



Dangerous Goods - Hazardous Materials Group & Network Release 2010 – 603 Newsy Stuff

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May 18 2010



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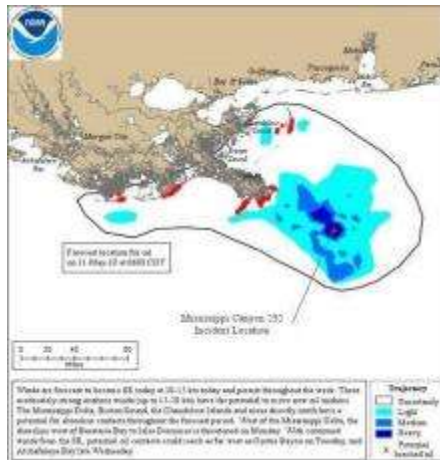
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USA, ALA, MOBILE BAY, MAY 12 2010. OIL SPILL AT 4 MILLION GALLONS; MOBILE BAY PROTECTION PLAN STYMIED BY CURRENTS

rena havner philips



This NOAA map shows the forecast location of the oil spill at 6 a.m. today.

Strong currents have knocked down some of the 50-foot-long wood piling set under water to anchor boom across the Mobile Bay, leaving state officials looking for a new option to block a [Gulf oil spill](#) that officials said Monday tops 4 million gallons. Gov. Bob Riley said contractors will now try ocean-grade boom, which hangs down 6 feet from the surface instead of the normal 2 feet, attaching it with 2,000-pound anchors. Two anchors will be placed at 100-foot intervals across the mouth of the bay, Riley said Monday. The barrier will be gated to allow ships access to the Port of Mobile. Riley acknowledged that the new plan will be difficult. Bruce Freeman, chief officer of emergency response for the Alabama Department of Environmental Management, said during Monday's news conference that he is "confident" that the anchors will hold. Meanwhile, BP PLC officials, thwarted in a weekend attempt to contain the leak using a 100-ton concrete box, on Monday injected more chemical dispersant into the well. The company's engineers are considering other potential near-term solutions, including using a smaller box or injecting the leak with junk such as golf balls and pieces of tire to plug it. If that works, the well will be filled with mud and cement and abandoned. Worked

continued Monday on a relief well, the solution considered most permanent, but that is expected to take up to three months. At least 4 million gallons of oil are believed to have leaked since an April 20 blast on the Deepwater Horizon drilling rig killed 11 and set the spill in motion. Oil has come ashore on the outer islands of Louisiana, and about 30 gallons of tar balls collected in Dauphin Island are being tested to determine if they are related to the Deepwater Horizon disaster. Those tests had not been completed as of Monday. Black Hawk helicopters peppered Louisiana's barrier islands with 1-ton sacks of sand Monday to bolster the state's crucial wetlands. In Grand Isle, at the tip of the Louisiana boot, a small army of heavy machinery -- civilian and military dump trucks, Army jeeps and Hummers, front-end loaders and backhoes -- scurried to fortify a breached section of beach. After National Guard helicopters dropped sandbags, piles of dirt were being pushed together to make a dam, keeping oil from reaching the marshes.



30 gallons of tar balls collected in Dauphin Island are being tested to determine if they are related to the Deepwater Horizon disaster. The overall path of the oil spill has shifted west around the boot of Louisiana, and no oil is expected to come ashore in Mississippi or Alabama over the next three days.

Still, officials are gearing up. Boom, especially ocean-grade, is hard to find, so officials are searching for it all over the world. Riley said Alabama has been able to secure 60,000 feet of ocean boom, which should be enough to go across the mouth of Mobile Bay, under the Dauphin Island bridge and then across Perdido Pass in Baldwin County. That will be Alabama's first line of defense. The second line is about 250,000 feet of regular boom placed along estuaries and other areas identified as the most vulnerable. Additional boom is being installed as it comes in. Riley said Monday that he and the other governors trying to protect their states from oil have been cooperative with one another during their daily calls with federal officials "until now." "There's a finite amount (of boom)," he said Monday, "and there's a lot of beach." He did not elaborate other than to say Alabama had not yet reached a point where "we haven't gotten what we asked for." Nearly 60 out-of-work residents began deploying boom Monday in the waters near Coden. Wayne Eldridge, owner of J&W Marine Enterprises, which has been contracted to oversee the work there, began recruiting locals to help place more

than 70,000 feet of boom in an area that stretches from the Mobile River to the Mississippi state line, he said. The state is paying them with money from the \$25 million BP has directed to the state for spill response. Eldridge estimated that as many as 400 people on 200 boats will be hired in the next few days to deploy and monitor the boom. The work will cost an estimated \$8 million. On Dauphin Island, workers on Monday began building a second berm -- one that will be about 7 feet high and 3

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miles long -- to protect the west end from an onslaught of oil, said Mayor Jeff Collier. Though no tar balls have been reported since Sunday, Collier said crews are patrolling beaches in four-wheel-drive vehicles, looking for any that may come ashore.



Construction crews work to unroll and assemble floating oil booms for the oil spill in the Gulf of Mexico, off Bayou La Batre. In response to criticism that Baldwin County shorelines have been neglected, Gov. Bob Riley said the state had to focus on Mobile County at first, because there are more miles of exposed, environmentally sensitive areas.

Fairhope Mayor Tim Kant said Monday that he's unhappy that Mobile County seems to be getting most of the attention, and boom. "Mobile County has about 200,000 feet of deployed boom while Baldwin has about 30,000 feet," Kant said. "So, you see our concern." Riley said the state had to focus on Mobile County at first, because there are more miles of exposed, environmentally sensitive areas. He said many of Baldwin County's vulnerable areas can be protected if Perdido Pass and

Weeks Bay are shielded, which he said he's working to do now. Strong currents at Perdido Pass would make it difficult to contain oil there as well, officials have said. Phillip West, coastal resources manager with the city of Orange Beach, said the current strategy is to install the ocean boom, use skimmers to separate oil from water, and even hire shrimp trawlers to collect oil with absorbent pompoms. Daphne Mayor Fred Small said he was unsure Monday how the city would spend its \$500,000 from BP. "Can we buy boats?" Small said. "Should we purchase boom or rent it?" Meanwhile, legal battles continue. BP has already paid out some \$3 million on 650 damage claims, but has thousands more to process, according to company numbers. As of Sunday night, the London-based oil giant had received about 5,550 claims, spokesman Scott Dean said via e-mail. The payments thus far -- averaging about \$4,600 each -- are mostly to fishermen for lost income, he said. Although federal law generally limits the company's liability beyond cleanup costs to \$75 million, "it's not an effective cap in terms of what we're spending," David Nagel, executive vice president for BP, told reporters earlier in the day. With congressional hearings into the disaster set to begin Tuesday, legislation has nonetheless been introduced in both the House of Representatives and the Senate to raise the limit to \$10 billion.

Related:

- See [continuing coverage of the Gulf of Mexico oil spill of 2010](#) on [al.com](#) and [GulfLive.com](#).
- To keep track of the Gulf of Mexico oil slick, visit www.skytruth.org or follow its [Twitter feed](#).
- To see updated projection maps related to the oil spill in the Gulf, visit the [Deepwater Horizon Response](#) Web site established by government officials.
- [How to help](#): Volunteers eager to help cope with the spill and lessen its impact on the Gulf Coast environment and economy.
- HOW YOU CAN HELP will appear daily in the Press-Register until there is no longer a need for volunteers in response to the oil spill disaster. If you have suggestions for a story, or if you belong to an organization in need of such help, please call Press-Register Editor Mike Marshall at 251-219-5675 or email him at mmarshall@press-register.com.

http://blog.al.com/live/2010/05/oil_spill_at_4_million_gallons.html

USA, WA, SEATTLE, MAY 11 2010. WASHINGTON STATE FINES BP FOR SAFETY VIOLATIONS AT REFINERY

john stark

The BP Cherry Point refinery has been fined \$69,200 for 13 safety violations that the Washington Department of Labor and Industries has labeled "serious." BP Cherry Point, located west of Ferndale, is the largest refinery in Washington, processing 225,000 barrels of crude oil per day. About 10 workers from the BP Cherry Point refinery have been sent to Louisiana to help with efforts to contain the oil spill in the Gulf of Mexico. By the end of the week, 20 workers will be in the area, said Bill Kidd, director of external affairs at Cherry Point. About 800 employees work at the Cherry Point refinery. In a press release, Labor and Industries said its inspection focused on the hydrocracker process unit, which refines low-grade oil into gasoline. Twelve of the violations involve regulations governing the management of highly hazardous chemicals. One of the violations involves a failure to provide proper machine guarding. The 12 process safety management problems included failure to routinely inspect or maintain safety control devices, such as pressure safety valves; inaccurate or outdated instrument diagrams; and failure to record whether identified safety hazards were corrected. One violation noted that there were 38 instances of safety recommendations for which there was no record they were ever implemented. "The safety violations our inspectors uncovered at BP were problems similar to those we've uncovered in all of the refineries we have inspected in Washington," Michael

