



Dangerous Goods - Hazardous Materials Group & Network Release 2012 – 916 Newsy Stuff

<http://tech.groups.yahoo.com/group/DangerousGoods>

December 30 2012



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USA, LA, GARYVILLE, DECEMBER 17 2012. MARATHON REPORTS LEAK AT GARYVILLE REFINERY - FILING

Marathon Petroleum Corp. (MPC) reported a leak in an unspecified piece of equipment Saturday at its refinery in Garyville, La., according to a government filing made public Sunday. "Gas oil is leaking into the atmosphere," Marathon Petroleum said in its filing with the National Response Center. The leak caused the unspecified unit to be shut down, according to the company's filing. The Garyville refinery is the third-largest in the U.S., with 490,000 barrels a day of capacity.

<http://www.foxbusiness.com/news/2012/12/16/marathon-reports-leak-at-garyville-refinery-filing/>

USA, TX, KAUFMAN CO, DECEMBER 18 2012. TANKER TRUCK CRASHES INTO NORTH TEXAS LAKE



A semi tanker truck has to be pulled from the water after crashing into Cedar Creek Lake.

A tanker truck driver is being treated at a North Texas hospital after crashing his big rig into a lake in Kaufman County. The accident happened around 1 a.m. off of Highway 175, near State Highway 198, in Mabank. The semi crashed through a guardrail and then hit the water. "We don't know what caused him to veer off the road but he did and wrecked there into Cedar Creek Lake," Mabank Police Chief Kyle McAfee explained. There wasn't much concern about hazardous material since Chief McAfee said the tanker was, "Transporting spring water from Jasper, heading to Dallas." The only HazMat concern was a small diesel leak from the truck's fuel tanks. The entire semi crashed into the lake and the driver had to be pulled from the water. The name of that driver hasn't been released but the man was taken by air ambulance to Methodist Dallas Medical Center. His current medical condition is not known.

The northbound lanes of Highway 175 were temporarily shutdown while the 18-wheeler was hauled out of the water.

<http://dfw.cbslocal.com/2012/12/17/tanker-truck-crashes-into-north-texas-lake/>

USA, ALA, ASHVILLE, DECEMBER 18 2012. INTERSTATE 59 SOUTHBOUND REOPENS IN ASHVILLE AFTER OVERTURNED LNG TANKER REMOVED

[Watch the Video Interstate 59 Southbound Reopens after Overturned LNG Tanker Removed](#)

[Photo's \[14\] Truck Hauling Liquefied Natural Gas Overturms on I-59 Near Ashville](#)

[Photo's \[6\] Interstate 59 Southbound Reopens In Ashville](#)



A tanker truck loaded with 9400 gallons of liquefied natural gas (LNG) overturned on I-59 southbound at the 163.5 mile marker early Monday December 17, 2012. I-59 southbound lanes have been shut down for hours with traffic being detoured on Hwy .11 between the exit 166 in Ashville to the 156 exit at Springville/St. Clair Springs. Northbound traffic lanes are open. A tanker has been brought in to transfer the gas from the tanker that is laying on its side on the shoulder.

Alabama State Troopers reopened Interstate 59 southbound near Ashville about 3:45 p.m. Monday, more

than 15 hours after an overturned liquefied natural gas tanker forced drivers to take long detours. The tanker flipped on the highway about 12:30 a.m. Monday. The tanker was loaded with liquefied natural gas, or LNG, which is gas that is supercooled to liquid form for transport. Much of the material was siphoned into another tanker before the truck was righted and removed from the highway. The truck belongs to Pivotal LNG, a wholly owned subsidiary of Atlanta-based natural gas distributor and energy supplier AGL Resources. No other vehicles were involved in the accident and the driver was not injured, AGL Resources spokesman Matt Freeman said. The careful cleanup process meant the closure of about a 10-mile stretch of southbound Interstate 59 -- the primary route between Gadsden and Birmingham. Alabama State Troopers rerouted



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southbound traffic to U.S. 231 and U.S. 11 in Ashville through Springville, which resulted in long delays for most of the day. The northbound lanes were not affected.

http://blog.al.com/spotnews/2012/12/overtured_tanker_cleanup_snar.html

HONG KONG, DECEMBER 18 2012. CHEMICAL SPILL ABOARD CONTAINER SHIP IN HONG KONG WATERS

clifford lo

More than 100 emergency worker responded to a chemical spill on board a container ship on Monday morning. The accident happened at about 6.40am, as the 92,000-tonne Maersk vessel was entering Hong Kong waters coming from Shanghai. It was directed to an anchoring area south of Lamma Island, reserved for dangerous cargos, at about 7.30am. A Government Flying Service helicopter was deployed to offer medical help to three crew members who complained of feeling unwell. But they declined the offer and the helicopter left. Three fireboats were sent to the scene, and three fire engines and three ambulances were on standby in Central, the Fire Services Department said. Firefighters, wearing suits to protect them from chemicals, went on board to check the situation while two police launches kept other boats away. It is understood to be a minor chemical spill. Around noon, officers from the Fire Services Department and Marine Department were still investigating the case.

<http://www.scmp.com/news/hong-kong/article/1107049/chemical-spill-aboard-container-ship-hong-kong-waters>

USA, N.J, PAULSBORO, DECEMBER 19 2012. PAULSBORO TRAIN DERAILMENT: FINAL THREE RAIL CARS MOVED, DAMAGE ASSESSMENT OVER \$700,000

phil davis

Watch the Video:

[The first car tank is lifted from site of the Paulsboro train derailment, Tuesday, Dec. 11, 2012. A train carrying the chemical vinyl chloride derailed while crossing Mantua Creek into Paulsboro on Nov. 30, releasing some of the chemical into the air.](#)

Photo's [5] Toxic Train Wreck



A car tank is lifted from site of the Paulsboro train derailment, Friday, Dec. 13, 2012. A train carrying the chemical vinyl chloride derailed while crossing Mantua Creek into Paulsboro on Nov. 30, releasing some of the chemical into the air.

Two weeks after a Conrail train derailed at the East Jefferson Street Bridge, the line returned to service over the weekend. This news came as federal investigators released a preliminary report that does not indicate a cause for the wreck, which sent tanker cars into Mantua Creek. One of those tankers ruptured, releasing 180,000 pounds of vinyl chloride. National Transportation Safety Board (NTSB) issued its one-page preliminary report Monday, indicating the train was traveling at 7 mph when it crashed. [The report also placed a \\$721,114 price tag on the incident](#), though that figure does not include environmental remediation costs. Officials declined to speak about the ongoing crash investigation or the decision to return the line to service before the cause was determined.

Representatives from the Joint Operations Center stated Sunday that the first trips across the swing bridge would be closely monitored. The NTSB report states that train operators were following typical operations protocol when the crash occurred. According to the Northeast Operating Rules Advisory Committee (NORAC), recorder data from the locomotive showed that the train was traveling at 7 mph when the crash happened. The maximum authorized speed over the bridge is 10 mph and will remain 10 mph when the bridge is returned to normal use. The final rail car containing vinyl chloride from the crash was removed early Sunday morning, ending the initial cleanup of the Nov. 30 accident. The site was cleared for commercial use as of Sunday afternoon and four trains have run successfully across the bridge over the last two days. The final three cars lifted out of the creek and placed on a barge were placed back on the rails Monday and pulled from the site. Although the bridge has been cleared for commercial train use, it will still have to be repaired for boat passage before spring, according to state Assemblyman John Burzichelli, a resident of Paulsboro. The swing bridge is currently in the locked position, as the bridge closes off access to boat traffic every year during the winter season. The crash took place only a day before the bridge was to be locked in position for the season. So, while the bridge is currently available for use, both the bridge and the creek will be required to be open to boat traffic in the spring by federal law. And, in Burzichelli's opinion, some significant changes need to



