



Dangerous Goods - Hazardous Materials Group & Network

Release 2012 – 844 Newsy Stuff

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

June 3 2012



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GREATER ANTILLES, CAYMAN ISLANDS, MAY 23 2012. NEW TEXACO OWNER'LIKE NIGHT AND DAY'

natario mckenzie

 [Watch the Video Rubis Takes Over Chevron in Cayman](#)



Texaco retailers yesterday expressed optimism over the way forward with their new wholesale distributor, one telling Tribune Business: "In terms of what we had with Chevron it's like night and day." Executives of RUBIS/Vitogaz are meeting with Bahamian retailers this week following the "nine-figure buyout" of Chevron's fuels marketing and aviation business in this nation. Following a meeting with Rubis executives yesterday, which he described as "extremely positive", Ryan Knowles, general manager of Wells Service Station, told Tribune Business the company - whose focus was on the downstream sector - appeared more willing to work with the retailers. Mr Knowles told Tribune Business: "We are not going to be looked at as something; we are going to be looked at as

persons, as a partner in this industry. They are here for the long-term. They are very committed to their brand. They are going to be rebranding all the stations, and they are going to be very aggressive in this industry. They have a lot of things planned." He added: "We as station owners are very excited about the changes that are going to come along. In terms of what we had with Chevron, it's like night and day. They are focused on the downstream sector, whereas Chevron was focused on upstream, meaning they were into oil rigs and oil exploration. "This company [RUBIS] is into the downstream, which is our level. It's a real sigh of relief that they are willing to work with the retailers." This was disclosed by Chevron earlier this week, when it explained the rationale for the RUBIS sale in response to Tribune Business's questions. "The decision to exit our fuels marketing and aviation businesses in the Caribbean, including the Bahamas, Cayman Islands and Turks & Caicos, is in line with Chevron's ongoing effort to concentrate downstream resources on strategic global assets, and deliver strong returns for our investors," the oil giant told this newspaper. Mr Knowles said he was informed that RUBIS's rebranding efforts would take a year, but felt that it would be months due to how aggressive the company would be. Mr Knowles added: "For the consumers out there, they are bringing a more cleaner and more efficient gas." Rodney Eve, manager of Texaco on Prince Charles Drive, added: "We are hoping for changes because Chevron wasn't too customer friendly. I just hope this company is more customer friendly, particularly the relationship with the retailers." Bernard Dorsett, owner of Porky's Gas Station, recently told Tribune Business he was anxious to know what RUBIS was all about, saying: "I have not an inkling what they are about, but I would like to know. I am an independent dealer; I would like to know what my options are. I went online and saw some of their set-ups in the Caribbean. It's a pretty big company. You can't be worse than Chevron. I thought Chevron was the worst dealer I had to deal with." Chevron announced on Monday it had concluded the sale of its fuels marketing and aviation businesses in the Bahamas, Cayman Islands and Turks & Caicos to Vitogaz, a wholly-owned subsidiary of RUBIS. The French multinational energy company gains ownership of 39 retail stations, eight aviation facilities, six fuel terminals and one joint operation at the Nassau airport terminal, and a commercial and industrial fuels business. These assets are in addition to Chevron's previously announced sale in the Caribbean and parts of Central America to RUBIS in July 2011 that consisted of 174 service stations operating under the Texaco brand, an equity interest in an associated refinery operation, proprietary and joint-venture terminals and aviation facilities, and Chevron's commercial and industrial fuels business.

<http://www.tribune242.com/news/2012/may/03/new-texaco-owner-like-night-and-day/>

USA, WASHINGTON DC, MAY 24 2012. DC GAS STATIONS SETTLE WITH EPA FOR \$8,800K IN CASE ALLEGING CLEAN AIR ACT REGULATIONS VIOLATIONS

meta pettus

The Environmental Protection Agency says that six Washington, D.C. gas stations have settled in a case alleging that they violated Clean Air Act regulations. The six gas stations/companies involved in the case are:

- Samad Corporation, (CITGO) at 3820 Minnesota Avenue, NE
- Anacostia Realty, LLC, (EXXON) at 1925 Bladensburg Road, NE
- Anacostia Realty, LLC, (EXXON) at 4100 Hunt Place, NE
- DAG Realty, LLC, (EXXON) at 2230 New York Ave., NE
- Shirlington Petroleum Realty, LLC, (CROWN) at 2210 Bladensburg Road, NE



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- Springfield Petroleum Realty, (SHELL) at 3830 Minnesota Avenue, NE

The stations were cited for violating the Clean Air Act regulations "that require gas stations to install and maintain anti-pollution devices, called vapor recovery control systems, for their underground tanks and gasoline dispensing pumps and to minimize and clean up spills" after EPA inspections in November 2011, stated the EPA in a press release on Wednesday. According to the EPA, the gas stations have agreed to pay more than \$8,800 in total in the settlement. The payment for each station ranges from \$1,400 to \$2,100. The stations stated that they are "now in compliance with the applicable vapor recovery control requirements" as part of the agreements. The EPA says it will keep monitoring and inspecting the gas stations.

<http://www.wusa9.com/news/article/206156/187/DC-Gas-Stations-To-Pay-88K-In-Clean-Air-Act-Case-Settlement>

ENGLAND, BUCKINGHAMSHIRE, MAY 24 2012. ROAD DIVERSIONS AS FUEL LEAK SHUTS PETROL STATION

james nadal



A petrol station has been closed this afternoon by firefighters after a fuel leak on the forecourt. Shell in Hazlemere has been shut as fire crews deal with a spill. The leak came from a BMW which has a liquid petroleum gas tank. Police are attending and diverting drivers in surrounding streets. Roads were shut between Penn and Hazlemere but now three directions are open on the cross roads, police said. Extremely slow traffic along Amersham Hill is being reported. Two fire engines from High Wycombe and specialist units from Great Missenden and Aylesbury have been sent out. Crews are on the scene now dealing with it after a call out about 2.25pm.

http://www.bucksfreepress.co.uk/news/localnews/amersham/9722434.Petrol_station_shut_after_fuel_leak/

USA, ILL, ROCKFORD, MAY 24 2012. NTSB: MULTIPLE FAILURES CAUSED 2009 CHERRY VALLEY TRAIN WRECK

sean f. driscoll

[Watch the Video NTSB Final Recommendation](#)



The view, using a telephoto lens, of the train derailment June 19, 2009, from the roadway on the south side of the accident site.

Here is the complete list of safety recommendations issued today by the National Transportation Safety Board. A final list and report will be issued in a few weeks. Read the full preliminary report [here](#). Watch the video of the hearing [here](#) (Windows Media required). Scroll down for the mid-afternoon blog update.

To the U.S. Department of Transportation:

1. Develop a comprehensive storm water drainage assessment program to be conducted jointly by railroads and public entities that ensures the adequate flow of water under both railroad and highway facilities, and require railroads and public entities to coordinate any changes to storm water drainage systems before their

implementation.