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Silverstein, assistant director for L&I's Division of Occupational Safety and Health, said in a press release. "Petroleum refineries are inherently risky work environments, and following the safety regulations is the key to preventing explosions and other life-threatening events." BP has 15 days to appeal the latest fines. Company spokesman Bill Kidd said officials have not had time to review the L&I citations but said his company wants to work with regulators to maintain and improve safety. "We take the responsibility for the safety of our employees and our neighbors very seriously," Kidd said. "It's our top priority. . . . While we're proud of our track record, there's always room for improvement." The inspections leading to the fines began in November, months before the April explosion and fire at the Tesoro refinery in Anacortes that killed seven workers. The inspections were part of a statewide emphasis on refinery safety that began in 2007 as a response to a federal initiative. Regulators mounted that initiative after a number of refinery mishaps, the worst of which was a 2005 explosion at a BP refinery in Texas that killed 15 workers. After the Texas disaster, BP convened an elite panel to report on safety practices at all of its refineries. The report generally gave the Cherry Point refinery high marks for safety precautions. In 2005, a worker employed by a refinery maintenance firm died after he fell from a scaffold inside a refining tower at the Cherry Point refinery. Both BP and the contracting firm were fined for safety violations after that incident.

<http://www.thenewstribune.com/2010/05/05/1181541/washington-state-fines-bp-for.html>

USA, OH, MIDDLETOWN, MAY 11 2010. FALL DID NOT KILL CITY WORKER FOUND IN MANHOLE

lauren pack

 **Photo's** [Firefighters injured in rescue](#)

Related: [Few answers given in manhole incident](#)

- [2 firefighters remain in hospital after manhole accident](#)
- [City worker killed in manhole accident; 3 firefighters injured](#)

It could take several more weeks before investigators learn what killed a 31-year-old city maintenance worker who fell into a manhole after being overcome by unidentified fumes. But autopsy results released today, May 10, by the Butler County Coroner's Office confirmed that it wasn't an estimated 20-foot fall into a Yankee Road manhole that did it. Clint Nigg, a coroner's investigator, said it could be another three weeks before an exact cause of death for 31-year-old Jabin Lakes is determined. That's the earliest results from toxicology tests of Lakes' blood would be known, he said. Nigg said it was apparent that Lakes had no medical conditions that contributed to his death or that caused him to fall. "He did not slip and fall into the hole," Nigg said. "He did not die of head injuries or internal injuries." Authorities said they believe Lakes lost consciousness after being overcome by unidentified fumes as he did a routine inspection of a sanitary sewer line at 2500 Yankee Road. Those same fumes are believed to be responsible for injuring three firefighters who responded to the scene to rescue Lakes. City officials said today in a news release that they are still trying to identify the gas in question. They do not believe it is normal sewer gas, Law Director Les Landen said. After collecting its own samples from the manhole where one man was killed and three were overcome by gaseous fumes Friday, May 7, the Ohio Environmental Protection Agency said they do not believe the gases to be by-products of industrial operations. The Ohio EPA sent an investigator to the scene Friday to investigate the fumes. Heather Lauer, spokeswoman for the agency, said their samples do not indicate the gas came from the blast furnace at AK Steel's Middletown Works nor are the result of the failure of pollution control equipment or a violation of permit limitations by that facility of Air Products & Chemicals. Both facilities are near where the fatal incident took place. Since the fumes, which Lauer said reports indicate could be nitrogen, are not connected to any operations it currently regulates or permits, the agency has concluded its investigation. The Ohio EPA will remain in touch with the city of Middletown and remain on-hand if help is needed, Lauer said. One firefighter remains hospitalized after being overcome by gaseous fumes while responding to the incident. Todd Wissemeier was upgraded to fair condition at Miami Valley Hospital in Dayton after being admitted to the intensive care unit in critical condition. The 44-year-old was listed in serious condition on Saturday. City officials said today they remain "cautiously optimistic" about his recovery. Meanwhile, 47-year-old Bob Hess has been released from Atrium Medical Center and is recuperating at home, city officials said. A third firefighter, Thomas Allen, was treated and released from Atrium on Friday, according to police officials.

<http://www.daytondailynews.com/news/dayton-news/fall-did-not-kill-city-worker-found-in-manhole-698137.html>

USA, TX, CORPUS CHRISTI, MAY 11 2010. VALERO SAYS TEXAS REFINERY UNIT SHUT DUE TO FIRE >> INCIDENT OCCURRED IN REFINERY'S EAST PLANT-UNIT TO BE DE-PRESSURIZED

Valero Energy Corp had an emergency shutdown on Monday of a unit at its 315,000 barrel-per-day Corpus Christi, Texas, refinery due to a flange fire, according to a company environmental filing. It was not immediately clear which unit was shut but a Coker Elliot Compressor and Complex 7 were cited as sources of emissions related to the incident in the refinery's East

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Plant, added the filing with the Texas Commission on Environmental Quality. "Emergency shutdown and depressure of unit due to flange fire," said the filing. A company spokesman was not immediately available for comment.

<http://www.reuters.com/article/idUSN1023884820100510?type=marketsNews>

CHINA, BEIJING, MAY 11 2010. CHINA TELEVISION STATION DIRECTOR JAILED SEVEN YEARS FOR FIREWORKS BLAZE

A former top television executive was jailed for seven years yesterday for his role in causing a massive blaze at China's new state television complex when a fireworks display went awry. Xu Wei, the former director of the China Central Television headquarters, was convicted for his involvement in the February inferno last year, which left one firefighter dead and six people injured. The fire took place during the Chinese New Year celebrations and gutted the building, which housed television studios and a nearly completed Mandarin Oriental hotel. Twenty other defendants were sentenced to between three and six-and-a-half years in prison for their roles in the incident. The cost of damage is estimated at 163 million yuan (\$32 million).

<http://www.todayonline.com/World/Worldinbrief/EDC100511-0000087/China-television-station-director-jailed-seven-years-for-fireworks-blaze>

CANADA, HALIFAX, MAY 11 2010. FUEL LEAK STOPPED IN HALIFAX HARBOUR

Work crews were able to stop the flow of a maximum of 340 litres of diesel fuel and lubricating oil Monday that was leaking from a massive platform that sank at the Halifax Shipyard on the weekend. The dry dock, owned by JD Irving Ltd., is lying on the bottom of the harbour in about 15 metres of water. The platform sank Saturday morning as it was being submerged to allow a tugboat to enter. Instead of lifting the tug out of the water, the dock kept sinking. No one was injured. The 170 litres of diesel fuel escaped Monday through a pressure valve on the submersible dock's diesel tank, Roger Percy, of Environment Canada, said Monday. The Coast Guard asked Irving to add more containment booms around the area after an oily sheen appeared under the Angus L. Macdonald Bridge Monday morning. The sheen has since dissipated, and the Halifax Shipyard is working to contain and remove "a small amount of diesel fuel" that escaped, Irving said in a news release late Monday. Irving is still finalizing its plans to re-float the dock, the company said in the news release. The Scotia Dock is capable of lifting a vessel weighing of 25,000 tonnes and is about 183 metres in length. The Canadian navy frigate HMCS Halifax is scheduled to begin a year long mid-life refit at the dry dock. The military would not say whether this accident would delay the refit. Irving said their handling of the fuel spill has been reviewed by Environment Canada, and no further action has been recommended.