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be put in place over the next few months. "Conrail does not have the privilege to close off that side of the creek to boat traffic," said Burzichelli. "I think it needs a full new structure. It needs to be manned by a person so that it can be locked in place and operational to boat traffic and not automated, which clearly failed," he added. While the removal of the cars took two weeks to finally complete, initial attempts at cleanup were hindered by unfavorable slack tide periods in the Mantua Creek, said Joint Information Center Lt. Eric Leese. Currents are calmer during slack tides. "Diving operations require less than two knots of current," said Leese. "Because everything was so choked, that current was rolling at 12 knots." "In the beginning of the operation, that wasn't in our favor. The slack tide periods for diving were coming right at the beginning of daylight time," added Leese. The crash sent 22 Paulsboro residents to the hospital to be treated for inhalation of vinyl chloride, a carcinogenic vapor that can cause respiratory problems, and prompted the town to evacuate 27 blocks of homes close to the crash site. There were no deaths or severe injuries reported as a result of the crash and only one resident remains displaced, according to Burzichelli. Inspectors from the NTSB indicated early on that they were investigating 23 "trouble tickets" written regarding problems with the bridge in the last year. Most of the problems occurred in the month before the accident and included minor issues such as debris on the tracks and burned out lights, but at least two involved problems with the signals or alignment of the span. An NTSB official indicated soon after that crash that, according to interviews with the crew, the bridge was in the "closed" position, meaning that it was closed to water traffic, but appeared open to trains, despite the presence of a red "stop" light at the span. After multiple, unsuccessful attempts to remotely close the bridge and receive the green light to proceed, a Conrail dispatcher gave the crew clearance to cross.

Related Links

- [Paulsboro residents warned of identity theft scams following train derailment](#)
- [Editorial: Paulsboro trains are back, but how safely?](#)
- [Letter: It's Gov. Chris Christie's job to lead Hurricane Sandy recovery](#)
- [Paulsboro train derailment: final three rail cars moved, damage assessment over \\$700,000](#)
- [Paulsboro train derailment: Final rail car removed from crash site](#)

http://www.nj.com/gloucester-county/index.ssf/2012/12/paulsboro_train_derailment_fin_1.html

CHINA, HUNAN PROVINCE, NIULANCHU, DECEMBER 19 2012. COAL MINE BLAST KILL SIX IN CHINA

At least six people were killed in a coal mine explosion in central China. The blast occurred around 3 pm on Monday at Niulanchu Coal Mine in Hunan Province, state-run Xinhua news agency reported. Six miners died on the spot and one was injured seriously and sent to a local hospital. Rescuers are still searching for one more miner who went missing after the blast, authorities said. An initial investigation showed that mal-operations was to blame for the blast. Further investigation into the cause of the accident is underway.

<http://www.hindustantimes.com/world-news/China/Coal-mine-blast-kill-six-in-China/Article1-974288.aspx>

USA, AKA, ANCHORAGE, DECEMBER 19 2012. CONOCOPHILLIPS TO PAY \$200K FOR KUPARUK RIVER PIPELINE SPILLS

chris klint

[ConocoPhillips](#) has agreed to pay more than \$200,000 in state and federal fines to settle environmental claims related to two oil spills from corroded pipelines at its Kuparuk River oil field in 2006 and 2007, regulatory agencies said Monday. The Alaska Department of Environmental Conservation says the state fines include \$78,283 for a March 2006 spill as well as \$77,009 for a December 2007 spill. The federal [Environmental Protection Agency](#) didn't participate in enforcement actions for the 2006 spill, but assessed a \$45,000 penalty for the one in 2007. In addition, ConocoPhillips will pay the state \$112,273 to reimburse its investigation and enforcement costs in the case. It will also finish restoring about a third of an acre of land polluted during the spills. "We are glad to bring this legal matter to a successful conclusion and to focus on the lessons learned from these two events," state Attorney General Michael Geraghty said in a Monday statement from DEC. "It is important that appropriate measures be instituted to prevent these types of events from occurring in the future." Flow lines, which transport crude oil, water, gas and solid matter from production wells to processing centers, were involved in both incidents. About 500 gallons of contaminated water containing small amounts of crude oil were released during the 2006 spill, which was later attributed to corrosion within the pipe. The 2007 spill, which included 2,870 gallons of contaminated water and 1,370 gallons of crude oil, was blamed on external corrosion due to what DEC calls "an anomaly in the manufacture of pipe insulation that allowed water



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to be drawn to the sidewall of the pipe." The EPA says crews built a 300-yard-long ice road to improve access to the spill site, eventually hot-flushing oil from the ground then recovering it from snow into which it was mixed. ConocoPhillips conducted a joint investigation with DEC of the 2006 spill, and took a series of remedial measures against corrosion after the 2007 spill. The settlement requires the company to continue its work on preventing future incidents, including improving its program to monitor the corrosion of flow lines. DEC says it has added new requirements for monitoring and repairing flow lines since the 2007 spill. In a Monday statement on the settlement, ConocoPhillips says it has also improved its internal oversight in response to the incidents. "Spill prevention and protection of the environment are top priorities for ConocoPhillips," company officials wrote. "Lessons learned from these two incidents about potential corrosion pathways have been applied to our integrity management program, which has been subjected to rigorous internal and external oversight. ConocoPhillips continues to spend significant funding on pipeline inspection, asset renewals such as pipeline replacements and pigging infrastructure upgrades and to advance technologies that provide continuous improvement." ConocoPhillips isn't the only oil company to recently pay for pipeline-related problems. An arbitration panel [awarded the state \\$255 million from BP last month](#), settling state claims related to production tax losses after the company experienced Prudhoe Bay pipeline failures due to corrosion in 2006.

<http://www.ktuu.com/news/conocophillips-to-pay-200k-in-kuparuk-river-pipeline-spills-121712,0.4426381.story>

BRAZIL, SAO PAULO, DECEMBER 18 2012. CHEVRON OFFERS TO SETTLE BRAZIL SPILL LAWSUITS



Brazilian prosecutors say Chevron Corp. has offered to pay \$150 million to settle two civil lawsuits stemming from an offshore oil spill. The lawsuits seek \$20 billion in damages. Federal prosecutors say they must await an environmental agency report on the spill before accepting any Chevron offer. That report must corroborate Chevron's assertions that the spill had no significant impact on the environment. It's not clear when that report will be made. Chevron says in a Monday statement that company officials are "optimistic that a satisfactory settlement can be reached soon." It was in November 2011 when some 155,000 gallons of crude leaked from the seabed near a Chevron well. Earlier this year, Chevron paid \$18 million in fines to Brazilian authorities.

http://fuelfix.com/blog/2012/12/17/chevron-offers-to-settle-brazil-spill-lawsuits/?utm_source=WhatCountsEmail&utm_medium=FuelFix&utm_campaign=FuelFixNewsLetter

AUSTRALIA, VICTORIA, MELBOURNE, DECEMBER 19 2012. PEST SPRAY SPARKS EXPLOSION AT CBD RESTAURANT

stephen drill

An Indian restaurant in the city exploded when a pest-control spray came into contact with an open flame last night. The Metropolitan Fire Brigade were called to the Gourmet Curry Hut in Little Collins Street at 10pm.

An MFB spokeswoman said that a staff member was killing pests in the restaurant with the spray when the explosion happened. "He was using a pest control canister and it's exploded when it came into contact with a pilot light," she said. "It caused a large explosion - there was a partial roof collapse." The spokeswoman said it the MFB were called when a friend of the staff member reported the fire. "A friend found him quite unwell in the street. There was one male treated on scene," she said. There were no reports of customers being in the restaurant at the time of the explosion. The restaurant bills itself as a journey through India, with meals created using fresh ingredients. "Please visit us to experience the culinary delights in an ambient atmosphere at prices which are not too heavy on your wallet," the restaurant's website says.

Related Links [Bad Karma as Botched Bug Bomb Ignites](#)

<http://www.heraldsun.com.au/news/victoria/pest-spray-sparks-explosion-at-cbd-restaurant/story-e6frf7kx-1226540093281>

AUSTRALIA, VICTORIA, LONGFORD, DECEMBER 19 2012. ESSO PLAYS DOWN CONCERNS OVER CHEMICAL LEAK

Map: [Longford 3851](#)

Esso has played down fears over a leak of the cancer-causing chemical benzene at its plant at Longford, Victoria. Esso has confirmed benzene vapours were leaked into the air after a crude oil spill at the Longford plant last month. Company spokesman Chris Welberry could not say how much oil was spilled or how much of the chemical staff and nearby residents



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were exposed to. But he said the levels were too low to cause serious illness. He says staff on site were treated for nausea at the time. A local resident complained about a bad smell on November 19, but Esso did not report the incident to the EPA until December 4. The company spokesman could not explain the delay.