2. Notify railroads and public entities about the circumstances of this accident and the importance of exchanging information related to storm water drainage system design issues that may adversely affect the adequate flow of water under both railroad and highway facilities.

To the Federal Railroad Administration:

3. Inform railroads about the circumstances of the accident and advise them of the need to immediately notify pipeline operators of accidents occurring in railroad rights-of-way and to ensure that pipeline inspections have been accomplished prior to resumption of service.

4. Require that safety management systems and the associated key principles, including top-down ownership and policies; analysis of operational incidents and accidents; hazard identification and risk management; prevention/mitigation programs;



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and continuous evaluation and improvement programs, be incorporated in railroads' risk reduction programs as required by Public Law 110-432, Rail Safety Improvement Act of 2008, enacted October 16, 2008.

To the Pipeline and Hazardous Materials Safety Administration:

5. Require that all newly manufactured and existing general service tank cars authorized for transportation of denatured fuel ethanol and crude oil in Packing Groups I and II have tank head and shell puncture resistance systems and top fittings protection that exceed existing design requirements for DOT-111 tank cars.

6. Require that all bottom outlet valves used on newly manufactured and existing non-pressure tank cars are designed to remain closed during accidents in which the valve and operating handle are subjected to impact forces.

7. Require that all newly manufactured and existing tank cars authorized for transportation of hazardous materials have center sill or draft sill attachment designs that conform to the revised Association of American Railroads' design requirements adopted as a result of Safety Recommendation 9.

8. Inform pipeline operators about the circumstances of the accident and advise them of the need to inspect pipeline facilities after notification of accidents occurring in railroad rights-of-way.

To the Association of American Railroads:

9. Review the design requirements in the Association of American Railroads Manual of Standards and Recommended Practices C-III, "Specifications for Tank Cars for Attaching Center Sills or Draft Sills," and revise those requirements as needed to ensure that appropriate distances between the welds attaching the draft sill to the reinforcement pads and the welds attaching the reinforcement pads to the tank are maintained in all directions in accidents, including the longitudinal direction.

To the American Association of State Highway and Transportation Officials, the National Association of County Engineers, the American Public Works Association, and the Institute of Transportation Engineers:

10. Inform your members about the circumstances of this accident and the importance of exchanging information related to storm water drainage system design issues that may adversely affect the adequate flow of water under both railroad and highway facilities.

To the National League of Cities, the National Association of Counties, the Association of State Dam Safety Officials, the National Association of Towns and Townships, and the U.S. Conference of Mayors:

11. Inform your members of the circumstances of this accident and emphasize the importance of periodically inspecting storm water management detention ponds (both private and public) to ensure that no deterioration has occurred that would result in the failure of a pond to function as designed.

To the Canadian National Railway Company:

12. Implement a program consistent with principles of safety management systems to periodically test all aspects of your internal emergency communication system to ensure that personnel are familiar with the system's operation and that emergency notifications can be communicated immediately to any chief dispatcher or rail traffic controller in your system.

13. Implement a process, consistent with the principles of a safety management system, to ensure accuracy and visibility of emergency contact information at all highway-rail grade crossings on your system.

14. Examine and revise your post accident toxicological testing program to ensure that rail traffic controllers are tested unless there is clear and convincing evidence that they were not involved in the accident.

15. Modify your weather warning operating and safety rules and procedures to (1) consolidate weather policies in a single rule, accessible to all operating personnel, (2) require that rail traffic controllers promptly and precisely notify affected train crews of weather alerts and identify for train crews the specific hazards to train operation represented by a weather alert, and (3) require either that a track inspector inspect the affected track before train operations are permitted within an affected weather alert area or that engineers operate their trains at restricted speed and crews watch for water on tracks, possible washouts, and misaligned track in the affected areas until the track is inspected.

The National Transportation Safety Board issued 15 safety recommendations this morning after meeting in Washington D.C. and adopting a final report on a June 19, 2009, freight train derailment in Cherry Valley that killed a Rockford woman. Among the recommendations was a call to review stormwater management systems across the country for possible risks to public safety; redesigning certain rail tanker cars to be more robust in case of a crash; and a call for Canadian National to increase its culture of safety and systems to ensure warnings are properly relayed to train crews before an accident occurred. The five-member board focused on many aspects of the derailment during its two-and-a-half hour meeting, but most agreed the derailment was the result of a series of safety and communications missteps, some dating as far back as three years before the derailment. "I see failures up and down the line," said Board Member Robert Sumwalt. A Canadian National train carrying



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more than 2 million gallons of ethanol derailed as it crossed South Mulford Road on the Rockford/Cherry Valley border, sparking a massive fire that burned for nearly a day. The NTSB's investigation into the incident has been complete for nearly a year, but the board had to convene and issue a final report on the derailment before the case can officially be closed. That final report, which will include its safety recommendations, will be available in print format in the next few weeks. The NTSB initially thought its final report would be issued within a year of the accident, but other, high-profile cases have delayed the process. More than 2,000 pages of investigatory documents related to the crash were made public in early 2011; the materials point to a fault in a drainage culvert near the accident site as the reason for the flooding that damaged the rail bed on the train lines. The communications between the train, local police and Canadian National's dispatch center were also a heavy focus of the investigation. In October, the family of Zoila Tellez settled a lawsuit with Canadian National for \$36.2 million. Tellez's husband, Jose, received \$22.5 million; her then-19-year-old daughter, Adriana, who was four weeks' pregnant at the time of the derailment, received \$13.7 million. The Tellez family was stopped at the train crossing on South Mulford Road when the derailment happened; Zoila Tellez died at the scene. Adriana Tellez suffered second- and third-degree burns and lost her baby as a result of the fire.

Related Links

- [Award to family in Rockford train derailment: \\$36.2 million](#)
- [Officials offer an analysis of train derailment](#)
- [Train derails: Timeline of how the tragedy unfolded](#)
- [A desperate 17 minutes: Efforts to warn train failed](#)

<http://www.rstar.com/blogs/seanfdiscoll/x2112946732/NTSB-meeting-today-on-2009-Cherry-Valley-train-wreck>

USA, IND, WHITING, MAY 24 2012. BP SETTLES WITH GOVERNMENT, WILL PAY \$8M FINE, SPEND \$400M TO CUT POLLUTION AT IND. REFINERY



In this June 2, 2009 photo, traffic moves along Indianapolis Blvd past the BP facility in Whiting, Ind. BP North America Inc. has agreed to install \$400 million in new air pollution controls at its northwestern Indiana oil refinery and pay an \$8 million fine under a deal announced Wednesday, May 23, 2012 with the government and environmental groups.