<http://www.cbc.ca/canada/nova-scotia/story/2010/05/10/ns-halifax-harbour-oil-slick.html>

UK, LONDON, MAY 11 2010. TRAFIGURA FACES £105M LEGAL BILL OVER DUMPING OF TOXIC WASTE

robert verkaik



One of the world's biggest oil-trading companies is facing a record legal bill of more than £100m over the dumping of toxic waste in Ivory Coast. The figure was disclosed in court yesterday after British lawyers won a multimillion-pound settlement for the Ivory Coast claimants, who fell ill after toxic waste was deposited near the country's commercial capital in 2006. Mr Justice MacDuff, the judge who formally approved the confidential settlement last year, was told that the £105m legal bill was more than twice the previous record and three times the amount to be paid to the claimants in compensation. Martyn Day, a senior partner of Leigh Day & Co, the London law firm incurring the costs, said it had fought a "long and tough" battle with Trafigura which had required investigations in a war-torn country. Mr Day told The Independent: "This was the largest injury case in

British legal history, fought against tough opponents right to the doors of the High Court." He said 16,000 of the claimants had already received their share of the £30m compensation and the remaining 13,000 would be paid by 23 May. He added that £10m of the legal bill was after-the-event insurance, £10m went on travel expenses and expert reports, £45m on paying solicitors and barristers and another £45m on the "success fee" – which allows lawyers to increase their fees on the basis of the risk of the litigation. Trafigura's QC, Sean Wilken, told the High Court that Trafigura's own costs stood at £14m while describing Leigh Day's bill as "staggeringly high". The claims were launched against Trafigura after an incident in August 2006 in which "slops" were deposited near Abidjan, the African country's commercial capital, from the Probo Koala, a ship hired by Trafigura. Thousands of people claimed they had fallen ill as a result. The oil trading firm said it regretted the incident but did not accept legal liability as the dumping was carried out by a ship contractor which acted independently of, and without any

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authority from, Trafigura. When the case was settled, a joint statement was issued which said that more than 20 independent experts in shipping, chemistry, modelling, toxicology, tropical medicine, veterinary science and psychiatry had been "unable to identify a link between exposure to the chemicals released from the slops and deaths, miscarriages, still births, birth defects, loss of visual acuity or other serious and chronic injuries. "Leigh Day & Co, in the light of the expert evidence, now acknowledge that the slops could at worst have caused a range of short-term low-level flu-like symptoms and anxiety." It concluded: "It remains Trafigura's position that it did not foresee, and could not have foreseen, the reprehensible acts of Compagnie Tommy in dumping the slops in and around Abidjan in August and September 2006, and that Compagnie Tommy acted entirely independently of, and without any authority from, Trafigura. "Nevertheless, Trafigura regrets that this incident occurred and is pleased that the matter has now been resolved."

<http://www.independent.co.uk/news/uk/home-news/trafigura-faces-163105m-legal-bill-over-dumping-of-toxic-waste-1970544.html>

USA, WASHINGTON, MAY 11 2010. OIL-SPILL AGENCY FETCHES \$13 BILLION AMID 'COZY' INDUSTRY TIES

jim efstathiou jr.

The U.S. agency overseeing offshore drilling safety is also the government's second-largest money maker, a dual role that will be probed during hearings on last month's deadly oil-rig explosion in the Gulf of Mexico. The Minerals Management Service generates about \$13 billion a year for the U.S. Treasury by partnering with companies such as BP Plc and Exxon Mobil Corp. to develop oil and natural gas, trailing only the Internal Revenue Service in revenue. At the same time, the agency and its 1,700 employees enforce safety rules, suggesting "inherent internal conflicts of interest," Senator Robert Menendez, a New Jersey Democrat, said in an e-mail. Menendez and his colleagues on the Senate Energy and Natural Resources Committee will hold the first congressional hearing on the incident today. Scrutiny of the Department of Interior agency intensified following the explosion that killed 11 workers, sank a \$365 million drilling rig operated by BP, and triggered an oil spill that threatens Gulf Coast states from Louisiana to Florida. The MMS failed to mandate certain safety devices required on offshore rigs in other countries and allowed BP to drill in 5,000 feet of water without a requiring a detailed environmental impact analysis, said Kevin Book, a Washington-based managing director for Clearview Energy Partners LLC, a policy research firm. "The oil spill is the cost of having a relationship with industry like the one MMS has," Book said. "MMS by charter is in the business of doing business with industry."

BP, Transocean Executives

Lamar McKay, chairman of BP America Inc., is scheduled to testify today along with Steven L. Newman, chief executive officer of rig owner Transocean Ltd., and Tim Probert, president of global business lines at Halliburton Co., which was in charge of cementing the well. The companies point the finger at each other for responsibility, according to the executives' testimony released yesterday. "Transocean's blowout preventer failed to operate," McKay will say, according to his prepared remarks. The Transocean and Halliburton executives say BP had the lead decision-making role in the project. The executives pledge to cooperate to find the cause. At least five congressional panels plan hearings on the incident that began April 20. The Energy and Natural Resources hearing will begin at 10 a.m. and be followed by a Senate Environment and Public Works Committee session in the afternoon. The accident raises questions "that may result in additional changes and reforms," Kendra Barkoff, a spokeswoman for Interior Secretary Ken Salazar, said in an e-mail statement. "The secretary has been clear that we need to get to the bottom of what happened." Elmer Danenberger, who retired in January after 38 years in offshore regulation at the Interior Department, said in testimony prepared for this morning's hearing that some published criticisms of the MMS "have not only been ill-informed and unsubstantiated, but malicious."

Committed to Safety

MMS regulators "are 100 percent committed to their safety and pollution prevention mission," Danenberger said in his prepared remarks. It's not the first time the agency's relationship with the industry it regulates has come under fire. In 2008, Interior Department Inspector General Earl Devaney found that MMS employees in the division that gathers fees had sex with and accepted gifts from industry contacts while failing to collect almost \$200 million due from energy companies. The allegations led Salazar in September to scrap a program that accepted payment of drilling fees in oil and gas instead of cash, calling it "a blemish" on the department. The 2008 allegations followed revelations by Devaney in 2006 that MMS failed to include terms in offshore drilling leases that could have generated \$10 billion in additional revenue for the government.

'Too Cozy'

The MMS, created in 1982, is "too cozy" with the companies it regulates, said U.S. Representative Darrell Issa, a California Republican. The relationship discouraged the agency in 2003 from demanding better systems to prevent well blowouts like the one spewing an estimated 5,000 barrels of oil a day into the Gulf of Mexico, Issa said. Issa has introduced legislation to

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separate the MMS from the Interior Department and make it an independent agency like the IRS. The explosion and sinking of the Deepwater Horizon rig about 130 miles (209 kilometers) southeast of New Orleans opened leaks 5,000 feet underwater. BP's McKay in his testimony pointed to a device intended to stanch the well called a blowout preventer, which failed in the initial phases of the accident. Backup systems such as a dead man's switch that is supposed to respond when its signal is lost, and remote-controlled underwater robots, have failed to activate the device. "We were working on the belief that the failsafe, if everything else didn't hold the pressures, that blowout preventer would close," David Nagel, executive vice president of BP America, said yesterday in a briefing with reporters.

'Categorical Exclusion'

The MMS gave BP a "categorical exclusion" from the National Environmental Policy Act in 2009, which released the company from preparing a detailed environmental assessment for the well. BP's exploration plan called the prospect of an oil spill "unlikely." In a 2000 safety alert, the MMS warned that backup systems to activate blowout preventers were "an essential component" of deepwater drilling. Three years later, a consultant for the MMS said an acoustic system mandated by Norway and Brazil that can be triggered by encoded signals sent through the water, was too costly and untested in the presence of a mud of gas plume. "It's not a clear case that they should have mandated the acoustic sensor," said Kenneth Arnold, an offshore energy consultant based in Houston who helped write a 1990 report on the MMS offshore inspection program.

Develop Something Better

If research showed that systems to activate a blowout preventer weren't foolproof, the MMS should have demanded that the industry spend "hundreds of millions, perhaps billions of dollars" to develop something better in return for access "to these very profitable federal lands," Issa said. Even industry allies such as Representative Joe Barton of Texas, the top Republican on the House Energy and Commerce Committee, say stricter regulation may be necessary. "I'm not satisfied with the answers," he said after meeting BP executives May 4. "Those of us that support offshore drilling have to be open to the possibility that we have to toughen up a bit."

<http://www.businessweek.com/news/2010-05-11/oil-spill-agency-fetches-13-billion-amid-cozy-industry-ties.html>

USA, CA, SAN FRANCISCO, MAY 11 2010. SPILL THRUSTS TRANSOCEAN INTO SPOTLIGHT IT SHUNS >> NEW CEO FACES GRILLING AT SENATE HEARING, AGM THIS WEEK

- Tight-lipped Transocean culture seen working against it
- Crisis follows series of executive-level shake-ups

braden reddall

Eight months ago, BP was celebrating the discovery of a massive oil find thanks to the work of Transocean's Deepwater Horizon rig, which had just drilled the oil and gas industry's deepest well. The Horizon is now a wreck on the seabed, following an explosion three weeks ago that killed 11 people, including nine Transocean employees, and precipitated a massive leak from another well it was drilling for BP. In both cases, rig contractor Transocean Ltd found itself playing second fiddle to the client. Simply put, rig owners view too much attention as bad for business, and Transocean, the Switzerland-based industry leader with a history of ex-military managers, is no exception. Yet the tight-lipped approach, which might satisfy some of its lawyers, is seen as a bad strategy this time around. "You can get eviscerated in the court of public opinion just as easily as you can get eviscerated in a court of law," said Richard Dukas, head of Dukas Public Relations, citing as an example a Wall Street Journal story on Monday that called into question Transocean's safety record. "Sometimes if your reputation and your image have taken such a huge beating, I feel you have an obligation to your shareholders and your employees to defend yourself," said Dukas, whose firm has helped many in the finance industry navigate through the PR minefield of the recent credit crunch. Transocean shares have dropped 28 percent since the April 20 explosion. Transocean Chief Executive Steven Newman, after fighting his way to the top of a company which spat out three top executives over the past two years, now faces withering challenges after only two months as CEO -- not least a Senate hearing on Tuesday that puts him squarely in the spotlight he has avoided.