<http://www.abc.net.au/news/2012-12-19/esso-plays-down-concerns-over-chemical-leak/4435400?section=vic>

USA, GA, DAWSONVILLE, DECEMBER 19 2012. MAN DIES FROM PROPANE EXPLOSION INJURIES >> HOSPITAL RELEASES 2ND VICTIM FROM BURN WARD

david renner

A Newnan man critically injured in an explosion at Amicalola Propane on Easy Street in Dawson County earlier this month has died from his injuries. Jimmy Lassetter, 45, died Thursday at the Grady Memorial Hospital Burn Unit, according to an obituary released by the Higgins Hillcrest Chapel Funeral Home in Newnan. The Dec. 5 explosion happened while unloading a truck carrying a shipment of residential propane tanks. The off-loading tanks collided with each other, shearing the valve from one tank and spraying a cloud of propane. The propane found an ignition source and an explosion occurred, according to Dawson County Emergency Services. Deputy Fire Chief Tim Satterfield, who serves as the county fire marshal, on Monday said the explosion was ruled an accident. Lassetter suffered second- and third-degree burns across 80 percent of his body. Another worker, Casey Rickett of Dawsonville, also suffered second- and third-degree burns. Rickett has been released from the Grady Memorial Hospital Burn Ward, an employee of Amicalola Propane said last week.

<http://www.gainesvilletimes.com/section/6/article/77197/>

USA, GA, DALTON, DECEMBER 19 2012. MAN FOUND DEAD IN TANKER WELL TESTED POSITIVE FOR DRUGS

rachel brown

An employee at New South Distribution who died after being found unconscious in the well of a tanker truck tested positive for several drugs, officials said. Brian Scotty Williams, 37, of Chatsworth, was supposed to be cleaning the truck well with a partner in mid-September, but police reports show the investigation indicated he started work by himself and was eventually found unconscious in the well of the truck. He later died. "We have gotten toxicology results back, and Mr. Williams' blood alcohol content was .02," Dalton Police Department spokesman Bruce Frazier said. "He also tested positive for methamphetamine and amphetamine. We are still waiting for the final autopsy report to be completed." It isn't known if the drugs contributed to his death. The Occupational Safety and Health Administration (OSHA) opened an investigation, which a U.S. Department of Labor spokesman said is standard procedure when an individual dies on the job. The spokesman didn't immediately respond to a message Monday, but he said in September the report would likely take six months to complete.

<http://daltondailycitizen.com/local/x1332360347/Man-found-dead-in-tanker-well-tested-positive-for-drugs>

USA, MA, NEW BEDFORD, DECEMBER 20 2012. OIL DELIVERY TO WRONG ADDRESS LEAVES NEW BEDFORD HOMEOWNER WITH A MESS

curt brown

An oil delivery to the wrong address on Park Street Tuesday left the owners with an oily mess and the company with an expensive cleanup. Guard Oil delivered about 27 gallons of home heating oil to a Park Street home and the oil spilled onto the basement floor because the single-family home is no longer heated with oil and the fill pipe is disconnected from the oil tank, according to District Fire Chief James Clark. No one was home at the time of the delivery and the spill wasn't noticed until family members came home, smelled the odor and contacted NStar, thinking it was a gas leak, he said. When NStar officials went down to the basement, they immediately saw the oil on the floor and contacted the Fire Department at 1:52 p.m., he said. Clark said the Fire Department's Fire Prevention Bureau, the State Department of Environmental Protection and the city's Health Department and Water Department were all notified. The house was ordered to be evacuated and the gas and electricity were shut off to avoid a fire and all the windows and doors were left opened to ventilate the house of the thick, oily smell. The homeowner was understanding of the error when she spoke with a reporter. "It was an accident. It was a common mistake. It's not a big deal. It just needs to be cleaned up, that's all. I'm not upset," said Tamara Wells-Reynolds.

"It was a clerical error," she added, explaining the oil was delivered to the wrong address. She said her family has lived there for 10 years and their home has always been heated with natural gas. The basement isn't finished and there is no damage other than a "wet" floor and the odor. "It's a 100-year-old cellar. It makes it easier to clean," she said. Wells-Reynolds said she just wants the oil company to clean up the mess. "I would expect they will clean it up," she said. "It's their mistake. That's all I



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want, for it to be cleaned up." Clark said Guard is required to pay for the cleanup. "Guard Oil is responsible for contacting an environmental cleanup company," he said. Tom Guard, one of the owners, said the company will clean up the spill but refused to discuss the circumstances of the accident. "They will be well cared for," he said of the family. He wouldn't confirm the oil was delivered to the wrong address. "At this point, I think I'll pass," he said. Clark said he knows the homeowners bought the property after it was converted to natural gas, but he and Fire Chief Michael J. Gomes said state law calls for the removal of the fill pipe whenever an oil tank is no longer used. "The reason for that requirement is so these types of accidents don't occur," Gomes said. He added that violation of the requirement is punishable by a fine of up to \$100. Clark also said an oil tank makes a whistling sound when it is being filled. When there is no whistling noise, the oil tank is either filled or the fill pipe isn't connected to the oil tank. The delivery person made a notation on the bill left at the house that the whistle on the oil tank wasn't working, he said.

<http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20121219/NEWS/212190362/-1/NEWS>

USA, VT, BARRE, DECEMBER 19 2012. NEW DETAILS ABOUT BARRE GAS LEAK

susie steimle

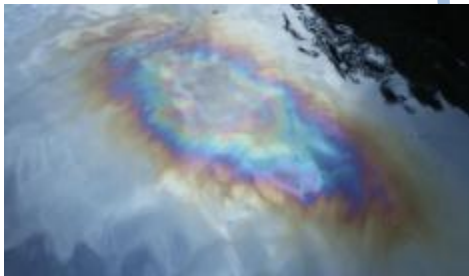


The Barre City Council learned Tuesday night neighbors smelled gas for three straight weeks before anyone caught a petroleum leak at a local gas station. The North End Deli mart lost 3,000 gallons of petroleum due to a mechanical failure at the pump. The Agency of Natural Resources is following up with neighbors and local businesses to determine just how far the leak spread. The owner of the gas station Wesco oil will bear legal responsibility for the spill but the state has yet to determine if any wrongdoing occurred in this incident. "We have had a little extension down main street. I advised the manager this morning at a staff meeting, I'm working to help take care of that. So any other businesses that are having that smell please let me know and we will try to get there immediately,"

said Joe Aldsworth with the Barre City Fire Department. Owners conducted an independent annual inspection of the pipes in June -- they reported no problems at that time.

<http://www.wcax.com/story/20378931/new-details-about-barre-gas-leak>

USA, N.Y, STATEN ISLAND, DECEMBER 20 2012. UPDATE: RESPONSE TO MASSIVE KILL VAN KULL OIL SPILL CONTINUES



The following updates are available following the Boston Marine Transport Inc., incident which took place at Mays Ship Repair at 11:22 p.m., Friday, December 14. The US Coast Guard, Gallagher Marine Systems, New York State Dept. of Environmental Conservation and New Jersey Dept. of Environmental Protection have established a Unified Command to effectively run the response as well as deploying staff and response contractors in the field to deal with this spill.

Response personnel and other assets on scene include:

- 51 personnel in the Unified Command
- 301 contractor personnel deploying boom and recovering spilled oil
- 47,000 feet of boom has been deployed to protect critical areas,

especially Shooter's Island.

- 29 skimmers, 12 vacuum trucks, 13 storage barges and other miscellaneous equipment is working on the response
- To date 156,000 gallons of oil and water mixture has been recovered
- The amount of oil spilled remains under investigation.

The Unified Command has established a Joint Information Center where the public can report oiled wildlife, anyone experiencing damage as a result of the spill vessel and owners can report oiled vessels.