BP Products North America Inc. has agreed to install \$400 million in new air pollution controls at its northwestern Indiana oil refinery and pay an \$8 million fine under a deal announced Wednesday with the government and environmental groups. The oil giant agreed to the fine to settle allegations of air quality permit violations since 2001, according to a consent decree filed in federal court in Hammond. The deal also resolves objections by the U.S. Environmental Protection Agency to an air permit issued by Indiana. Under the agreement, environmental groups including the Natural Resources Defence Council and the Sierra Club agreed to drop their own challenges to the permit. The agreement, subject to a 30-day public comment period and final court approval, is designed to reduce harmful air pollution by about 4,000 tons annually at BP's sprawling refinery in Whiting, about 20 miles southeast of Chicago. The refinery is undergoing a \$3.8 billion expansion that is due to open next year. BP has said the expanded refinery would be the nation's top processor of heavy

high-sulfur Canadian crude oil, boosting its annual production of gasoline, diesel fuel and jet fuel by 15 per cent to about 4.7 billion gallons annually. The project is designed to deal with the higher level of impurities found in that crude, but environmentalists contend the refinery would worsen pollution in the area. After the Indiana Department of Environmental Management issued an air permit for the expansion in 2008, the Natural Resources Defence Council sued to block it. Although the EPA initially approved the expansion, it later filed Clean Air Act violations against the oil giant. With the Justice Department, the EPA also alleged the expansion violated a 2001 consent decree. "The permit that BP and the state of Indiana drafted did not reflect reality," said the NRDC's Ann Alexander, lead attorney for the environmental groups. "And as the country wakes up to the mess being made by tar sands all over the country, it will be harder and harder for them to keep trying to play these games." Steve Cornell, president of BP Products North America, said the deal "protects jobs, consumers, and the environment." "This multi-billion dollar modernization project is the largest private-sector investment in Indiana history and ensures the Whiting Refinery will continue to provide fuel and jobs for the region for decades to come," Cornell said in a statement. Under the deal, BP agreed to a new system to reduce the flaring of refinery gas, new controls and practices to



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lower emissions throughout the refinery, and other environmental upgrades. The settlement imposes some of the lowest emission limits in refinery settlements to date, enhancing controls on wastewater containing benzene. It also requires the refinery to spend \$9.5 million on projects to reduce greenhouse gas emissions, the EPA said. BP also will install equipment to monitor emissions of benzene, sulfur dioxide and other pollutants and to post the data online. Nicole Barker, executive director of the regional environmental group Save the Dunes, another partner to the agreement, said the pollution reductions will benefit residents of northwest Indiana and the Lake Michigan ecosystem. "The refinery sits in the midst of one of the most unique ecosystems in the world and that needs to be protected too," Barker said. The Indiana Department of Environmental Management issued a statement saying it was pleased with the outcome of the consent decree.

<http://www.canadianbusiness.com/article/85296--bp-settles-with-government-will-pay-8m-fine-spend-400m-to-cut-pollution-at-ind-refinery>

CANADA, AB, CALGARY, MAY 24 2012. WATER AND OIL SPILL DISCOVERED NEAR RAINBOW LAKE >> PROVINCIAL REGULATORS ASSESSING SIZE OF LEAK FROM PIPELINE TO INJECTION WELL

dina o'meara



Salty water and oil have been leaking onto the muskeg near Rainbow Lake, in northwestern Alberta, for an undetermined amount of time, say provincial regulators.

Provincial regulators are reporting the weekend discovery of a "substantial" leak of oil and water from a feeder pipeline in a remote northwest corner of Alberta. Workers conducting clean up operations on site have yet to determine the volume of liquid spilled in boggy muskeg 20 kilometres southeast of Rainbow Lake, but well operator Pace Oil and Gas said it covered about half a kilometre in length. The Energy Resources Conservation Board was told of the spill on Saturday, and is investigating how long the pipe, flowing to a disposal well, had been leaking brackish water and oil. "We are working with the company to determine the scope of the incident," said spokesman Darin Barter. "It is big

enough to be a significant spill." The fluid, commonly called emulsion, was a byproduct of natural gas production and was being injected into a disposal well, said Colin Merrick, vice-president of operations, Wednesday. "We haven't determined if the leak has gone off-lease or not," Merrick said. "We know that the leak covers an area of approximately 500 metres by 200 metres wide." The area is covered with pockets of standing water and is only accessible during the winter months by ice road, he said. The spill was discovered during a routine fly-over by another company with operations in the area, Merrick said.

<http://www.calgaryherald.com/business/Water+spill+discovered+near+Rainbow+Lake/6667544/story.html>

INDIA, ALLAHABAD, KARELI, MAY 24 2012. FIVE CHILDREN KILLED IN BLAST IN SCRAP

Five children were killed and six other persons were seriously injured in a powerful explosion in C-Block slum area in Kareli here on Wednesday. The blast, according to initial police investigations, took place when a group of children playing near some [garbage](#) sacks fiddled with a shiny object that exploded in the process. While two of the children died on the spot, three succumbed to their injuries in the [SRN Hospital](#) and Colvin Hospital. Allahabad range DIG N Raviendra said to TOI: "A group of rag-pickers had dumped their sacks between two huts in a Kareli slum. A group of children playing there noticed some ball-shaped shining object in one of the sacks and tried to retrieve it. As soon as they pulled it out, it exploded." "The blast was so powerful that it could be heard at a distance of a kilometer. Over a dozen persons present in a radius of 8-10 meters sustained severe injuries. Most of the injured have suffered splinter and burn injuries," he added. Allahabad SSP Naveen Arora said, "People have been rushed to various hospitals and we are trying to arrive at a conclusion." Asked about the explosive, he said, "Investigations are on." IG (Law & Order) B P Singh said in Lucknow that a team of Anti-Terrorism Squad (ATS) has been dispatched to Allahabad to probe the incident. Sleuths of the forensic department have also been pressed into service and samples have been collected to ascertain the nature of the blast, he added. The exact cause and nature of the blast is being probed, he added. Asked whether the state government had received an alert from the Centre on a possible terror strike, Singh said that there were no specific alerts. "Routine alerts do come from IB but there was no specific alert," he said. Singh said that old Allahabad "is infamous for crude bombs and it had taken shape of a cottage industry there," and police have been conducting raids at such places and arresting people. About the claims that bomb may have been hurled by



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someone, Singh said that it was ruled out in preliminary investigation. Some of the residents, however, claimed that the bomb was "hurled by an unidentified person who fled immediately", while others said that the explosive device was lying abandoned in a garbage heap and went off when a group of rag-pickers fiddled with it. The deceased were identified as [Abdul Rahman](#) (14), Israel (12), Rizwan (9), Naima (10) and Abdul (9), all residents of C-Block slums. The injured include Nazeer, Tutual, Jehana, Taslima, Nargis, Rozi and Tanzeem. They all have been admitted to various local hospitals, said a police official. The DIG added that several police teams have been pressed into service to probe the incident thoroughly. He added that police teams have been deployed to scan the entire area. "We ran towards the spot after hearing a massive explosion and spotted five-six children and some others lying in a pool of blood," said Mohd Tariq, a local. "Suspecting it to be a terror attack, people ran helter-skelter to find a safe cover," he added. A local, Tariq, said: "In no time, locals assembled and started taking injured persons to nearby hospitals. For some initial moments, it was all chaos as people ran to the scene to search for their near and dear ones." Soon, the police with the help of locals admitted the injured persons, including Jehana (32), Taslima (40), [Nargis](#) (13) and Roji (11) to the SRN Hospital where their condition is stated to be serious but stable, said another local, Rizwan. "We were shocked to see the situation as children lay on the ground crying for help," said Aman adding, "when we were able to find out what exactly has happened, we rushed the injured to the hospitals with the help of police who arrived on the scene as soon as they were informed." Police said they are probing the nature of the blast and as to how such high-intensity explosive material reached the garbage. Unconfirmed reports said the local slums house Muslims who have come from [Bihar](#) and could have originally come to India illegally from [Bangladesh](#).