Over To You, BP

BP, as one of the world's biggest private-sector oil companies, seemed to understand the need to tell its side of the story after the Horizon accident. The London-based company was quick to deploy executives to discuss tackling the spill, while Transocean's top brass have been far less visible. Given the nature of its work, Dukas said, Transocean should have had a crisis communications plan. "Transocean obviously did not have that, and they got caught flat-footed," he said. Transocean declined to comment for this story. It was a similar story last September, when Transocean's announcement that the Horizon had drilled the record oil well -- 35,050 feet (10,680 meters) in 4,130 feet of water -- came fully half a day after BP unveiled its find. Much of that was by design, an effort not to get out in front of the customer. This means executives at Transocean, just

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like rivals Diamond Offshore Drilling Inc, Noble Corp and Seadrill Ltd, keep their heads down as a rule. "If they wanted to be an oil company, they'd be one," said one source in the contract drilling sector, which another described as the "ultimate business-to-business industry." Entire fleets of rigs, some worth \$500 million, are often deployed with no more than a dozen clients. Contracts can run for years, and are often renewed. So it was with Horizon, which was under a long contract at variable rates until September 2010, after which the British company had it signed for three more years at \$497,000 a day. With such lucrative relationships, drillers do not put much stock in promoting what they do, whether through advertisements or marketing. As a result, Transocean is one of the biggest, most technologically adept companies that few in the public know anything about.

Mountain Move

The past year will have done little to change that. First, Transocean moved its headquarters from Houston to the foot of the Swiss Alps in early 2009, in a move mainly aimed at saving on taxes. Then came a top management reshuffle and retirement of its eminent, but media-shy chief executive, Bob Long. Long spent 34 years working for Transocean or predecessor companies, and as a Naval Academy graduate, shared the U.S. military pedigree of Chairman Bob Rose, an Air Force veteran. So Newman, formerly the chief operating officer and a Harvard Business School graduate like Long, was already stepping into some large shoes. "They've had some bench strength, they've had experienced managers coming up through the ranks," said Philip Adams, senior analyst at Gimme Credit in Chicago. "It doesn't feel like because somebody retires, nobody knows what to do." The bench is certainly facing a stress-test, because Newman's move to the helm topped off a busy year of nameplate switching in Transocean's management suites. Chief Financial Officer Greg Cauthen opted to retire in April for "personal reasons" at age 51 as his colleagues moved to Switzerland. He was succeeded by an Oxford-educated senior vice president, Ricardo Rosa, who was already based in Europe. Then came the December announcement that Rob Saltiel would jump ship to run Atwood Oceanics Inc -- only three weeks after being named as the replacement for Newman as COO. "When the decision on the management was made, and Steve was appointed the heir apparent, clearly Rob wanted that job," said Kurt Hallead, co-head of global energy research for RBC Capital Markets. That all followed the abrupt 2008 retirement of another COO, Jon Marshall, who was also in line to be boss, indicating that the 45-year-old Newman has a proven ability to survive boardroom politics. After his Senate appearance, Newman faces his first annual general meeting of shareholders as CEO on Friday. He was a petroleum engineering major at the Colorado School of Mines, who has held numerous roles in his 16 years at Transocean ranging from rig manager to regional manager, so his past public comments tended to focus on technical issues. Senators will want to know more about the company's safety record, cited by the Wall Street Journal, showing three out of every four incidents triggering investigations of problems on Gulf of Mexico rigs were on Transocean rigs. And Transocean's move of its headquarters and tax domicile to Switzerland from the Cayman Islands just over a year ago will probably come up. Noble Corp followed it, along with a few other companies with few fixed U.S. assets, and analysts interpret those moves as a response to fears that President Barack Obama would seek to increase the tax burden on U.S. companies based offshore.

Born of Many

Yet Transocean's history is pretty multinational. It grew out of a series of mergers in the past 14 years, starting with the purchase by Birmingham, Alabama-based Sonat Offshore Drilling Inc of Norway's Transocean ASA in 1996. Three years later came a merger with Sedco Forex, spun off by oil services company Schlumberger. A blockbuster deal for GlobalSantaFe in 2007 created an industry leader. Cobbling together these various groups has been tough, even if the company's financial discipline impressed investors. In a twist on its move to Switzerland, which has succeeded in cutting its tax bill, the company's cash management is now open to scrutiny with the weekly online publication of its share buybacks. www.dinkylink.co.uk/mbDEJ Hallead at RBC Capital said the buybacks, which only started in February, could be seen as an indication about the company's concern about its liability for the oil spill. "Whatever they say or don't say, some people are going to look at that and suggest that look if you really don't think you're liable or have a lot of exposure here, you should be buying back more stock," Hallead said.

<http://www.reuters.com/article/idUSN1023907320100510>

UK, PLYMOUTH, MAY 12 2010. WOODS CLEANED UP AFTER PLYMOUTH HOSPITAL DIESEL SPILL

A clean-up of land near a Plymouth hospital is being carried out after a pipe fractured spilling diesel fuel. The spillage, at Bircham Woods, involved a fracture to a pipe connected to an emergency power generator at Derriford Hospital. The Plymouth Hospitals NHS Trust said it was working with the Environment Agency on a clean-up plan. The hospital said there were not believed to be major safety concerns and an investigation was under way. The spill was discovered after a member of the public smelled diesel by a stream in the woods and alerted the Environment Agency. The Trust said: "The Environment

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Agency contacted the trust and together we identified the source of the problem." It added: "The water is continuously being monitored and precautionary measures have been put in place."

http://news.bbc.co.uk/2/hi/uk_news/england/devon/8674251.stm

AUSTRALIA, WESTERN AUSTRALIA, HALLS CREEK, MAY 11 2010. BOREWATER CONTAMINATION FEARS

There are fears thousands of litres of diesel may have leached into Halls Creek's groundwater borefields. About 18,000 litres of diesel has leaked from a supply tank in the shire's depot. The Department of Environment and Conservation has sent a pollution response specialist to Halls Creek to help with the clean up. The leak was detected and reported to the DEC on Saturday. The Water Corporation has closed production bores close to the town as a precaution and has sent water samples for testing. The Water Corporation will continue to supply the town from its main borefield, ten kilometres from Halls Creek, without any impact on supply for the immediate future. The Department of Water is assessing any further impact on licensed groundwater users in the vicinity of the spill and the extent of any contamination to the region's groundwater resources.

<http://www.abc.net.au/news/stories/2010/05/11/2896352.htm>

INDIA, ANDHRA PRADESH, SECUNDERABAD, ALWAL, MAY 12 2010. TWO MAJOR BLAZES IN HYDERABAD CAUSE PANIC >> OIL TANKER BURST INTO FLAMES

Two major fires broke out in two areas of Hyderabad on Tuesday, causing panic among residents. One person sustained burn injuries in the huge fire that broke out at petrol pump while the other fire in a storehouse of a company caused massive loss of property. An oil tanker burst into flames at a petrol pump in Alwal area near the city outskirts in the evening. A few other vehicles were also gutted as huge flames engulfed the entire pump and even threatened the nearby houses. Police and fire fighting personnel evacuated the residents while shops and other business establishments in the vicinity downed shutters as a precautionary measure. An employee of the pump was injured while other employees and customers ran for safety. Police said the incident took place when fuel from the tanker was being pumped into the bunk. Some sparks from the tanker's engine is suspected to have caused the fire, in which about 10,000 litres of fuel was burnt. Four fire engines brought the fire under control. Police have booked a case against the petrol bunk owner for negligence which is believed to have led to the accident.

<http://www.hindustantimes.com/Two-major-blazes-in-Hyderabad-cause-panic/Article1-542358.aspx>

UNITED ARAB REPUBLIC, SHARJAH, MAY 12 2010. FIRE AT NATIONAL PAINTS HALTS TRAFFIC

vm sathish



The area was cordoned off to prevent the spreading of exploding chemicals.