- Please call 800-733-6175, you will be directed to the appropriate Unified Command unit for assistance
- Tri-State Bird Rescue & Research has sent a group of wildlife experts to survey areas where birds and other wildlife could be affected. In addition, they have established a rehabilitation center to deal with any severely impacted wildlife.



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As of 2 p.m. today, approximately 2900 birds have been sighted in the affected area. Fifteen were observed to be slightly oiled and did not require being captured for rehabilitation. Shooter's Island is a priority and has been boomed.

- A broadcast notice to mariners is in place advising mariners to transit the area with caution due to pollution. All waterways remain open.

<http://maritime-executive.com/article/response-to-massive-kill-van-kull-oil-spill-continues>

SOUTH AFRICA, JOHANNESBURG, DECEMBER 19 2012. CHEMICAL SPILL ON N3 NEAR HARRISMITH

andrea van wyk

The N3 at Monte Vista between Harrismith and Warden in the Free State has been closed to traffic following a chemical spill on the highway. Officials are currently sealing an overturned tanker to prevent any further spillage. The N3 toll concession's Andy Visser said, "All north bound and south bound traffic is being diverted via the fuel station ramps on and off the N3 to allow traffic to continue to flow."

<http://ewn.co.za/2012/12/19/Chemical-spill-on-N3-at-Harrismith>

NETHERLANDS ANTILLES, ARUBA, ORANJESTAD, DECEMBER 20 2012. CONTAINER SHIP BLAMED FOR OIL SPILL IN ARUBA

Aruba is cleaning up an oil spill blamed on a container ship that frequently visits the Dutch Caribbean island. Ports Director Alfonso Boekhoudt says the spill occurred early Tuesday when crews tried to empty the ship's ballast tank. He says it was filled with oil instead of water and says authorities don't know how much oil was spilled. He says two cruise ships and other boats were affected by the spill, but crews stopped the oil from reaching beaches. Boekhoudt said the ship is barred from leaving Aruba until the captain signs a culpability declaration for insurance purposes. He said the Southern Bay container ship owned by Belgium-based Seatrade flies under a Monrovia flag and visits Aruba every five weeks. Seatrade did not immediately return a message asking for comment.

<http://www2.counton2.com/news/2012/dec/18/container-ship-blamed-for-oil-spill-in-aruba-ar-5193296/>

POLAND, WARSAW, DECEMBER 20 2012. NESTE OIL SIGNS AGREEMENT TO SELL ITS RETAIL STATIONS IN POLAND TO SHELL



Neste Oil and Shell have signed an agreement that Shell Polska will buy Neste Oil's station network in Poland. The agreement covers 105 sites, all of which are unmanned and located in major cities, as well as Neste Polska's 25 employees, who will transfer to Shell. Neste Polska had net sales of approx. EUR 250 million in 2011. The transaction is subject to the approval of the local competition authorities, and is expected to be closed during the first half of 2013. The transaction is valued at approximately EUR 80 million, of which around EUR 50 million will be recorded as a capital gain by Neste Oil. The sale will also have a clear positive impact on Neste Oil's cash flow. "Our aim is always to be among the top three in all our retail markets, and unfortunately we never succeeded in reaching this nationwide in Poland," says Sakari Toivola, Neste Oil's Executive

Vice President, Oil Retail. "The financial performance of Neste Polska was also below our expectations. Together, these factors led to our decision to sell Neste Polska, and end our more than 20-year retail presence in Poland."

<http://www.reuters.com/article/2012/12/13/idUS127716+13-Dec-2012+HUG20121213>

USA, CA, BARSTOW, DECEMBER 20 2012. EPA FINISHES CLEAN-UP OF CONTAMINATED SOIL

brooke self

The U.S. Environmental Protection Agency completed the task of removing 1,100 tons of perchlorate-contaminated soil at a local residence where the chemical was found to be contaminating the city's water supply in 2010. The crew removed 98 truckloads of soil and finished by lining the areas with plastic and unloading new soil on the ground. On Scene Coordinator, Will Duncan told the Desert Dispatch at the beginning of the clean-up that the work was going smoothly and they expected to finish before the holidays. The Golden State Water Company, the city water supplier, issued a press release in early



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December to assure customers that water in town is safe. In 2010, the water well that was contaminated by perchlorate was shut down and the entire water system was flushed. "The water provided to Barstow residents continues to meet all EPA and California drinking water standards," the press statement read. The residence where the contaminated soil was found in Northeast Barstow, was home to the late owner of the defunct Mojave Pyrotechnics Company. It was believed to be unintentionally spilled from drums of material that were stored on the property, Duncan said. The business once provided explosives used in simulated battlefield scenarios at the National Training Center in the 1980s. The current resident of the home, a widow to the late business owner, may be held responsible for the cost of the clean-up Duncan said. However, those details have not been settled.

<http://www.desertdispatch.com/news/finishes-13814-soil-barstow.html>

USA, LA, DOYLINE, DECEMBER 20 2012. CLEANUP CONTINUES AT LA. EXPLOSIVE COMPANY

holbrook mahr

It could take up to three more weeks to finish moving military propellant into storage at an explosives recycling company that caused the evacuation of Doyline, La., authorities said Wednesday. Doyline was evacuated for several days this month after authorities said they found 6 million pounds of the material improperly stored at Explo Systems Inc. Explo contracts with the military to demilitarize explosives and other materials and rents space at a National Guard base in north Louisiana. The material found improperly stored on the base is called M6 and is used as a propellant for artillery rounds. Authorities feared that ignition of any of the propellant could set off a massive chain reaction that could threaten Doyline. Louisiana State Police spokesman Matt Harris said Wednesday that crews have moved 4.4 million pounds of product into proper storage sites. He said it could take another two or three weeks to finish the job. Webster Parish Sheriff Gary Sexton said Wednesday that the material is being moved into bunkers provided by the military and other explosive companies on the base. A criminal investigation into the company's handling of the product is ongoing. Explo Systems officials have not responded to numerous messages from The Associated Press since the material was found on the base. Some boxes of the material were stacked in buildings, some were packed into long corridors that connect the buildings and still more were found stashed outside. Some of the containers were spilling open. Authorities found the material after an explosion in October, but that wasn't the first blast at the site. A series of at least 10 explosions at the Louisiana facility in 2006 caused an evacuation of Doyline. Explo Systems was cited for safety violations by the federal government and the state of West Virginia in 2007 for its use of old Army explosives in mining operations. Despite multimillion dollar government contracts, Explo Systems had fallen behind on its rent at the Louisiana base. Authorities say Explo officials asked earlier this year to lease more space at the base but that the request was turned down because the company was roughly \$400,000 behind on rent.

<http://www.businessweek.com/ap/2012-12-19/cleanup-continues-at-la-dot-explosive-company>

USA, N.J, GLOUCESTER COUNTY, DECEMBER 20 2012. FIREFIGHTERS ANGRY OVER HAZMAT EXPOSURE

claudia gomez

[Watch the Video](#) [Hazmat Crew Resigns](#)



Members of a hazmat crew that responded to last month's train derailment and chemical spill in South Jersey abruptly resigned from their county's hazmat team this week. The fire-fighters say they were put in danger unnecessarily and they blame Gloucester County. Top officials with Washington Township Fire Department are angry-- they say the county did not protect their guys the way they should have. Some of their first responders are especially concerned, because their urine tested for high levels of the chemical that spilled in Paulsboro. First responders are the men and women who run toward a disaster, while everyone else runs away. November 30th was no different, when a train carrying a chemical called vinyl chloride spilled some of its contents. But when the hazmat crews from Washington Township arrived on scene, they say they didn't have the

equipment they needed. "It was unnecessarily putting people in harm's way," Sam Micklus, the chairman of the Washington Township Board of Fire Commissioners told Fox 29. "Fire-fighters get in harm's way but you mitigate all those risks by taking precautions ahead of time," Micklus insisted. "It's kind of like asking a police SWAT team to go hunt down an active shooter



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somewhere, and they get to their SWAT vehicle and they find out there's no bullets in their weapons," Chief John Hoffman of the Washington Township Fire Department added. The fire-fighters from Washington Township are members of a hazmat team run by Gloucester County. The county is in charge of maintaining the equipment. But the township's fire chief says several of the meters that monitor air quality didn't work. The batteries were dead. And he says none of his guys had access to working canister respirators, to help them breathe clean air. Alarming, considering vinyl chloride can cause cancer. "We don't know what's going to happen five years from now," Hoffman said. "Do we have firefighters in our organization who were exposed to this product unnecessarily? Who are going to be sick?" So Sam Micklus wrote a letter to Gloucester County, saying he was pulling his nine firefighters out of the hazmat team, until things changed. "They really want to be part of this team," Micklus said. "They're trained for it, they're enthusiastic about it. They just no longer trust the way the team's managed and organized." So what's Gloucester County saying? No official would give Fox 29 an on camera interview. But the county released a statement this afternoon, saying officials are reviewing the matter. And they say despite the withdrawal by Washington Township, the county hazmat team remains adequately staffed in the event of another disaster.