<http://timesofindia.indiatimes.com/city/allahabad/Five-children-killed-in-blast-in-scrap/articleshow/13421811.cms>

AUSTRALIA, NORTHERN TERRITORY, DARWIN, MAY 24 2012. GUILTY HELICOPTER CRASH PILOT GROUNDED BY COURT >> PLEADS GUILTY TO TRANSPORTING DANGEROUS GOOD

Map: [Numbulwar 0852](#)

A helicopter pilot who was involved in a crash east of Katherine has pleaded guilty to transporting dangerous goods and providing a misleading accident report to the Australian Transport Safety Bureau. Darwin Magistrates Court has heard 41-year-old Mark Sullivan strapped a power generator filled with fuel into an empty passenger seat of the helicopter and failed to comply with a number of procedures outlined in an operations manual. Sullivan was flying two Roper Gulf Shire employees to the remote Northern Territory community of Numbulwar in Arnhem Land to deliver emergency cyclone supplies in March 2010. The chopper crashed at Flying Fox Creek Station before getting to its destination. The court was told the generator landed on one of the passengers, leaking fuel into his eyes and mouth. The other passenger blacked out on impact. None of those involved in the crash were badly injured. At the time, police charged Sullivan with six offences. Today, three charges were withdrawn by the prosecution and Sullivan pleaded guilty to the other three charges. Sullivan was sentenced to a three-month suspended jail term and fined \$9,000. His pilot's licence was suspended for 12 months. In sentencing, Magistrate Greg Cavanagh told the court that Sullivan's actions were "blatantly outrageous and seriously dangerous". Mr Cavanagh said he believed providing misleading information to the Australian Transport Safety Bureau was the most "reprehensible" charge.

<http://www.abc.net.au/news/2012-05-24/helicopter-pilot-in-court-over-crash-charges/4031310?section=nt>

USA, AZ, NOGALES, MAY 24 2012. MARSHAL POLICING ENVIRONMENTAL DAMAGE

jb miller

Motor oil dumped along the edge of the highway and the destruction of the town's washes by motorized vehicles are the latest crimes that the Patagonia Marshal's Office has been investigating this month. Acting on a tip from Mayor Ike Isakson, local law enforcement went on a reconnaissance mission near milepost 21 on State Route 82 last week and located eight bottles of discarded motor oil alongside a small oil slick. "Someone had started to pour them out and then got scared or something and just left," said Marshal Joe Patterson, who added that he and his deputies cleaned up the mess, which included having to shovel out the spilled oil. Patterson said the incident is not isolated and there has been an increasing pattern around town where people opt to simply dump their old oil on the ground instead of taking it to a designated disposal site, such as the county dump or a service station. "We need to protect our environment and all the people that live here," Patterson said. "It might take a little while longer but otherwise that goes into our water supply. If anyone doesn't know where to dispose of their oil they can always just call us and we can help them find a place to take it."

http://www.nogalesinternational.com/the_bulletin/news/marshal-policing-environmental-damage/article_b69c77ea-a4f4-11e1-a1f9-0019bb2963f4.html



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CHINA, HUBEI PROVINCE, ZHIJIANG, XIANNU TWP, MAY 24 2012. 8 INJURED IN CENTRAL CHINA FACTORY BLASTS



Two explosions ripped through a plastics factory in central China's Hubei Province, May 23, 2012, leaving eight people injured, and sending a large plume of smoke rising into the sky

Two explosions ripped through a factory in central China's Hubei Province Wednesday, injuring eight people, including two news reporters, local authorities said. The first explosion took place at 10 am at a plastics factory in Xiannu township in the city of Zhijiang, injuring six workers, an officer from the city's fire department said. A fire broke out following the first explosion, with a second explosion occurring at 11:30 am, injuring two reporters who entered the premises without receiving permission from firefighters, the officer said. The fire was extinguished by 11:50 am. The injured have been taken to a local hospital for treatment. Their condition is not yet known. The cause of the accident is

under investigation.

http://usa.chinadaily.com.cn/china/2012-05/23/content_15371348.htm

AUSTRALIA, WESTERN AUSTRALIA, PERTH, MAY 24 2012. APACHE 'SHOULD HAVE KNOWN GAS BLAST RISK'

daniel emerson & natasha boddy



Apache 'should have known gas blast risk'

Investigators examining the catastrophic 2008 Varanus Island gas explosion which crippled the State's gas supply have contradicted claims by plant operator Apache that the disaster was unforeseen and unforeseeable. The long awaited report into the explosion was tabled in State Parliament this morning. Apache, a subsidiary of American energy giant Apache Corporation, has waged a long legal battle to keep secret the June 2009 report into the explosion. The company took full advantage of Mines Minister Norman Moore's undertaking that he would not release the 470-page report until it had responded to it, providing him with 5000 pages of documents which he painstakingly reviewed. Addressing the legislative council this morning, Mr Moore said it was finally time for the WA public to be fully informed about the disaster. More than \$60 million damage was caused to the plant and \$3 billion to the WA economy. A high-pressure, 30cm gas pipeline critically weakened by external corrosion ruptured and exploded on the beach of Varanus Island, setting off a string of other explosions. The report, authored by David Agostini and Kym Bills found there was "a range of documentation that should have alerted the operator (Apache) to serious risks involving external corrosion around the shore crossing of the 12 inch (30.5cm) (pipe) where it ruptured". A third of WA's energy supply was cut after the explosions. "We believe that the risk of this occurring



was not only foreseeable but to some extent foreseen," the report reads. It found hazard mitigation measures were inadequate and did not properly assess risks inherent in the pipeline system on the island, especially in the vicinity of the shore.

The plant after the explosion.