A huge fire raged for hours yesterday at Sharjah's landmark National Paints factory and warehouse, forcing a temporary closure and causing major traffic disruption. However, company officials said the plant will resume both production and supply to all customers and agents from today. The fire started around 8.45 am yesterday, causing panic in the Sharjah industrial area adjacent to the paint factory. The area has *huge underground tanks that store enamel, white spirit, kerosene and other inflammable materials* used in paint manufacturing. National Paints is a leading paint manufacturer in the Middle East with an installed capacity of 400,000 tonnes per year and annual sales of \$1 billion (Dh3.67bn). It uses raw materials partially processed at its facility in Jebel Ali and then mixed in the paint

factory, which is located in a busy residential and commercial area of Sharjah. The fire led to an unofficial holiday for most offices and factories in the area. Leaders Aluminium, an aluminium fabrication unit, and a tyre warehouse were burnt in the fire. An employee at the factory said: "The fire was caused by a spark when enamel was being pumped into the underground storage tanks. A barrel containing paint chemicals burst and the chemicals spread inside the factory, causing fire everywhere. As the *underground tank burst*, the blaze spread to the adjacent areas, causing panic. "Two of my colleagues were injured and some workers fainted. There is no major casualty, as all the employees ran out of the factory and warehouse." "Some of exploding chemicals hit our printing press. We have evacuated all the staff from the press," said an employee at Record Printing Press, next to the paint factory. As the flames spread, many vehicles parked outside the factory, including a trailer, a civil defence fire-fighting vehicle and some pick-up vans, caught fire. The blaze could only be controlled by evening. Civil defence personnel cordoned off the area to prevent the spreading of exploding chemicals. Teams from Sharjah, Ajman, Dubai and Abu Dhabi worked throughout the day to control the fire, using water and special chemicals poured from helicopters. They evacuated residents of labour accommodations in the area and controlled traffic through the Emirates Road and all the arterial

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roads close to the fire. The National Paints factory has a fire-fighting system provided by Firex, a fire safety company located next door, but the system could not fight off the *huge explosions from the underground tanks*. A source at Firex said the blaze could have been caused by the wrong mixing of chemicals in the enamel section, but the National Paints officials rubbished such a claim. A National Paints spokesman said the fire did not damage the factory's production lines. "I am inside the paint factory and the fire is now under control. The fire did not cause any death, injury or damage to the plants. The fire was confined to the rear part of the factory where PVC materials are stocked. We will ensure that all our customers and distributors get normal delivery from tomorrow," said Naim Mouj, Marketing Manager, National Paints. The spokesman praised the civil defence teams for putting out the fire without letting it cause too much damage. He declined to reveal the financial damage or the name of the insurance company that covers the factory.

<http://www.business24-7.ae/news/national/fire-at-national-paints-halts-traffic-2010-05-12-1.243080>

USA, TX, HOUSTON, MAY 12 2010. OVERTURNED TANKER TRUCK LEAKS DIESEL



The driver suffered minor injuries when the tanker truck overturned. An HFD HazMat team has been called to the scene of an overturned tanker truck on Houston's south side. The truck overturned at about 10:30am on the feeder road of the east Sam Houston Beltway. The rig is in the westbound feeder road lanes near Almeda Road. The tanker is carrying 6,100 gallons of Xylene, but there appears to be no leak. The 18-wheelers fuel tanks did rupture, spilling the diesel onto the ground. The driver is being treated for pain in his shoulder from the accident.

<http://abclocal.go.com/ktrk/story?section=news/local&id=7435128>

USA, N.J, MORRIS CO, WASHINGTON TWP, MAY 12 2010. GAS TANK EXPLOSION KILLS ONE BROTHER, HURTS ANOTHER IN MORRIS COUNTY

james queally

A gas tank explosion at the home of a Washington Township man left his younger brother dead and caused the man to suffer facial burns, authorities said. Michael Brodhecker, 43, of Newton was found dead at the Flocktown Road home of his 61-year-old brother, Daniel, following the explosion of a 2,000-gallon underground gasoline storage tank on the property, according to Capt. Jefferey Paul, a spokesman for the Morris County Prosecutor's Office. Washington Township police responding to reports of an explosion around 2:30 p.m. found both men at the scene, according to Paul. Daniel Brodhecker was treated for injuries at the scene by Long Valley First Aid members and taken to Hackettstown Community Hospital, while his brother was pronounced dead at the scene, Paul said. Investigators believe the brothers were trying to cut into the gasoline container with a saw, Paul said, which produced sparks that ignited vapors in the tank and caused the explosion. A prosecutor's office investigation is ongoing.

http://www.nj.com/news/index.ssf/2010/05/gas_explosion_kills_one_brothe.html

USA, N.J, MORRIS CO, WASHINGTON TWP, MAY 13 2010. 2,000-GALLON GAS TANK EXPLODES, KILLS NJ MAN, INJURES BROTHER >> WASHINGTON TOWNSHIP EXPLOSION CLAIMS LIFE OF NEWTON MAN

cindy capitani & tehani schneider

A Newton man died and his brother was injured after a 2,000 gallon gasoline storage tank exploded while they were trying to saw it open outside a Long Valley house on Tuesday afternoon, said Capt. Jeff Paul, spokesman for Morris County Prosecutor Robert A. Bianchi. Donald Brodhecker, 50, of 62 Flocktown Road, suffered facial burns and was transported to Hackettstown Regional Medical Center after being treated at the scene by the Long Valley First Aid Squad, authorities said. His brother, Michael Brodhecker, 43, of Newton, was pronounced dead at the scene at 4:20 p.m. by Deputy Morris County Medical Examiner Carlos Fonseca. The explosion also resulted in Michael Brodhecker's 2002 Ford F350 utility vehicle being totally destroyed. The underground storage tank was dug up from Donald Brodhecker's property when the brothers decided to take a gas powered commercial saw to it, Paul said. Sparks from the sawing ignited vapors in the tank, resulting in an explosion that prompted neighbors to call the Washington Township Police Department. Authorities are still investigating why the brothers were cutting into the storage tank. The fiery scene required the assistance of Schooley's Mountain Fire Department, Long Valley Fire Department, Long Valley First Aid Squad and the Morris County Haz-Mat team, as well as Washington Township police, the MCPO homeland security unit, its major crime unit and the Morris County Sheriff Office Criminal Investigation

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section. A representative of the state Department of Labor was also on site. More than a dozen emergency vehicles and unmarked cars were parked on the private, long winding driveway on Donald Brodhecker's sprawling property late Tuesday afternoon. Police said the property is approximately 100 acres. Authorities declined to comment at the scene, noting the investigation was ongoing, and deferred comment to the prosecutor's office. The explosion, which occurred in a wooded area far to the left of the house, left a lingering smell of fuel in the air but no smoke was visible late Tuesday afternoon. The area in question was cordoned off with yellow caution tape. A Schooley's Mountain fire truck was parked in front of the vehicle destroyed in the explosion, and sections of yellow tape appeared to separate the two vehicles. Only a section of the charred vehicle was visible from behind the engine. People were seen entering and exiting Brodhecker's house, but authorities barred further access to the area. A woman traveling on a golf cart down the driveway shook her head sadly when asked by a reporter for comment. At the bottom of Brodhecker's driveway off Flocktown, the area--yards away from the action-- was quiet. A woman at an adjacent house answered her door but also declined comment. She acknowledged seeing emergency vehicles coming and going up the driveway but refused to comment on her neighbor. "I've known him for 50 years," she said, declining to give her name. "You'll have to ask the police what happened."

<http://www.app.com/article/20100512/NEWS03/100512006/1004/NEWS01/2-000-gallon-gas-tank-explodes-kills-NJ-man-injures-brother>

USA, CA, ORANGE CO, SEAL BEACH, MAY 12 2010. ARCO TO PAY NEARLY \$1 MILLION FOR SOIL CONTAMINATION

jaimie lynn fletcher

Arco has agreed to pay the city \$945,000 for cleanup costs for contaminated soil believed to have come from a nearby gas station at Seal Beach Boulevard and Lampson Avenue, officials said. The city in March 2009 found the soil had been contaminated when city crews were digging near the station to put in sewer lines as part of an upgrade project. "When we first discussed the problem with representatives of BP/Arco, about the only thing we knew for sure was that the city's public works project had an open bore hole with the odor of gasoline," City Manager David Carmany said. City crews found the soil had hydrocarbon contamination and stopped work on the sewers, Carmany said. The city worked with Arco to devise a cleanup plan and the affected soil was dug out and taken to a landfill in Adelanto, the city reported. City officials said they spent about \$989,000 for the cleanup work and Arco is picking up the majority of the tab. Arco is expected to pay the settlement within a month. "This bodes well for the ability of Seal Beach and BP/Arco to resolve other major community issues in the future," Carmany said. "Through the settlement agreement we have defined these efforts and demonstrated we will continue to be aggressive in protecting public health." The city is also working with Arco to clean up an old gas leak at another station at Pacific Coast Highway and 5th Street. Arco had submitted a preliminary plan to clean up the site that has contaminated the soil at the station and infiltrated the nearby Bridgeport neighborhood. However, the city and the Orange County Health Care Agency in April both sent the plan back saying it needed to be revised. Both agencies say the best cleanup plan for the Bridgeport site would be excavation.