<http://www.myfoxphilly.com/story/20387341/firefighters-angry-over-hazmat-exposure>

BRAZIL, RIO DE JANEIRO, DECEMBER 20 2012. CHEVRON TO PAY \$155 MILLION FOR BRAZIL OIL SPILL

US oil giant Chevron has agreed to pay 310 million realise (\$155 million) to Brazil for an oil spill last year that fouled beaches in Rio de Janeiro, officials said Saturday. Government news service Agencia Brasil said 90 million realise would be used exclusively for environmental cleanup and 220 million realise would serve for measures to prevent future spills. Federal prosecutor Gisele Porto said that the fine should send a message to all oil producers that "it is better to invest in preventive measures than to pay a fine for polluting." An official from Chevron Brazil, Rafael Jaen Williamson, said the company admitted guilt for the disaster and made the payment to show that it was prepared to make amends.

<http://www.brecorder.com/fuel-a-energy/193/1269119/>

BRAZIL, RIO DE JANEIRO, DECEMBER 20 2012. BRAZIL'S RIO STATE TO FINE CHEVRON FOR OIL SPILL

Rio state prosecutors and regulators plan to negotiate a separate settlement with the company for the November 2011 spill at the offshore Frade field, said Rio Environment Secretary Carlos Minc. "There will be a series of demands made by Rio de Janeiro besides the fine" paid to settle the federal lawsuits, Mr. Minc said. Mr. Minc said he was not authorized to disclose the value of the damages the state was seeking. Mr. Minc said that the spill, which released an estimated 3,700 barrels of oil into the sea after a drilling accident, "obviously" caused damage to the environment, dismissing claims to the contrary made by Chevron.

<http://www.foxbusiness.com/news/2012/12/19/brazil-rio-state-to-fine-chevron-for-oil-spill/>

AUSTRALIA, NEW SOUTH WALES, WOLLONGONG, DECEMBER 20 2012. TOM THUMB LAGOON OIL SPILL COSTS FIRM \$100K

chris paver



Rail freight company Pacific National will provide \$100,000 for works around Tom Thumb Lagoon near Wollongong after spilling about 500 litres of oily water into the wetland last year. Wollongong City Council notified the coal haulage company of the fuel spill last December. A company spokeswoman said it had "reacted quickly" to contain the spill, removing oil from the water and putting in place measures to stop it from spreading into nearby waterways. "We also engaged specialist environmental consultants to provide expert technical advice on the remediation and clean-up process," she said. Pacific National will now give \$50,000 each to Conservation Volunteers Australia and Wollongong City Council for environmental works and education initiatives at Tom Thumb Lagoon and Greenhouse Park under an "enforceable undertaking"

with the NSW Environment Protection Authority. An investigation by the company found the source of the spill was a decommissioned oil separator sump. The sump contained about 7500 litres of contaminated waste, which has since been removed. Tests found the sump was linked to the company's waste pit and to a stormwater drain that fed into Tom Thumb



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Lagoon. The sump has since been disconnected and regular inspections take place. EPA chief environmental regulator Mark Gifford said the quick response to the incident meant there had been "minimal risk of harm to human health or the environment". "An EPA investigation found that about 500 litres of oily water had spilled into a remnant wetland that provides habitat for a range of birds and animals, including migratory birds protected under international agreements and threatened species," he said. Species that live near the lagoon include the green and golden bell frog. The \$100,000 is expected to help fund works at Greenhouse Park in Springhill Road, including weed removal and planting native bush. The council will also use it to help fund a building and to provide office space for a park supervisor.

<http://www.illawarramercury.com.au/story/1196843/tom-thumb-lagoon-oil-spill-costs-firm-100k/?cs=300>

NORWAY, OSLO, DECEMBER 21 2012. STATOIL PLATFORM LEAK COULD BE MAJOR ACCIDENT

A gas leak that occurred this spring on a platform operated by Norwegian oil and gas company Statoil ASA (STO) had the "clear potential" to have been a serious incident, the Norwegian Petroleum Safety Authority said Thursday. "The incident had a substantial potential for harm in the event of ignition or in marginally changed circumstances. The PSA concludes that it had a clear potential to become a major accident," the safety body said in a statement. The leak—which occurred on May 26 on the Heimdal field in the North Sea and caused the emission of 3,500 kilograms of gas—followed recent incidents at other Statoil-operated platforms, the most serious being one in occurred in spring 2010. In its probe presented Thursday, the PSA said that improvement measures identified and implemented by Statoil after earlier incidents didn't have the expected effect. "That's the central question—why did these measures not have the desired effect," PSA spokesman Oyvind Midttun said. The PSA now needs Statoil to present a plan on how it will ensure its improvement measures are effective. It also needs Statoil to identify whether this was an isolated event and to confirm that similar conditions don't exist on other Statoil installations. The deadline for compliance with the PSA order is set at March 1, 2013 and the PSA needs a reply from Statoil on the issue before Jan. 11, 2013. The safety body said the leak ranks among the most serious gas emissions on the Norwegian continental shelf for several years. The Heimdal field is operated by Statoil with a 29.4% stake, while Centrica PLC (CNA.LN) has a 33.8% stake, the Norwegian state-owned oil company Petoro AS has a 20% stake and Total SA (TOT) has a 16.8% stake.

<http://www.foxbusiness.com/news/2012/12/20/statoil-platform-leak-could-be-major-accident/>

USA, ILL, CHICAGO, DECEMBER 21 2012. 'THEY WERE NOT THINKING OF HIM AS A HUMAN BEING'



Carlos Centeno with his partner, Velia Carbot. Centeno was employed as a temp worker at a Chicago-area factory in 2011 when a solution of hot water and citric acid erupted from a 500-gallon tank, burning him over 80 percent of his body. His bosses refused to call 911, and more than 98 minutes passed before he arrived at a burn unit. He died three weeks later.

By the time Carlos Centeno arrived at the Loyola University Hospital Burn Center, more than 98 minutes had elapsed since his head, torso, arms and legs had been scalded by a 185-degree solution of water and citric acid inside a factory on this city's southwestern edge. The laborer, assigned to the plant that afternoon in November 2011 by a temporary staffing agency, was showered with the solution after it erupted from the open hatch of a 500-gallon chemical tank he was cleaning. Factory bosses, federal investigators would later contend, refused to call an ambulance as he awaited help, shirtless and screaming. He arrived at Loyola only after first being driven to a clinic by a co-worker. At admission Centeno had burns over 80 percent of his body and suffered a pain level of 10 on a scale of 10, medical records show. Clad in a T-shirt, he wore no protective gear other than rubber boots and latex gloves in the factory, which makes household and personal-care products. Centeno, 50, died three weeks later, on December 8, 2011. A narrative account of the accident that killed him — and a description of conditions inside the [Raani Corp.](#) plant in Bedford Park, Ill. — are included in a U.S. Occupational Safety and Health Administration memorandum obtained by the Center for Public Integrity. The 11-page OSHA memo, dated May 10, 2012, argues that safety breakdowns in the plant warrant criminal prosecution — a rarity in worker death cases. The story behind Centeno's death underscores the burden faced by some of America's 2.5 million temporary, or contingent, workers — a growing but mostly invisible group of laborers who often toil in the least desirable, most dangerous jobs. Such workers are hurt more frequently than permanent employees and their injuries often go unrecorded, new research shows. Raani's "lack of concern for employee safety was tangible" and injuries in its