The Department of Mines and Petroleum commenced prosecution action against Apache after receiving the report in 2009 for breaching the Petroleum Pipelines Act, alleging it failed to maintain the pipeline in good repair. But the prosecution was dropped because of legal technicalities including that a 700m section of the gas hub was called "pipeworks" instead of a "pipeline" under a 1992 variation document. The tabling of this morning's report is expected to

give rise to possible civil action against Apache. The report labelled Apache's understanding of the protection systems of the



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30cm pipeline "confused and confusing". "We also examined Apache's safety culture and found that it was probably best seen as in the middle rank within some well-known hierarchies and was generally not at the level of being proactive or generative," the report reads. In a damning comparison, Messrs Agostini and Bills drew links between Apache and the American space program prior to space shuttle disasters. "NASA's adoption of a policy of 'better, faster, cheaper' prior to the space shuttle accidents may have parallels with Apache's focus on cost and 'a sense of urgency' and suggest that Apache needs to better consider human and organisational factors and 'resilience engineering'". Apache said in a statement it was disappointed Mr Moore had not also released its detailed critique of the Bills-Agostini report and foreshadowed further legal action to ensure it and two other reports were tabled. The statement said the critique referred to material not available to Messrs Bills and Agostini at the time of their report which "cast new light" on it. "Apache is mystified at the Minister's failure to release these additional materials at the same time, in order to put the Bills-Agostini report in proper context," the statement reads. "These additional materials completely vindicate the decision to dismiss the charge against Apache. "A careful review of the evidence leads to the conclusion that Apache had reasonable grounds to believe that the pipeline was in good repair. "Apache is aware that Minister Moore has in his possession two reports and a statement that Apache believes support its view that in all the circumstances Apache acted reasonably. If Minister Moore elects not to table the Apache response and the additional reports, it plans to ask the Magistrates Court to authorise their release." "It has long been known that the accident was the result of unusual, isolated, highly accelerated external corrosion on a sales gas pipeline carrying clean, dry gas. Apache spent more than \$150 million to complete repairs in a safe and environmentally responsible manner with regulatory oversight. "Apache's Australian team remains focused on the important task of developing natural gas resources and infrastructure for Western Australia." Mr Moore told Parliament today that the report had been "a long time coming for myself and the people of WA". "I believe they have a right to know the cause of that incident, the level of effectiveness of the State's regulatory systems at the time and the safety and energy security implications for the State," he said. The investigation was also critical of regulators at the time, highlighting that there was significant confusion between the then-Department of Industry and Resources, the National Offshore Petroleum Safety Authority and the industry with regard to the regulatory boundaries within, and between, the agencies. The Minister said litigation by Apache had lasted two years which had "hindered every effort by the State" and a joint State and Federal Government effort to publicly release the findings of the report. The report also found "the legislative environment was a contributing factor to regulatory ineffectiveness and needs to be simplified as soon as possible". "We believe it is inappropriate to use a pipeline licence under the Petroleum Pipelines Act 1969 to regulate the Varanus Island particularly given the shortcomings of that legislation with respect to safety case and penalties," it said. Mr Moore said the investigation had revealed Apache's 2007 revision of a safety case for the Varanus Island hub included as a major accident hazard "the possibility of external corrosion causing a pipeline rupture and jetfire escalating to a major accident event with multiple lives lost". Mr Moore said that since the incident, Apache had maintained that "the Varanus Island explosion was 'neither foreseeable, nor foreseen'". The Minister said the Varanus Island incident highlighted that whilst streamlining regulatory requirements for resources projects, the State Government "must also act to improve regulatory systems, expertise and enforcement". "This incident has also highlighted for Western Australia that the South West of the State is an integral part of our future gas security," he told Parliament. "It is a fraught perception to think the delivery of the majority of the State's gas supply can maintained reliably with a single pipeline from the North West region." Mr Moore said the Barnett Government had taken significant steps to improve regulatory services and delivering resources safety for WA's resources sector. "The State Government's commitment to continuous improvement of DMP has also initiated a review of the offence and penalty regimes in all petroleum and mining legislature," he said. "I am committed to take steps necessary to ensure the safety and security of this vital sector." Apache made WA legal history this month by being the first entity to take a freedom of information request to the Court of Appeal. In a separate matter to the Agostini and Bills report, Apache is fighting the release of documents on the disaster by the Department of Mines and Petroleum to Melbourne law firm Lander and Rogers. Mr Moore also this morning tabled the DMP response to the Agostini and Bills report recommendations, which said significant petroleum reform actions had been undertaken to prevent a similar accident in future.

Related Links

- [Energy company has bad attitude: WA Labor](#)

Apache Energy's refusal to take responsibility for a huge gas plant explosion off Western Australia points to a bad safety culture that may cause more disasters, the state opposition warns. A long-awaited WA government report into the 2008 catastrophe ...



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- [Varanus gas explosion report slams Apache Energy](#)
A long-awaited report on the Varanus Island gas explosion is highly critical of energy company Apache and industry regulators. An explosion on the island in 2008 cut WA's gas supply by 30 per cent for two months and cost the state economy up to \$3 ...
- [Varanus gas explosion report slams Apache](#)
WA Mines and Petroleum Minister Norman Moore told the Legislative Council the report was scathing of Apache's gas pipeline operations. Amazingly, nobody was killed in the Varanus gas explosion. Source: PerthNow US oil-and-gas giant Apache Energy has ...
- [Apache 'should have seen it coming': Varanus report](#)
An explosion at the Apache Energy's Varanus Island plant cost the state an estimated \$3 billion four years ago. The Varanus Island gas explosion that cost Western Australia's economy an estimated \$3 billion in 2008, and caused \$60 million worth of ...

<http://au.news.yahoo.com/thewest/a/-/breaking/13769569/apache-should-have-known-gas-blast-risk/>

USA, LA, PORT ALLEN, MAY 24 2012. PLANT FIRE OUT, CREWS BEGIN INSPECTING AND REMOVING CYLINDERS

 [Slideshow](#) [See Slideshow](#)

 [Watch the Video](#)

- [Hundreds Evacuated Due to Explosion, Fire](#)
- [Plant Fire Out, Crews Begin Inspecting & Removing Cylinders](#)



Some of the cylinders at the plant were still on fire Monday evening.

The gymnasium at the Port Allen Community Center was quiet and empty Tuesday morning. A far different scene from what West Baton Rouge Parks and Recreation Director, Anatole Vincent, said he saw 24 hours earlier when a blast at Air Liquide Chemical forced people to evacuate. An estimated 40 homes were impacted. Residents and employees at nearby businesses were told to report to one of two shelters in the parish. Jessica Reeves was on her way home. She was not prepared to spend the night somewhere else. Reeves is pregnant. "When they sent us here I was really glad because I got a good night's sleep, took good care of us," Jessica Reeves said. Reeves and her fiancé, Judd Taylor,