<http://www.ocregister.com/news/city-248237-arco-soil.html>

USA, CA, LOS ANGELES, MAY 12 2010. TV SERIES SHOWS HAZARDS OF UNDERWATER OIL WORK

alex dobuzinskis

Deep sea divers who pull apart oil wells are getting the documentary TV treatment, and their hazardous job brings home a lesson now playing out in the [Gulf of Mexico](#) -- expect the unexpected. [National Geographic Channel](#) next week will air "Delta Divers," which by chance comes as experts in the Gulf of Mexico try to plug a ruptured underwater well threatening massive damage along the U.S. coast. The creators of the series told Reuters on Tuesday the divers they profile work at much shallower depths than the spewing well, which is about a mile underwater. But they said lessons from the series apply to the ongoing containment efforts in the Gulf of Mexico, where [BP](#) over the weekend tried and failed to cover the oil well with a huge metal box. "All the best laid plans go awry when you're out in the water," said Scott B, who produced, wrote and directed "Delta Divers," which debuts on May 19. He said his last name is a holdover from his days as a punk filmmaker. "Everything you do, when you're under an immense amount of water, is very tricky. It's like another world," he said. The "Delta Divers" work for subcontractors to oil companies, and generally are hired for routine work rather than emergencies. In one storyline, a team of divers works 125 miles out to sea to plug an aging oil well 300 feet below. They must snake an explosive charge into the well to cut its pipes and later plug them with concrete. But they hit problems, starting with mysterious bubbles that could carry potentially toxic gases that could kill a diver, a suspicion that is borne out later by tests. But the divers persevere. They stay clear of the bubbles and manage to stop up the well, and leave the ocean floor almost spotless when they leave. A diver

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can earn more than \$1,500 a day, and the deeper they go the more they make. In another storyline, divers are sent to disassemble a giant oil rig that was toppled by a hurricane. They wrestle powerful underwater currents as they cut at the rig's metal supports and seek to avoid the threat of an underwater explosion from the buildup of gases. Sandra Guthrie, a producer on "Delta Divers," said the barges where the crews work is a world unto itself. "It is the frontier and there are elements of it that seem like the Wild West, because of the unpredictability and the harshness," Guthrie said. "But at the same time, we witnessed enormous concern for the environment as well." [National Geographic Channel](http://abcnews.go.com/Entertainment/wireStory?id=10618788) is partly owned by [News Corp.](http://abcnews.go.com/Entertainment/wireStory?id=10618788)

SA, N.J, POMPTON LAKES, MAY 12 2010. DEP TO TEST SOIL UNDER HOMES FOR CONTAMINATION IN POMPTON LAKES

james m. o'neill

The state this week will begin testing the soil underneath some Pompton Lakes homes that sit atop a plume of groundwater contaminated by a munitions factory. The state Department of Environmental Protection hopes the free testing for chemicals, which some residents had been demanding, will coax more homeowners to have venting systems installed in their homes to remove potentially toxic vapors that could rise up into basements from the groundwater. Only 185 of the 430 or so homes in the affected neighborhood have the systems in place. The contamination comes from the former DuPont munitions factory. So far, about a dozen properties have signed up for the DEP soil tests, said DEP spokesman Larry Hajna. The DEP has contracted with Handex to conduct the soil tests. Hajna called Test America, the company hired to do the analysis, "one of the best labs in the nation for analyzing soil-vapor samples." But residents said they were concerned about the DEP's testing because they are using the same lab to handle soil samples that DuPont's contractor uses. Residents said they want to choose their own contractors for soil testing beneath their homes. Many say their distrust of the DEP is similar to their distrust of DuPont, because the state has known about the contaminated groundwater for 25 years but cleanup has not yet begun. The cleanup is being overseen jointly by the DEP and the federal Environmental Protection Agency. The standoff mirrors a similar problem DEP had months ago, when residents demanded they be allowed to choose their own contractors to install the venting systems, rather than relying on the contractor chosen by DuPont. In that case, DEP eventually allowed residents to choose from a DEP-approved list of contractors. "Are they afraid my contractor will find something?" said Darcy Kamp, who lives on Orchard Street in the plume neighborhood. Despite her concern, Kamp said she plans to have the DEP soil testing, so the contractor she chose to install the venting system can begin work. She said her infant grandson will be moving into her basement soon, and she wants the venting system installed before he starts living in her home. The groundwater beneath Kamp's home and those of her neighbors is contaminated with PCE and TCE, solvents used for decades at the DuPont facility. DuPont has agreed to pay for testing and for venting systems on every home in the neighborhood. Because so many neighbors refused to have DuPont's contractor in to conduct soil testing or to install the venting systems, the DEP has decided to conduct the soil testing with its own contractor. "This testing program reflects the DEP's commitment to protecting the health of the residents of Pompton Lakes," DEP Commissioner Bob Martin said Monday. DEP officials have said before that the soil tests are not necessary — that anyone in the affected neighborhood is eligible to have a free venting system installed. But residents have insisted on testing — they want to know how high the levels of contamination are in their homes as a way to determine how well the venting systems are working once installed. "A contractor I have spoken with said that to design a vapor mitigation system properly, you really do need to do the pre-testing," said Lisa Riggiola, a co-founder of the neighborhood advocacy group Citizens for a Clean Pompton Lakes. "I'd say 99 percent of the residents waiting to have the systems installed would move ahead if they could choose their own contractor to do the testing," said Riggiola, a former borough councilwoman. "There's no trust left in the DEP."

http://www.northjersey.com/news/health/other_health/93381089_N_J_to_test_soil_near_DuPont.html

USA, LA, SHREVEPORT, MAY 13 2010. THE REQUIREMENTS FOR CLOSING UNDERGROUND STORAGE TANKS HAVE CHANGED

State Department of Environmental Quality's Underground Storage Tank Division is conducting a series of "Enviroschools". The rules and requirements for closing underground storage tanks have changed. The rules and requirements for closing underground storage tanks have changed. And that's why the State Department of Environmental Quality's Underground Storage Tank Division is conducting a series of "Enviroschools" around Louisiana. At each, UST staff will present information about revisions to the closure documents, new closure notification and assessment forms, and general certified worker information. One of those EnviroSchools will be held here in Shreveport -- from nine until noon next Tuesday, May 18th, at

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Louisiana Technical College on North Market. The seminar is free but it's recommended that you register with DEQ in Baton Rouge -- either by phone or on-line.

<http://www.shreveport.thedailyyou.com/news/2010/may/12/requirements-closing-underground-storage-tanks-hav/>

USA, TX, HOUSTON, MAY 13 2010. TEXAS TANKER COLLISION CAUSING LEGAL CONFUSION >> PROCESS OF FILING DAMAGE CLAIMS FROM TEXAS TANKER COLLISION CAUSING CONFUSION AMONG RESIDENTS

juan a. lozano

To many southeast [Texas](#) residents, the paperwork from the lawyer made it clear: If they filed a court claim over illnesses suffered in the state's worst oil spill in 15 years, they'd get \$1,000. The problem is, the legal packet they got in the mail didn't come from lawyers representing residents. It actually came from the owner of the tanker that spilled 462,000 gallons of crude oil near Port Arthur — and that company says the mailing was not offering a settlement payment of any sort. The company, AET Inc., says the documents were explaining that the company was not at fault. In all, more than 19,000 people have filed claims against AET — creating a backlog that forced the federal court in nearby Beaumont to temporarily halt the case. Most claims are from people who said fumes from the spill led to vomiting, headaches and burning eyes. After receiving the legal packet in February, many residents mistakenly believed the attorney representing the tanker owner was their lawyer and that by simply filing a claim, they'd be getting money. "That's what's in the paperwork," said Dorothy Green, 40, whose claim said she was sickened by fumes. "My neighbors believe they're getting money, too." The Jan. 23 accident happened when the 800-foot tanker collided with a towboat pushing two barges in the Sabine Neches Waterway in Port Arthur. About 100 people were evacuated for hours because hydrogen sulfide — a hazardous gas with a rotten egg smell — emanated from the oil. Several animals died, but no serious human injuries were reported. The cause of the collision is being investigated. AET attorney Mark Freeman said the packet was sent to about 5,000 residents in Port Arthur — a mostly poor, mostly black city of 60,000 located 90 miles east of Houston and near the [Louisiana](#) state line — explaining that the company is seeking exoneration. The company filed a petition asking that it be found not liable for injuries or damages, or that its liability be limited to the value of the ship and its cargo, about \$22 million.