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factory were "abundant," [Thomas Galassi](#), head of OSHA's Directorate of Enforcement Programs, wrote in the memo to David Michaels, assistant secretary of labor for occupational safety and health. Raani managers failed to put Centeno under a safety shower after he was burned and did not call 911 even though his skin was peeling and he was clearly in agony, Galassi wrote. "It took a minimum of 38 minutes before [Centeno] arrived at a local occupational health clinic ... after having been transported by and in the vehicle of another employee while he shivered in shock and yelled, 'hurry, hurry!'" A clinic worker called an ambulance, which, according to Chicago Fire Department records, arrived at 2:26 p.m. Centeno was in "moderate to severe distress with 70-80% 1st and mostly 2nd degree burns to head, face, neck, chest, back, buttocks, arms and legs," the records show. Paramedics administered morphine. "The EMT's were horrified and angered at the employer, for not calling 911 at the scene and further delaying his care by transferring him to a clinic instead of a hospital," Galassi's memo says. John Newquist, who retired from OSHA in September after 30 years with the agency, said the case was among the most disturbing he encountered as an assistant regional administrator in Chicago. "I cannot remember a case where somebody got severely burned and nobody called 911," said Newquist, a former compliance officer who investigated more than 100 fatal accidents during his career. "It's beyond me." On May 15, OSHA [proposed](#) a \$473,000 fine against Raani for [14 alleged violations](#), six of which are classified as willful, indicating "plain indifference" toward employee safety and health. No decision has been made on whether the case will be referred to the Department of Justice for possible prosecution, agency spokesman Jesse Lawder said. OSHA hadn't inspected the Raani factory for 18 years prior to the accident. Centeno's family has filed a [wrongful-death lawsuit](#) against Raani and a workers' compensation claim against the temp agency that employed him, [Ron's Staffing Services Inc.](#) "It's just wrong, what happened," Centeno's 26-year-old son, Carlos Jr., said of Raani managers' actions after his father's accident. "They were not thinking of him as a human being." Raani is appealing the OSHA citations. H. Patrick Morris, a lawyer for the company, did not answer questions about the alleged violations. Morris said, however, that while Centeno was "a good worker and nice person," the company has "good and valid defenses" to the allegations in the family's lawsuit. Raani has yet to file court documents outlining its position. Jeffrey Kehl, a lawyer for Ron's Staffing, declined to comment.

'I Wanted Him to Quit'

Carlos Centeno came to Chicago from Mexico City in 1994. He was joined six years later by his partner, Velia Carbot, and Carlos Jr. A daughter, Alma, stayed behind. The family settled in Humboldt Park, a working-class neighborhood on the city's northwest side. A second daughter, Melanie, was born in 2001. Centeno held jobs as a bartender, newspaper deliveryman and forklift driver at a warehouse. In June 2010, after being laid off by the warehouse, he put in an application at the Ron's Staffing office on West 63rd Street, not far from Midway International Airport. He was sent to the nearby Raani Corp. factory, which makes products ranging from shampoos, styling gels and deodorant sticks to dishwashing liquids and household cleaners. His starting pay was \$8.25 an hour. Raani, founded in 1983 by Rashid A. Chaudary, a Pakistani chemist-turned-entrepreneur, has about 150 employees, roughly 40 percent of whom are contingent workers, according to the May 2012 OSHA memo. Centeno cleaned the tanks in which the factory's products are mixed. His work clothes became so rank, he had his own laundry basket at the family's apartment, partner Carbot said; about six months before the fatal accident, chemicals splashed in his right eye and he couldn't see out of it for three days, she said. "I wanted him to quit," Carbot, speaking in Spanish, said. "But, at the same time, we knew he hadn't found another job yet, and expenses continued, unfortunately, and he had to work." The OSHA memo describes a factory in which workers were often hurt and injuries were not properly recorded. An OSHA inspection on December 9, 2011, the day after Centeno died, revealed, for example, that workers "were handling chemicals including, but not limited to, corrosives and acids while wearing only medical grade latex gloves," the memo says. Workers were seen putting their hands directly into streams of chemicals poured from drums, OSHA enforcement director Galassi wrote. "Another significant hazard [to] which employees are exposed, as evidenced by the fatality, was the high temperature (nearly boiling) water and cleaning solutions used for cleaning tanks, process lines and floors. Employees interacted with high temperature liquids wearing only latex gloves and tee-shirts." A manager explained that thick, black gloves were kept in the maintenance department "because they were expensive and the employees stole them," Galassi wrote. The manager said, however, that "any employee could obtain the black gloves if so desired." A review of Raani's medical files turned up five injuries, apart from Centeno's, that had occurred since 2010 but had not been entered in OSHA logs, as required by federal law, Galassi wrote. Injuries "involving chemical exposure to eyes, high temperature liquid burns and cuts had been a common occurrence for years," his memo says. One worker who had been burned and whose skin was peeling was told by a manager "to leave it alone, it wasn't dangerous." Another was burned so badly he needed skin grafts, but the incident wasn't recorded even though CEO Chaudary "stated he was aware of the injury," Galassi wrote. On January 27, 2012, more than two months after Centeno was scalded, a worker performing a similar tank-cleaning procedure received severe



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burns to his left leg. He was handed a written notice from management. "You are hereby warned to be careful in the future," it said in part. "Instead of issuing the appropriate [protective gear] to its workers and ensuring its usage, Raani Corporation has chosen to blame their employees outright for their injuries and non-compliance," Galassi wrote. Two managers "admitted to witnessing [Centeno] with his shirt off and speaking with him" shortly after he was burned, the memo says. "Both managers agreed the injured employee's skin was burned, damaged, wrinkled and parts were 'peeling.'" The managers not only failed to call 911 — they made Centeno wait while one filled out paperwork before allowing him to be taken to a local clinic, Galassi wrote. The co-worker who drove Centeno about four miles to the MacNeal Clearing Clinic said "he was asked to lie on his written statement and write that Carlos Centeno was acting fine, conscious and talking on the drive to the clinic. Even after the incident, company officials have not concluded that 911 should have been called immediately." Chaudary, who was not on the scene the day of the accident November 17, 2011, told an OSHA inspector that the "wrong valve opened" on the tank Centeno was cleaning, according to the memo, but insisted that "if Carlos Centeno had lived, the decision to not call an ambulance would have been the right call." Centeno's co-workers, however, "provided signed statements of the severity of the injury and the extreme delayed response in seeking medical care," Galassi wrote. Chaudary did not respond to requests for comment. Not long after he was doused with the hot water-citric acid mixture, Centeno called Velia Carbot, asking for Carlos Jr. He sounded agitated and had trouble speaking, Carbot said, but would not explain what had happened. Carbot went across the street and got Carlos Jr., who called his father's cell phone. It was answered by a co-worker, Samuel Meza, who said Carlos Sr. had been burned at work. "He was like, 'I'm taking him to the clinic,'" Carlos Jr. said. Meza called Carlos Jr. after he arrived at the MacNeal Clearing Clinic. While they talked, Carlos Jr. said, "I could hear that the nurse in the clinic was telling him, 'Why are you bringing him here? ... He needs to go to the emergency room.'" Carbot and Carlos Jr. began driving to the clinic, 13 miles south of Humboldt Park, but diverted west to Loyola Hospital when Meza told them that's where Centeno would be heading. Carlos Jr. and Carbot got there first, watching ambulance after ambulance pull up. "I remember just walking up to all the ambulances and it was someone else," Carlos Jr. said. "It wasn't my dad. It just makes you more anxious." At 3:08 p.m., more than 98 minutes after he had been burned, Carlos Sr. made it to Loyola. "When they finally opened the doors and I saw it was him, I could just see he was in pain," Carlos Jr. said. "He was trying to hide it. He saw my mom and I could see his eyes started to tear." Carlos Centeno Sr. died three weeks later, on December 8. OSHA, which learned of his death from the Cook County medical examiner, began its inspection of Raani the next day. Its last visit to the plant had been in 1993, when, responding to a worker complaint, it [cited](#) the company for six alleged violations — including failing to protect workers from unexpected energizing or startup of machines — and proposed a \$9,500 fine. Raani settled the case for \$6,500 in 1994. In an emailed statement, OSHA said no follow-up inspection was conducted. This is "not unusual," the agency said, "as long as we receive documentation from the employer that the violations were corrected."