were two of several evacuees who found shelter at the Holiday Inn. While Hazmat crews worked to clear an estimated 500 cylinders from the plant yard. American Red Cross volunteers served lunch at area hotels with enough meals for 250 people. "Not having clothes, not being able to go to our home, lay in our own bed, worried about what we are going to eat today. God's provided for us," Taylor said. The fire that sparked at a chemical plant Monday is out. Crews are on the scene removing the cylinders not affected by the blaze and testing the ones that were. Workers arrived on the scene around 6 a.m. to assess the condition of the cylinders containing acetylene, a highly flammable gas used mainly for welding, at the Air Liquide plant in Port Allen. They were forced to call off the assessment Monday around 8 p.m. because of safety concerns. They had gone in to shut down operations and found smoldering cylinders that were still too unstable. Capt. Doug Cain with the Louisiana State Police said the fire was extinguished, but there were still some "hot spots." Officials said most of the 500-plus fires burned out around 7:30 a.m. The plant remains closed. Cain said crews will first get all of the unaffected cylinders away from the site of the fire. Moving those will reduce the risk of injuries, so firefighters can then hose down and cool off the cylinders. Workers will evaluate all of the cylinders that were burned to ensure their stability. Once a cylinder is deemed stable, it will be removed. Cain said there are about 1,000 total cylinders and hundreds of them were affected by the fire. He added just one unstable cylinder could easily lead to others popping off. Drivers who travel US 190 are forced to continue using alternate routes due to the fire. The roadway remains closed in both directions at LA 983 (Bueche Road). Eastbound traffic is being diverted at LA 413 to Rosedale Road and westbound traffic is being detoured onto LA 1145 to Rosedale Road. Troopers said the highway is not expected to re-open until possibly Tuesday evening. [People in homes and businesses evacuated](#) within a one-mile wide radius have not been allowed to return. The evacuation forced some to flee to one of the two community centers being used as shelters in Erwinville and Port Allen. "I thought it would just be a small thing and it would be out and that would be it," said Kayla Alejandro. "But apparently, it's a way bigger deal than that. I really didn't know what to expect. I didn't expect being out



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of our home though." Officials said some families chose the available shelters, while others opted to stay with relatives. If you were forced out of your home because of the fire and need a place to stay, call 225-490-8599. The Department of Transportation and Development (DOTD) has also posted portable message boards with information on road closures along the interstate and roadways affected. Drivers can get the latest updates on real-time road conditions by dialing 511 from their telephone and saying the route or region about which they are seeking information or visiting the 511 Traveler Information Website at www.511la.org. Air Liquide released the following statement:

Air Liquide America Specialty Gases LLC continues to work closely with area officials to bring the situation at our Port Allen facility to resolution. We recognize and acknowledge the inconvenience and impact this incident has caused to our neighbors, and we appreciate all of the authorities for their prompt and responsive efforts. We are working with local officials to ensure that the area is opened safely and as quickly as possible, and will begin clean-up as soon as the site is cleared by authorities. Those who may be impacted by this incident and have questions regarding assistance can call 800-292-1155.

Acetylene Fact Sheet

Acetylene is a colorless and odorless gas. Commercial grade Acetylene may have an Ether-like or garlic-like odor. It is used for welding, cutting, brazing and soldering, and in making other chemicals. [Click here for more information.](#)

<http://www.wafb.com/story/18579269/plant-fire-out-crews-begin-to-inspecting-and-removing-cylinders>

FRANCE, PARIS, MAY 24 2012. TOTAL ASKS FRENCH TOP COURT TO REVERSE 1999 OIL-SPILL RULING

heather smith

[Total SA](#), [Europe's](#) third-largest oil company, is challenging a verdict that it's criminally guilty in a 1999 oil tanker accident that spilled fuel along the French coast, arguing the law was wrongly applied. Total will ask the Cour de Cassation, France's highest appeals court, to overturn the negligence conviction and resulting 375,000-euro (\$479,000) fine. The Paris-based company said international maritime accords disagree with French law on jurisdiction. "It's a question which is purely legal," said Daniel Soulez-Lariviere, a lawyer for Total, before the Paris hearing. "A French judge could have done what he wanted had the ship been French, but it was a foreign craft, so it was under international conventions." The Erika, as the Maltese ship was called, leaked about 20,000 tons of fuel into the sea after the vessel sank off the coast of northwest [France](#) in a storm in December 1999. The 24-year-old tanker, carrying 30,000 tons of fuel to [Italy](#), broke up in a storm with waves as high as 14 meters. While an Italian ship-safety inspector said the Erika was seaworthy, it was later found to have a rusted hull. The spill killed thousands of birds and polluted 400 kilometers (250 miles) of coastline. Total spent 200 million euros for a clean-up following the disaster and has paid 171 million euros to affected communities and the French government under a January 2008 verdict and hasn't sought to recover those damages, Soulez-Lariviere said. The advocate general, an independent prosecutor for the Cour de Cassation, issued a report to the court agreeing with Total's argument on the "incompatibility" of French law with the international maritime accords and recommending it be cleared. French legislators noted the discrepancy when voting on the 1983 law and decided they would renegotiate the international conventions if necessary, Soulez-Lariviere said. The judges may issue a ruling within weeks.

<http://www.bloomberg.com/news/2012-05-24/total-asks-french-top-court-to-reverse-1999-oil-spill-ruling.html>

PERU, LIMA, MAY 24 2012. PERU DOLPHINS NOT KILLED BY OIL BLASTS, SAYS MINISTER



Experts measure a dead dolphin lying on a beach on the northern coast of Peru on March 27.

A Peruvian minister has denied claims that explosions used in oil exploration are to blame for the deaths of hundreds of dolphins. Fisheries Minister Gladys Triveno said a government investigation showed that natural causes were to blame. She contradicted a study by an environmental group which suggested that explosions had caused the deaths. The animals have washed up along Peru's northern coastline since the beginning of the year. Ms Triveno said the official government report by Peru's Maritime Institute (Imarpe) ruled out oil exploration, or infection by a virus or bacteria, as triggers for the deaths of the dolphins. "We have reached the conclusion that the deaths were from natural causes. It's not the first time that this has happened," Ms Triveno said, citing similar cases of dolphin deaths in New Zealand and Australia. She was



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speaking on Peruvian radio hours before the release of the official government report.

'Food Problem'

However, environmental group Orca said it had tested 30 dead dolphins and found they had broken ears and damaged organs, consistent with the animals suffering from decompression sickness. Orca has blamed the deaths on the noise and pressure waves caused by explosions it linked to oil exploration in the area. Along the same stretch of shoreline, thousands of sea birds have also been found dead over the past months. Ms Triveno announced there would be a separate report into the death of more than 1,200 pelicans, but that she could already rule out a bacterial or viral infection. She said their deaths were related to a "food problem".

Related Links

- ['Warm sea' killed pelicans in Peru](#)
- [Peru examines deaths of pelicans](#)
- [Peru dolphin deaths mystery](#)
- [900 dolphins 'died of natural causes'](#)
- ['Natural causes' at fault for Peru dolphin deaths: officials](#)
- [What is behind Peru's mass pelican and dolphin deaths?](#)

<http://www.bbc.co.uk/news/world-latin-america-18169586>

USA, FLA, ST AUGUSTINE, MAY 24 2012. FIRE MARSHAL: BP TANKER DRIVER DAVID COWLES AT FAULT

sheldon gardner

 **Slideshow** [See a slideshow of photos from the fire](#)

Key Points:

- Driver left tanker during fueling, report finds
- State attorney to decide if charges will be filed

The driver of the truck "...voluntarily chose to leave the tanker unattended while pumping fuel and walk a minimum of 59 feet away from the pump controls' to stand in the shade, according to the report.