<http://abcnews.go.com/Business/wireStory?id=10627738>

USA, PA, PLEASANTVILLE, MAY 13 2010. POLICE: SPEED A FACTOR IN BEDFORD COUNTY WRECK



Workers from SAC Inc. of Bedford work to bring a truck from Linde Co. that was involved in a fatal accident Monday morning on Route 56 near Pleasantville. The truck was hauling carbon dioxide to the Pepsi plant in Richland Township.

Speeding likely contributed to a five-vehicle crash that claimed the lives of two truck drivers on Route 56 in Bedford County, state police said Tuesday. The driver of an eastbound tractor-trailer was not driving at a safe speed when he lost control and hit the rear bumper of a Johns-town man's vehicle, police said. Jeffrey Fonner, 40, of Folcroft, Delaware County, was killed in the crash along with Joseph Knouse, 41, of Fort Ashby, W.Va., who was driving a tanker in the westbound lane of Route 56. Fonner's rig, which was hauling ice cream, struck the rear of a 1997 Pontiac Grand Am driven by Nathan Vogel, 20, of Johnstown. Vogel was in fair condition at Memorial Medical Center, Johnstown, a spokeswoman said Tuesday. A fourth motorist involved in the crash was not injured, while a fifth received moderate injuries, police said. The stretch of Route 56 between Ridge Market Road and Dunkard Hollow Road, both in West St. Clair Township, was closed Tuesday while crews retrieved the tanker from a 75-foot embankment where it landed after being struck by the eastbound truck. Both lanes of the highway were reopened by 2 p.m., Penn-DOT spokeswoman Pam Kane said. Getting the crash debris from the site was a challenge, said David Cubbison, director of Bedford County Department of Emergency Services. "It was a difficult activity to get this very heavy truck up from the side of the hill," Cubbison said. The crash occurred just before 6:30 a.m. Monday. After impacting Vogel's car, Fonner's truck rolled onto its side while going around a curve and struck the tanker rig. The trailer rolled over the guide rail and down the embankment, state police said. After crashing into the tanker, Fonner's truck continued east, striking two other westbound vehicles. Sidney Fickes, 55, and his passenger, David Fickes, 49, both of Imler, in a 2003 Suzuki Vitara, were not injured. Mary A. Kauffman, 51, of Osterburg, the driver of the fifth vehicle, a 2005 Chevrolet Cavalier, received moderate injuries. The accident site was described as just outside Pleasantville about four miles east of the Peggy Westover Curve, a stretch of the roadway where trucks often overturn. The tanker, owned by Linde Co., a German company with U.S. headquarters in Murray Hill, N.J., was hauling carbon dioxide and was said to be headed to the Pepsi Bottling Group plant in Richland Township. Carbon dioxide is used in soda production, authorities said. But because emergency management officials

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were unable to immediately determine the contents of the tanker, four homes in the area were evacuated in a precautionary move, Cubbison said. "It was freezing and crystalizing everything at the exit point, but there was no ignition point and as far as an explosion, there was none," he said. The ruptured tanker spewed liquid carbon dioxide for much of the day Monday. Cambria County's HAZMAT team, which also serves Bedford County, was called in because of the tanker rupture, Ron Springer, Cambria EMA director, said.

<http://tribune-democrat.com/local/x712201814/Police-Speed-a-factor-in-Bedford-County-wreck>

USA, LA, MAY 13 2010. SLICK OPERATOR - HOW BRITISH OIL GIANT BP USED ALL THE POLITICAL MUSCLE MONEY CAN BUY TO FEND OFF REGULATORS AND INFLUENCE INVESTIGATIONS INTO CORPORATE NEGLIGENCE.

michael isikoff & michael hirsh

 **Photo's** [A timeline of the disastrous BP oil spill in the Gulf of Mexico](#)

Tony Hayward, the CEO of BP, has a couple of major problems on his hands these days. One lies down near the earth's crust; the other exists deep in the muck of Washington politics. It may take many months to cap the 5,000-foot-deep oil gusher in the Gulf of Mexico. In the meantime, Hayward has to cap the damage to BP's reputation, and reduce its liability for what could be the costliest cleanup in corporate history. He was already hard at work last week, making the rounds of key senators from coastal states affected by the spill. Described as exhausted but wearing a "wry smile," Hayward impressed several lawmakers with his earnestness about stopping the leak. He also seemed intent on deflecting questions about responsibility. "He was candid on most of his answers," says Florida Sen. Bill Nelson. But when Hayward was pressed on how much BP will compensate businesses and fishermen harmed by the spill, Nelson says, "he dodged" and became "very lawyerly." The Obama administration has promised to "keep the boot on the throat" of the giant British company, as White House Press Secretary Robert Gibbs put it. Others will be trying to do the same. In the coming months there will be lawsuits, hearings, and investigations galore on the spill and who's responsible for it, as well as heated debates over President Obama's offshore-drilling plans and new legislation, including a bill raising a \$75 million ceiling on BP's liability for compensation to injured parties. But BP will seek to leverage every penny of the \$15.9 million it spent on lobbying last year (its most ever) as it seeks to fend off allegations that the company and its contractors failed to abide by safety provisions for deepwater drilling. Most of all, it will try to contain the penalties it has to pay. If the past is any guide, BP will succeed at that. The story of the company's handling of other safety problems illustrates how easily high-powered lawyers and sheer corporate muscle can often overwhelm the best efforts of federal regulators. (A BP spokesman said the company "will honor all legitimate claims" stemming from the oil spill. The spokesman declined to comment on all other questions posed by NEWSWEEK.) BP was once known as British Petroleum, but the company changed its name in 2000 to project a more environmentally friendly image, saying the initials stood for "Beyond Petroleum." Hayward deserves credit for improving on the legacy of former chairman John Browne, whose efforts in acquisition and cost cutting left serious questions about BP's safety and environmental policies. Part of Hayward's effort, however, was to increase the company's lobbying "exponentially" in Washington and to dilute new laws on the prevention of oil-spill pollution in 2009, says Dave Levinthal of the Center for Responsive Politics. At times BP has enlisted powerful Washington types like Leon Panetta (now CIA director), George Mitchell (now Obama's Middle East envoy), Christine Todd Whitman (the former EPA administrator), and Tom Daschle (the former majority leader) to serve on its various boards of advisers and "independent" panels. In his rounds on Capitol Hill last week, Hayward was escorted by a former aide to Ted Kennedy who now works for the Brunswick Group, a powerhouse public-relations firm recently hired by BP to help it deal with the oil-spill crisis. The company's most recent effort at damage control—before the spill—occurred after a 2005 explosion at the company's Texas City refinery (the third-largest oil refinery in the country). That was among the most deadly disasters to befall the U.S. oil industry in modern times. The blasts and subsequent fires killed 15 workers, injured 180 others, and sent 43,000 people fleeing to indoor shelters. The Chemical Safety and Hazard Investigation Board later concluded that the explosions were caused by company deficiencies "at all levels of the BP Corporation"—including repeated cost cutting that affected maintenance and safety. The Justice Department, working with EPA investigators, launched a criminal investigation that resulted in a \$50 million fine against the company for violating the Clean Air Act. But EPA investigators wanted to take the case further and charge top corporate officers, who, they were convinced, had knowledge of the safety deficiencies at Texas City and failed to take corrective action. Their request to continue the investigation was turned down by top officials of the Justice Department's environmental-crimes division, leaving the EPA investigators incensed, according to two EPA officials directly familiar with the probe. "We felt like this went all the way to the very top," says one EPA investigator, who did not want to be identified talking about internal matters. "The \$50 million was a laughingstock. It was a slap on the wrist compared to the profits they were making." (BP's reported profits in 2007 were \$17.2 billion). In 2006 the EPA and the Justice Department launched a criminal investigation into two massive BP oil leaks in Alaska caused by corroded pipelines. One of the leaks