Dangers of Temp Work

The use of contingent workers by U.S. employers has soared over the past two decades. In 1990, according to the U.S. Bureau of Labor Statistics, there were about 1.1 million such workers; as of August 2012, the number was 2.54 million, down slightly from pre-recession levels but climbing. The American Staffing Association, a trade group, says the hiring of contingent workers allows employers to staff up at their busiest times and downsize during lulls. Temporary work enables employees to have flexible hours and "provides a bridge to permanent employment," the group says on its [website](#). Recent research, however, suggests a dark side to contingent work. A [study](#) published this year of nearly 4,000 amputations among workers in Illinois found that five of the 10 employers with the highest number of incidents were temp agencies. Each of the 10 employers had between six and 12 amputations from 2000 through 2007. Most of the victims lost fingertips, but some lost legs, arms or hands. The researchers, from the University of Illinois at Chicago School of Public Health, called the glut of amputations a "public health emergency," inflicting psychological and physical harm and costing billions. Another [study](#), published in 2010, found that temp workers in Washington State had higher injury rates than permanent workers, based on a review of workers' compensation claims. In particular, temp workers were far more likely to be struck by or caught in machinery in the construction and manufacturing industries. "Although there are no differences in the [OSHA] regulations between standard employment workers and temporary agency employed workers, those in temporary employment situations are for the most part a vulnerable population with few employment protections," wrote the researchers, with the Washington State Department of Labor and Industries. In fact, experts say, there's little incentive for host employers to rigorously train and supervise temp workers because staffing agencies carry their comp insurance. If an agency has a high number of injuries within its workforce, it — not the host employer — is penalized with higher premiums. "This is really about an abdication of responsibility," said [Tom Juravich](#), a professor at the University of Massachusetts, Amherst, who has studied the temp worker phenomenon. "If some of



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the jobs in your facility are undesirable and dangerous, you outsource them to people who won't complain. If you have a direct worker who's injured, you have an obligation to him through workers' comp. If he's a contingent worker, you don't have that obligation." As part of a three-year [study](#), researchers in Canada interviewed temp workers and managers at temp agencies and client companies. "To be frank," one agency manager confided, "clients hire us to have temps do the jobs they don't want to do." Co-author [Ellen MacEachen](#), of the University of Toronto and the Institute for Work and Health, said, "Even if [temp workers] are not cheaper, they're more disposable. ... You can get rid of them when you want, and you don't pay benefits." Bureau of Labor Statistics numbers say contingent workers' injuries are declining. Yet, new evidence suggests these injuries are undercounted. In a BLS-funded project completed last summer, officials with the Washington State Department of Labor and Industries interviewed 53 employers who had used temp workers. Only one-third said they would enter a temp worker injury in their OSHA log, as the law requires. The others said they wouldn't or claimed ignorance. "A lot of them just didn't know" the rules, said [Dr. David Bonauto](#), the department's associate medical director. The executive director of the [Chicago Workers' Collaborative](#), which advocates for temp workers, says OSHA should target employers known to make heavy use of staffing agencies. "The rise of the staffing industry is partially to give companies a greater distance from regulation," said Leone José Bicchieri. "OSHA needs to come up with different approaches for this rapidly growing sector" — meeting with temp workers offsite, for example, so they're not intimidated by supervisors. Temp workers are often reluctant to report injuries because they are so easily replaced, Bicchieri said. "They have no power to speak up," he said. "The whole temp industry was created so the client company has less liability. We need to put workplace injuries back on the plate of the client company." Stephen Dwyer, the American Staffing Association's general counsel, cautioned against an OSHA crackdown on temp agencies. "To the extent that efforts become heavy-handed, there can be a disincentive, then, to using temporary workers," Dwyer said, to the detriment of the workers, client employers and "the overall economy." In a statement, OSHA said it "feels strongly that temporary or contingent workers must be protected. They often work in low wage jobs with many job hazards — and employers must provide these workers with a safe workplace." The agency said it has brought a number of recent enforcement actions against employers for accidents involving temp workers. In June, for example, OSHA [citedTribe Mediterranean Foods](#) for 18 alleged violations following the death of a worker at its plant in Taunton, Mass. The worker — not properly trained, according to OSHA — was crushed by two rotating augers while cleaning a machine used to make hummus. The case was closed after Tribe agreed to fix hazards and pay a \$540,000 fine. "While some employers believe they are not responsible for temporary workers ... OSHA requires that employers ensure the health and safety of all workers under their supervision," the agency said.

Weak Law, Few Prosecutions

Although the Galassi memo recommends criminal action in the Centeno case, employers in America are rarely prosecuted for worker deaths. The Occupational Safety and Health Act of 1970 is exceptionally weak when it comes to criminal penalties. An employer found to have committed flagrant violations that led to a worker's death faces, at worst, a misdemeanor punishable by six months in jail. By comparison, a violation of the Endangered Species Act carries a maximum sentence of one year. "It should not be the case that a facility that commits willful violations of the worker safety laws faces only misdemeanor charges when a worker dies because of those violations," said [David Uhlmann](#), a law professor at the University of Michigan and former chief of the Justice Department's Environmental Crimes Section. "The company involved as well as any responsible corporate officials should face felony charges that carry significant financial penalties for the company and the possibility of lengthy jail terms for the individuals," Uhlmann said. "Anything less sends a terrible message about how we value the lives of American workers." Federal prosecutors are generally unenthusiastic about worker cases, said [Jordan Barab](#), second-in-command at OSHA. The Justice Department "often says, 'You know, we're not going to spend all these resources just to prosecute a misdemeanor,'" Barab said. At Justice, Uhlmann made creative use of environmental statutes to get around the OSH Act. In one case, a worker at an Idaho fertilizer plant named Scott Dominguez nearly died after being sent into a steel storage tank containing cyanide-rich sludge. Dominguez had been ordered into the 25,000-gallon tank without protective equipment by the plant's owner, Allan Elias, who had refused to test the atmosphere inside the vessel. Dominguez collapsed and sustained brain damage from the cyanide exposure. Prosecutors charged Elias with three felony counts under environmental laws, including the Resource Conservation and Recovery Act, which governs the handling and disposal of hazardous waste. Because Elias had fabricated a confined-space entry permit indicating it was safe for workers to enter the tank, he also was charged with one count under a section of Title 18 of the United States Code, for making a false statement to, or otherwise conspiring to defraud, government regulators. After a jury trial in 1999, Elias was convicted on all counts and sentenced to 17 years in prison. Environmental statutes don't always apply in worker death or injury cases. The accident that



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mortally wounded Carlos Centeno, for example, appears not to have involved hazardous waste, or air or water pollution. Charges under Title 18 remain a possibility, Uhlmann said. Nonetheless, he said, the OSH Act needs revision. Congress came close to adding felony provisions to the law in 2010 but failed amid pushback from the business community. "Accidents are not criminal," Uhlmann said. "What are criminal are egregious violations of the worker safety laws that result in not just deaths but serious injuries." [Sen. Tom Harkin](#), an Iowa Democrat who chairs the Senate Health, Education, Labor and Pensions Committee, is a co-sponsor of the [Protecting America's Workers Act](#), which would enhance criminal and civil penalties for OSHA violations. "In every other walk of life, if a person engages in willful conduct that results in someone else's death, we throw the book at them," Harkin said in a statement. "But if someone dies on the job, the rules are different. Even intentional lawbreaking that kills a worker brings no more than a slap on the wrist." Whether a bulked-up worker-protection law would have improved conditions at the Raani Corp. is a matter of speculation. According to Thomas Galassi's memo, the accident that ultimately killed Carlos Centeno merited only a one-line entry in the company's files, stating that an internal committee would investigate. During the inspection after Centeno's death, a newly hired Raani manager asked OSHA officials to help him convince his superiors to train and provide safety gear to workers, Galassi wrote. The manager had concluded that those above him had "no respect for the hazards of the chemicals on site or human life."