Firefighters battle a blaze at 5th Wheel BP gas station, on the corner of State Road 16 and Masters Drive as seen from this aerial photograph on Aug. 19, 2011.

The State Fire Marshal's Office says the man who drove the tanker delivering fuel when a BP station exploded in August demonstrated culpable negligence by leaving the tanker unattended while it was off-loading fuel. The driver of the truck "...voluntarily chose to leave the tanker unattended while pumping fuel and walk a minimum of 59 feet away from the pump controls" to stand in the shade, according to the report. David Cowles did this even though he knew that he could not determine the amount of fuel in the tank and that there was a potential overflow hazard, according to the report. Cowles, of Fort McCoy, a small town northeast of Ocala, was severely burned after one of the [biggest explosions in](#)

[years](#) in St. Augustine that happened at the 5th Wheel BP gas station, owned by Coomes Oil, on State Road 16 and Masters Drive on Aug. 19. The fire shot balls of flame into the air that could be seen from miles away and spilled thousands of gallons of fuel from the destroyed gasoline tanks into the marsh behind the station. It also caused around \$1 million in damage and [destroyed the gas station](#), surrounding buildings and 14 cars that were at the station, according to the report. The attorney representing Cowles in a lawsuit against the company that owned the BP station where the explosion happened, said that he disagrees with the fire marshal's findings. "Our evidence contradicts the evidence in the report," said Cowles' attorney, Stuart Ratzan of Miami. "OSHA cited Coomes; the Department of Environmental Protection cited Coomes," he said. The Occupational Safety and Health Administration [cited](#) Florida Rock and Tank Lines and Coomes Oil and Supply in February with failing to provide a way for delivery drivers to determine how much gas was in the above-ground tank at the gas station. Cowles was delivering thousands of gallons of fuel to the BP station for Florida Rock and Tank Lines when the explosion occurred. [He has since sued Coomes Oil](#). The fire began after one of the above-ground gasoline storage tanks at the station



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overflowed while fuel was being pumped into it, according to the Fire Marshal's office report. Gas vapors filled the air and caused the tanker's engine to accelerate and overheat, which ignited the fumes.

Driver Left Tanker

The citation for culpable negligence stems from claims that Cowles left the truck while it was offloading fuel into the tank. The report says Cowles violated a National Fire Protection Association standard that states that drivers of tanks with flammable or combustible liquids should not leave the vehicle unattended during the loading process. State Fire Marshal's Office spokeswoman Deborah Cox said the complaint affidavit against Cowles is in the hands of the state attorney's office, and it is up to them whether to file formal charges. Ratzan, Cowles' attorney, said Cowles had walked around to look for a measuring device for the tank and stopped to smoke a cigarette — but that was before he started fueling. "I don't know who their witnesses are," Ratzan said. "Our evidence for the cause of this comports with what OSHA found." Ratzan said Coomes Oil's system for measuring the amount of fuel was inaccurate and out of date. "What happened is J.B. Coomes ordered more fuel than the tank could hold," Ratzan said. "He had a method of measuring fuel tank capacity that was based on ignorant methodology." Attorney Michael Stevens, who is representing J.B. Coomes' company, Coomes Oil, in the personal injury claim that Cowles has filed, denies those accusations. "His (Coomes') records were accurate," Stevens said. "Mr. Coomes physically checked the levels on the gasoline weekly, but especially every time before he ordered. They're grasping for straws right now." Stevens said he is appealing the OSHA citation and has filed counter claims against Florida Rock and Tank Lines and Cowles. As for how the spill that caused the explosion could have happened, "the investigation is ongoing," Stevens said, "There may have been a malfunction with the truck. "All this could have been prevented had he followed those rules and regulations," Stevens said.

<http://staugustine.com/police-report/2012-05-23/bp-tanker-driver-culpable-fire-marshal>

USA, LA, NEW ORLEANS, MAY 24 2012. DELAWARE COMPANY PLEADS GUILTY TO UNLAWFUL DISCHARGES OF OIL IN JEFFERSON PARISH, LOUISIANA

 [Photo's](#) [Filed Photo Exhibits are Available at the U.S Coast Guard Website](#)



New Orleans - Photo of oil on the deck, in Jefferson Parish, May 29, 2008.

A Delaware company pleaded guilty today in federal court in the Eastern District of Louisiana to negligently discharging oil into the bayous of Jefferson Parish, Louisiana, the Department of Justice announced. Cedyco Corporation, headquartered in Houston, pleaded guilty to three counts of violating the Federal Water Pollution Control Act (Clean Water Act). The Clean Water Act makes it a misdemeanor to negligently discharge harmful quantities of oil into navigable waters of the United States. According to the plea agreement, Cedyco agreed to pay a criminal fine of \$557,000. All of the fine money will be directed to the Oil Spill Liability Trust Fund to aid the United States Coast Guard in responding to future oil spills. Additionally, Cedyco also agreed to cease operations and divest itself of all hydrocarbon business interests in the state of Louisiana. "Cedyco is being held accountable for its neglectful operations and poor management, which

repeatedly resulted in illegal discharges of oil into the sensitive Louisiana bayou," said Ignacia S. Moreno, Assistant Attorney General for the Environment and Natural Resources Division at the Department of Justice. "Those who are permitted to develop energy resources in proximity to delicate ecosystems must do so in a sound and responsible manner or they will be held accountable for violations of the law." "The protection of our precious environment is a critical mission which we take very seriously," said Jim Letten, United States Attorney for the Eastern District of Louisiana. "Simply stated, we will not tolerate negligence by the companies which are required by law to operate facilities carefully in order to protect our people and environment." "It's important that we hold polluters accountable for their actions, and the successful prosecution of Cedyco does this," said Captain Peter Gautier, Commander of Coast Guard Sector New Orleans. "I applaud the efforts of our partner agencies and internal investigators for their tireless efforts in prosecuting this case. The Coast Guard, EPA, LDEQ and Department of Justice will continue to hold polluters responsible for their actions." "Our nation's environmental laws are designed to protect oceans and inland waterways from illegal and harmful pollutant discharges," said Ivan Vikin, Special Agent in Charge of EPA's criminal enforcement program in Louisiana. "Today's guilty plea sends a clear message that companies