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spewed 200,000 gallons onto the tundra. Once again, EPA investigators pushed to charge company officials with a crime. "Everybody was convinced we had a humdinger of a case," says Scott West, the EPA special agent in charge of the probe, who has since retired. Witnesses—including workers on the pipelines and midlevel managers—had told investigators how BP executives had ignored repeated warnings about corrosion. "There was a corporate philosophy that it was cheaper to operate to failure and then deal with the problem later rather than do preventive maintenance," West told NEWSWEEK. Later that year, West says, he got authority from the U.S. Attorney's Office in Alaska for a "surgical" subpoena for internal documents relating to the company's maintenance of the pipelines. BP complied in early 2007, but in a way that made it virtually impossible for investigators to find the evidence they needed: BP set up a special server with scanned copies of 62 million pages of documents. "If you printed all of them out," says West, "it would have filled a warehouse ... We only had three or four people." When he began to examine BP's response, West says, he remembers thinking, "Holy s--t, I can't breathe." Still, West (who now works for Sea Shepherd, an environmental group) was determined to push a multiyear investigation—not unusual for a complex case that, as he envisioned it, would ultimately reach into corporate headquarters in London. But just a few months later, West says, he was told by federal prosecutors in Alaska to bring the case to a close. "We were told, 'Main Justice wants this wrapped up,' and 'All we can get is a corporate misdemeanor.'?" According to West and Bob Wojnicz, another since-retired EPA agent on the case, BP's high-powered legal team (headed by Houston lawyer Carol Dinkins, a former deputy attorney general under George H.W. Bush who had previously served as chief of the Justice Department's environment division) had gone over the agents' heads. Dinkins negotiated a "global" settlement of all Justice Department inquiries into the company's conduct—including the Alaska-pipeline case and Texas City—that was to be announced the same day. "There was no reason to shut it down at that point," says Wojnicz. Nelson Cohen, the U.S. attorney in Alaska at the time, says there was no "realistic chance of generating useful evidence" from continuing the probe and that all investigating agencies and prosecutors concurred in the decision to accept the misdemeanor plea from BP, which included a \$20 million fine. Dinkins says, "I don't comment on my work for my clients." In fact, BP's legal difficulties weren't yet over. Another set of EPA officials decided that BP should potentially face an even stiffer sanction: debarment from government contracts. But they, too, ran into a wall. Jeanne Pascal, until recently a lawyer in the EPA's Seattle office who specialized in debarment cases, decided to attempt to invoke that provision against BP—unless the company agreed to tighter controls over safety and maintenance. Pascal says her proposed agreement would have required BP to turn over invoices of its maintenance costs; it would also have had to consent to regular audits of its operations and provide better protections for whistle-blowers. "I told them if they didn't give me what I want, I would debar them," Pascal told NEWSWEEK. But Pascal quickly ran into the oil-company equivalent of "too big to fail"—and knew that her threat was essentially empty. Although this is not widely known, BP has been one of the biggest suppliers of fuel to the Pentagon in recent years, with much of its oil going to U.S. military operations in the Mideast. (It sold \$2.2 billion in oil to the Pentagon last year, making it No. 1 among all the oil companies in sales to the military, according to the latest figures from the Defense Energy Support Center.) If she pushed debarment too hard, Pascal was sure the Pentagon would simply invoke a national-security exception that would allow BP to continue to sell it oil. When "a major economic and political giant??.?.?tells you it has direct access to the White House, it's very intimidating," says Pascal. After nearly two years of trying, Pascal retired from the EPA in February with the settlement agreement unsigned. "I can't tell you that if my compliance agreement had been signed it would have prevented what happened in the gulf," she says. "We just don't know." Whether that unfortunate history will repeat itself, with the company facing its worst crisis ever, is also unknown. But for BP, finding its way around Washington is terrain far more familiar than the bottom of the Gulf of Mexico.

<http://www.newsweek.com/id/237651>

SOUTH KOREA, TAEAN, MAY 13 2010. BEREAVED FAMILIES SUE GOV'T, SAMSUNG, HEBEI OVER OIL SPILL

Residents in Taean, a fishing town devastated by the worst oil spill in the nation's history two and a half years ago, filed a suit against Samsung Heavy Industries, Hebei Spirit Shipping and the Korean government, demanding they pay compensation for the suicides of four people. Lawyer Park Chan-jong and Chang Ki-wook, who represent the families of the four dead, filed the suit Wednesday with the Seoul Central District Court, seeking 2 billion won (\$1.75 million) in compensation, 500 million won each. "Making a living as fishermen and oyster farmers for decades, the four took their own lives after the oil spill. No compensation has been paid and the possibility of appropriate remuneration is getting slim," the lawyers said in a statement. Of the four, three committed suicide in January 2008, just one month after the oil spill. The other, Sung Jung-dae, 52, who was the leader of an association for the 4,700 affected Taean residents, killed himself in February this year, denouncing the sluggish compensation progress. According to Park who recently conducted on-site research, only a few million won were given to each affected resident by the local government in the form of "emergency funds to sustain living," not an official

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settlement. "No money has been paid in official compensation," Park stressed. But the money still remains unused due to a lack of consensus between Samsung and the government on its use.

On the Edge

On Dec. 7, 2007, a Hebei Spirit-owned supertanker was rammed by a Samsung Heavy Industries-owned barge that came unmoored from its tugboats about 11 kilometers off Mallipo, a beach in Taean. Some 10.5 million liters of crude oil gushed into the ocean, more than twice as much as the nation's previous worst spill in 1995. The man-made catastrophe wrecked its maritime ecosystem, including numerous scenic beaches, wildlife habitats, oyster beds and fishing areas. Following the incident was the devastation of the town's economy, which relied heavily on fishing and tourism. According to a recent TV report, many seafood restaurants remain shut and its maritime ecosystem still has a long way to go to fully recover. Marine experts say it will take at least two decades or more for a complete recovery. The amount of financial losses Taean citizens claim they sustained from the oil spill is about three trillion won. The International Oil Pollution Compensation (IOPC) Funds estimates the amount at 600 billion won. An IOPC investigation to confirm the exact amount of the damage is underway. "The government should fully compensate us in advance, but it keeps delaying the payment until the completion of the investigation," Park said. "Taean residents are on the brink of death." Adding to concerns of those affected is a court's ruling that limits the compensation from Samsung Heavy Industries to just 5.6 billion won. In January this year, the Seoul High Court rejected an appeal filed by some 7,500 fishermen and residents in the town, who demanded Samsung pay them more than the maximum amount. The court said Samsung is subject to regulations limiting the liability of ship owners. The case is pending at the Supreme Court.

http://www.koreatimes.co.kr/www/news/nation/2010/05/113_65796.html

USA, WA, SEATTLE, MAY 13 2010. EPA FINES NEW CINGULAR WIRELESS \$57K FOR DIESEL SPILL

The U.S. Environmental Protection Agency has fined [New Cingular Wireless](http://www.epaosc.net/attdieselspill) \$57,000 for an August 2008 diesel fuel spill at its Bothell data center. The 12,432-gallon spill occurred when a storage tank overflowed at the site and flowed into a storm drain that empties into an area near Park Creek.

EPA's Release:

Bothell Wireless Facility Faces \$57,000 Fine for Diesel Spill

(Seattle - May 11, 2010) Under an order with the U.S. Environmental Protection Agency, New Cingular Wireless has agreed to pay a \$57,255 penalty for spilling more than 12,000 gallons of diesel at its Bothell data center in 2008 in violation of the federal Clean Water Act. According to the order, on Aug. 1, 2008, New Cingular Wireless spilled approximately 12,432 gallons of diesel when an above-ground storage tank overflowed on its property. The spill traveled across an asphalt area and into a storm drain that empties into a wetland pond adjacent to Par Creek. The company cleaned up the spill in early September 2008. "Oil spills are serious business and can cause serious environmental damage," said Edward Kowalski, EPA's Director of Compliance and Enforcement in Seattle. "Companies that store oil must follow the law and be diligent in their efforts to contain and prevent spills." For more information about New Cingular Wireless oil spill, visit: <http://www.epaosc.net/attdieselspill>

<http://www.bizjournals.com/seattle/stories/2010/05/10/daily19.html>

USA, KS, KANSAS CITY, MAY 13 2010. TWO WORKERS SPRAYED BY ASPHALT FROM TANK REMAIN IN CRITICAL CONDITION IN A HOSPITAL

The two unidentified men were burned in the industrial accident Wednesday morning in the Fairfax Industrial District of Kansas City, Kan. In an afternoon press release, Owens Corning said the workers were in an asphalt unloading area outside the plant at 300 Sunshine Road. They were doing maintenance on a tank when asphalt escaped the tank and burned them, the company said. Emergency crews along with other employees were able to evacuate the injured workers from the area. Both men were taken to a burn center at a local hospital. John Shea, a company spokesman, said, "We're still investigating the cause of the accident and everything that happened." Local leaders will continue to keep in touch with the families and support them, he said. "We're obviously very worried for the employees and we're continuing to monitor the situation," Shea said.

http://www.kansascity.com/2010/05/12/1940875_two-workers-sprayed-with-hot-asphalt.html?storylink=omni_popular

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