Related Links View a [timeline](#) of events from the time of Carlos Centeno's accident to his arrival at the hospital.

<http://www.publicintegrity.org/2012/12/20/11925/they-were-not-thinking-him-human-being>

USA, MA, FRAMINGHAM, DECEMBER 21 2012. FRAMINGHAM NON-PROFIT ASSESSED FINE FOR OIL LEAK CLEANUP FAILURE

A Framingham-based non-profit was assessed a fine Thursday by the Massachusetts Department of Environmental Protection (MassDEP) due to improper reporting of an oil spill, according to a press release. South Middlesex Non-Profit Housing Corp. was fined \$10,062 by MassDEP for failing to notify the agency of a fuel oil leak within the required two-hour time frame, and for failing to clean up the leak promptly, said the agency. However, about half the fine will be waived if the company does not have any additional violations for one year. South Middlesex has agreed to pay \$5,600 and to revise its spill management plan, certify all appropriate employees are trained and fuel tanks will be inspected and to upgrade equipment to prevent future leaks, said the press release. The leak was noticed by maintenance staff at 57 Mechanic St. in Marlborough as early as Feb. 17, but was not reported to MassDEP until Feb. 23. The agency said the oil leaked from an above-ground storage tank to soils in the basement and was not handled until employees complained about the smell. "It is crucial for any business to ensure that appropriate employees are trained to respond in a timely manner to emergency spills," said Lee Dillard Adams, director of MassDEP's Central Regional Office in Worcester. "Prompt action minimizes the risk of impacts to people and the environment, and reduces costs."

<http://www.metrowestdailynews.com/newsnow/x1781247242/Framingham-non-profit-assessed-fine-for-oil-leak-cleanup-failure>

USA, N.Y, ALBANY, DECEMBER 21 2012. TANKER'S OUTER HULL PIERCED >> SHIP CARRYING 12 MILLION GALLONS OF CRUDE DAMAGED, BUT NO SPILL

Photo's [20] [Tanker's Outer Hull Pierced](#)



The Stena Primorsk oil tanker ran aground and punctured the outer layer of its hull near Stuyvesant, N.Y., Thursday Dec. 20, 2012. It was carrying North Dakota crude which it took on at the Port of Albany. No oil has escaped.

A double-hulled oil tanker carrying nearly 12 million gallons of North Dakota crude oil — the first such shipment from the Port of the Albany — was damaged Thursday morning on the Hudson River near Henry Hudson Park in Bethlehem. Reports as to how and why the vessel began taking on water were conflicting. The incident at about 9:15 a.m. punctured the outer skin of the hull and the ship took on water and began listing heavily to the starboard side, but the second hull was not breached and no oil appeared to have spilled, according Albany port

officials and the [U.S. Coast Guard](#). The ship is now at anchor near Stuyvesant, Columbia County. U.S. Coast Guard personnel were sent to the stricken vessel. The 550-foot Swedish-owned ship, the Stena Primorsk, which was built in Croatia in 2006, was carrying nearly the same amount of crude oil that spilled from the tanker Exxon Valdez in Alaska in 1989, roughly



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equivalent to 17 Olympic-sized swimming pools. The Valdez was a single-hull ship and the spill killed an estimated 250,000 seabirds, 2,800 sea otters and thousands of other marine animals and waterfowl. It cost \$2.1 billion to clean up. There appeared to be a steering malfunction on the Stena Primorsk that caused it to veer outside the river's channel before it ran aground a few miles south of Albany, said [Richard Hendrick](#), general manager of the Port of Albany. The ship's draft is 29 feet and the channel is at least 32 feet deep, he said. After grounding, the ship may have been freed with the help of a rising tide and continued several miles downriver, Hendrick said. The ship is being monitored by maritime and environmental officials. "Thank God there's no spill," Hendrick said. "We have verified there has been no damage to the environment." No injuries were reported among the ship's 23-member international crew. The vessel, which is registered in the United Kingdom, was bound for an oil refinery in New Brunswick, Canada, with crude that came to Albany by rail from a shale oil field in North Dakota. A spokesman for the ship's manager gave a conflicting report about how the vessel became disabled. "I was told it struck some type of object in the water. We don't know what. But it did not run aground," said [Darrell Wilson](#), a spokesman for [Northern Marine Management Ltd. of Glasgow](#), Scotland, which manages the Stena Primorsk. He said there were no reports of a mechanical problem on the ship. Wilson said divers were being hired to inspect the hull to assess the damage. "We're working with authorities and we'll have more information after the divers finish," he said. "We're also waiting for the Coast Guard to conduct its investigation." "I'm not going to argue with him over this, but we stand by our information," Hendrick said. "The early indications are that it was a mechanical problem and the pilot was performing his function normally." Wilson said the ship was traveling "at a safe operating speed" when the hull was damaged. Coast Guard Auxiliary and [State Police](#) air crews flew over the river and reported no pollution near the tanker, according to a press release from the Coast Guard. Hendrick said environmental and maritime experts would review a plan for off-loading the crude oil from the tanker and pumping it into a barge, which could begin as early as Thursday night. The ship was under the direction of Scott Ireland, a licensed Hudson River pilot with more than 20 years' experience piloting ships through New York Harbor and up the Hudson to Albany. "He has an exemplary record," Hendrick said. Hudson river pilots like Ireland are experts in reading the shifting river bottom and tricky topography, as required under maritime law, Hendrick said. Hendrick did not believe that the large ship's extra width — at 130 feet wide, about 25 feet wider than most ships that come and go at the Port of Albany — was a factor in the grounding and neither was the ship's draft, which was not deeper than other commercial ships. "I believe it just lost steering, it went a little out of channel and ran aground," Hendrick said. The grounding tore open the outer hull, perhaps on rocks on the bottom, Hendrick said. Two tugs from the Port of Albany caught up to the listing vessel and helped guide it to a safe anchorage, he said. Had the second hull been breached, the nearest oil boom — a floating barrier used to contain a spill — was likely one or two miles away at Citgo Petroleum's [Glenmont terminal](#), Hendrick said. In October, the Coast Guard and state [Environmental Conservation Department](#) officials had reviewed plans and expressed confidence that they were sufficient to address the threat of a possible oil spill on the river. The Coast Guard's overall Area Contingency Plan focuses on the Port of New York and New Jersey and extends up the Hudson to Albany. The plan was last revised in September 2011 and is scheduled to be re-examined in 2015. The decision to continue downriver from the scene of the incident to the deep-water anchorage off Stuyvesant in Columbia County was made by the ship's crew, said Petty Officer 2nd [Class Erik Swanson](#), a Coast Guard spokesman. "That was the first safe anchorage, and they made that call on their own," Swanson said. "My guess is that when they had whatever problem they had, they made a professional judgment call to continue to a point that they could anchor, make an assessment of the situation and not be blocking the entire ship channel," said [John Lipscomb](#), patrol boat captain for environmental watchdog group [Riverkeeper](#). Lipscomb said the danger of an oil spill in a confined space like the upper estuary of the Hudson comes from the relatively short time there is to respond before the oil hits the shore, causing the most serious environmental damage. "There's very little time in the Hudson to respond," he said, noting that the transition over the last decade to double-hulled vessels and barges on the river has mitigated some of the risk. But, Lipscomb added, "And if you have a problem with the very first shipment, it bears some very close looking at how you change up the plan." People along the river noticed that the vessel appeared to be acting oddly after it began taking on water. "When it came underneath the bridge, I saw it listing," said [Eric Allen](#), whose father owns Coeymans Landing Marina, just south of the bridge that carries I-90 across the Hudson. "It wasn't just a foot or so," said Mike St. John, a well driller who was working at the marina. He said the ship appeared to be leaning to its right by 12 to 15 feet. Things appeared to get worse a few miles downriver when onlookers noticed the vessel drifting sideways as well as listing. "They were sideways," said John Staats, who has been renovating a house in Stuyvesant, Columbia County. "We all know there's a shallow area there." He then saw tugboats come along and straighten out the disabled vessel.

<http://www.timesunion.com/local/article/Tanker-s-outer-hull-pierced-4134866.php#photo-3921429>



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