

Refinery fires, other chemical disasters may no longer get safety investigations

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Creation and goals of the CSB

The U.S. Chemical Safety and Hazard Investigation Board was created by Congress in a 1990 amendment to the Clean Air Act, in the wake of several high-profile chemical disasters around the world.

Those included the 1976 dioxin release in Seveso, Italy, which caused skin lesions on over 600 people and contaminated nearly 7 square miles of land; the deaths of thousands in Bhopal, India, from the 1984 release of methyl isocyanate from a Union Carbide pesticide plant; and the Chernobyl nuclear plant disaster in 1986 in what was then the Soviet Union. The goal was to prevent similar accidents from occurring on U.S. soil by investigating the causes of incidents and providing recommendations for improvement.

Specifically designed to be independent of other organizations and political influence, the CSB cannot be forced to modify its findings by other agencies, branches or political parties, ensuring its impartiality.

It has no power to issue regulations, nor any authority to impose fines or other punishments for wrongdoing. Rather, it is a fact-finding, investigative body designed to learn from past disasters and issue voluntary recommendations so chemical companies can improve their equipment and processes to prevent future tragedies. The vast majority of its recommendations are adopted by the industries affected, usually by the investigated company, though sometimes recommendations become industry standards. These recommendations can range from changes in procedure, the addition of safety devices or even overall facility design recommendations.

What does the board do?

There are several kinds of events companies must report to the federal government, including deaths and releases of particular chemicals, such as chlorine, naphthalene and vinyl chloride.

The board reviews those reports and decides on its own which to investigate. When an inquiry is opened, a group of experts who work for the board travel to the incident site to gather evidence to understand not only what happened in the big picture but a detailed view of how events unfolded.

After the investigation, the board issues a report detailing what it found and recommending specific changes to the company to reduce the risk of that sequence of events happening again. The board also delivers its information to other federal agencies, such as the EPA and OSHA, which can determine whether changes would be appropriate to federal regulations that apply to all companies in an industry.

The board's value

The board had a US\$14 million annual budget for 2025, which is a tiny part of the more than \$6 trillion the U.S. government spends each year.

The current administration's justification for eliminating the CSB is that its capabilities are duplicated by agencies such as the EPA and OSHA. But the EPA focuses specifically on environmental violations and potential threats to human life. OSHA investigates regulatory violations leading to personal injury.

In fact, the CSB has helped the EPA and OSHA evaluate and improve regulations, such as for the open burning of waste explosives, and improved methods of investigating accidental chemical releases and implementing new emergency response rules.

The CSB is the only organization that looks into improving processes to prevent future accidents instead of punishing past acts. It's the difference between investigating who robbed a bank to hold the robbers accountable and improving bank security so another robbery can't occur.

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