.

The Minerals Management Service also gets into the game by covering safety for drilling equipment and industrial systems. Additionally, the Coast Guard has ceded responsibility for enforcing Coast Guard regulations to MMS for fixed oil platforms.

And, the Deepwater Horizon is a sea-going vessel flagged under the Marshall Islands and not subject to more rigorous U.S. licensing requirements.

In light of the current tragedy in Gulf, I hope we can answer whether there is a better way to oversee and protect the health and safety of oil rig workers. The Deepwater disaster clearly demonstrates that the status quo is not good enough.

We must do better.

When something does go wrong, it is just as important that there is clear guidance and a swift and coordinated response.

There are thousands of square miles of Gulf of Mexico and hundreds of miles of shoreline currently impacted by the spill.

The scale of the cleanup operation is massive and will likely continue to involve thousands of workers over several years. It is vital that everything is done to prevent adding to the human toll of this disaster.

The cleanup activity from the shoreline to the source of the spill presents many risks to workers – such as exposure to dangerous conditions and substances that have both short and long-term health implications.

That is why all agencies must coordinate effectively and provide the necessary equipment and expertise to protect cleanup workers.

We will hear testimony today on how cleanup operations are proceeding and whether cleanup workers are being adequately protected.

Starting today, our nation must assess whether there are sufficient safety protections on these operations that prevent companies from putting profits ahead of safety.

Our task beginning today is to look more deeply into whether the current regulatory framework for worker safety is appropriate and effective.

Has responsibility for worker safety been diffused amongst various agencies, with no minimum standard for ensuring worker safety protection?

If agencies other than OSHA regulate worker safety, should their rules be at least as effective as OSHA's where they overlap?

Do OCS workers covered by MMS and Coast Guard regulations have adequate whistleblower protections?

Is there a need for independent safety regulators, so that an agency that is responsible for leasing and revenue collection is not also responsible for worker safety and environmental protection?

Is there a better structure to ensure worker safety protections from process safety hazards?

Are the agencies in charge of the spill response sufficiently coordinating their efforts?

Our witnesses today will provide valuable insight into these questions.

I thank our witnesses for joining us today and the committee looks forward to their testimony.

###