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that refuse to operate lawfully and pollute our waters, threatening people's health and the environment, will be vigorously prosecuted." Cedyco owned and operated several hydrocarbon facilities, including fixed barges, platforms and wells, in the brackish bayous of South Louisiana. As a general matter, Cedyco's facilities were poorly maintained and operated without plans and permits required by regulations issued by the Louisiana Department of Environmental Quality (LDEQ) as administrator of the federal Clean Water Act. Cedyco's negligent operation and poor maintenance of three of its facilities in Jefferson Parish led to harmful discharges of oil into the navigable waters of the United States. The three facilities are the tank battery known as the "Bayou St. Denis facility," the production and storage facility known as the "Bayou Dupont facility," and the production well adjacent to the Bayou Dupont facility known as "Well #10." Each facility will be addressed in turn. "DEQ and its partners are dedicated to policing and enforcing environmental laws. Today's actions further illustrate that commitment," said LDEQ Secretary Peggy Hatch. Cedyco's Bayou St. Denis facility was a tank battery located south of the Barataria Waterway. A May 29, 2008, joint inspection by the United States Coast Guard (USCG) and LDEQ revealed that the facility was storing oil without the required Facility Response Plan, Spill Prevention and Control Plan, and LDEQ permit as required under Clean Water Act regulations. The condition of the facility was extremely poor with corroded pipes and spilled oil on the deck. On June 15, 2008, enough oil was leaking from the facility that a sheen was visible on the surface of the water. A fisherman reported this sheen to the USCG, and a subsequent site visit by LDEQ on June 20, 2008, confirmed that oil was leaking into the adjacent waterway from the facility's outfalls. Cedyco's Bayou Dupont facility is an oil storage and production platform located to the northeast of Bayou St. Denis, close to the Plaquemines Parish line. From February 18, 2008, to May 19, 2008, Cedyco operated this facility without a Facility Response Plan, Spill Prevention and Control Plan, and LDEQ permit. A joint USCG and LDEQ inspection on February 19, 2008, revealed that the facility was in extremely poor condition with pools of oily water and emulsified oil on the deck, as well as ample evidence of extensive corrosion and leaks. The required spill response equipment was either missing or defective. For example, an absorbent boom meant to soak up oil spills had a plant growing out of it. During rain events that took place from February 19, 2008, through May 18, 2008, the deck oil made its way unimpeded into the bayou through unfiltered outfalls and cracks in the deck and containment structures. The sources of this oil were not only chronic leaks and occasional spills, but at times resulted from acute events such as the leak from the slop oil tank that occurred on May 18, 2008. The May 18 slop oil tank spill was observed by an LDEQ inspector who took photographs at the scene. During the charged period, the quantity of oil that was present on the deck of Bayou Dupont facility was sufficient to cause a sheen when rain caused the oil to wash into the adjacent waterway. Cedyco's Well #10 is located in an area of bayou adjacent to the Bayou Dupont facility. Cedyco did not properly maintain Well #10, and as a result of that negligence, the well began to leak on or about May 17, 2008. The leak continued for at least two days. Before it was contained with boom, the leak resulted in an oily sheen that was detected as far as two miles downstream from the well. The leaking oil also resulted in an emulsion being deposited on the adjacent shoreline. The court set a sentencing date for Cedyco on August 15, 2012. The case was investigated by agents of CGIS and EPA-CID and by USCG and LDEQ inspectors. The case is being prosecuted by Christopher L. Hale of the Justice Department's Environmental Crimes Section and Dorothy "Dee" Taylor of the United States Attorney's Office in New Orleans.

http://7thspace.com/headlines/413206/usdoj_delaware_company_pleads_guilty_to_unlawful_discharges_of_oil_in_jefferson_parrish_louisiana.html

USA, CA, SAN FRANCISCO, MAY 25 2012. EPA SUPERFUND SITES CAUSE NEW TOXIC PLUME CONCERNS >> NBC BAY AREA INVESTIGATION PROMPTS CANCER PROBE

stephen stock & david paredes

 [Watch the Video EPA Superfund Sites Cause New Toxic Plume Concerns](#)

 **Documents:**

- [EPA's MEW Superfund site](#)
- [EPA's "Naval Air Station \(Orion Park\) Moffett Field" Superfund Site](#)
- [EPA's Map Of The Migrating Toxic Plumes.](#)
- [Department of Defense's Letter Assigning Responsibility.](#)
- [EPA's Map Of The Two Plumes.](#)
- [Full Letter & Report From The EPA](#)
- [EPA's Standards For Safe Air Quality Involving TCE Vapor Intrusion In Buildings](#)



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NBC Bay Area's Investigative Unit's questions about toxic plumes of smoke at Moffett Field in Mountain View, prompted an official inquiry by the Cancer Prevention Institute of California.

Two plumes of toxic chemicals which have been lurking underground for three decades have now prompted an inquiry by California's cancer registry after NBC Bay Area's Investigative Unit began asking questions. The two plumes make up two different Environmental Protection Agency (EPA) registered Superfund sites in and around NASA Ames' Moffett Field in Mountain View. The Superfund sites are commonly known as "Middlefield-Ellis-Whisman (MEW) Study Area" and "Naval Air Station (Orion Park) Moffett Field." The toxic underground plumes

consist mostly of a chemical called Trichloroethylene (known as TCE), a cleaning solvent once commonly used by the military and the budding semi-conducting industry 30 years ago. The EPA says that TCE is a toxic solvent that causes cancer in people and heart deformities in unborn babies. After NBC Bay Area's Investigative Unit began asking questions in April, 2012, about possible health effects of the TCE plumes the Cancer Prevention Institute of California (CPIC) opened its own probe. The cancer registry confirms that after NBC Bay Area asked about possible health effects among people living and working near and above these two plumes that it began investigating whether those Superfund sites under and around Moffett Field could be making people sick. Though TCE is still used in some industrial application its use and disposal is now closely regulated. The CPIC has already notified the local health department, Santa Clara County's Department of Health, of its investigation. The CPIC is now running statistical models using Census Bureau tract data matching health data to see if there is a higher than expected incidence of cancer or other illnesses among those people living in the vicinity of the Superfund sites. California's cancer registry wants to know from health data if the number of cancer cases and other illnesses among those living on top of and nearby these plumes are statistically higher than other similar neighborhoods in America. But resident Jane Horton doesn't want to wait, she wants the entire site cleaned up now. "My youngest one was very, very ill for 8 months and they never figured out what was the matter with him," Horton said. Horton said no one could tell her officially what made her son sick. But she thinks she knows exactly what caused her son's illness.

Trichloroethylene or TCE.

"I think it was TCE," Horton said. "So, in my son's bedroom, it (TCE) was collecting like crazy. his bedroom was the most contaminated room in the house." The EPA confirms that the contamination came not from the drinking water, although TCE is there as well. But no one was drinking the contaminated water. Instead, TCE in the groundwater seeped up through the ground and collected in buildings and homes. Horton finds no small irony that her children may have been put at risk through chemical vapors coming from the very soil where they played. The EPA calls it vapor intrusion where TCE filled air accumulates inside buildings and homes. In Jane Horton's homes, at times, the EPA measured concentrations of TCE in the air that was 3.7 times the level that the EPA considers safe. All around this area where the two Superfund sites are located, the problem of toxic vapor intrusion remains. In fact, the EPA says it has tested about 20 buildings on the NASA Ames campus for high levels of TCE. Those results have not come back yet. EPA's Superfund project manager on this project, Alana Lee, says there are at least another 30 buildings at Moffett Field to test. "It (TCE) is a toxic chemical, and a human carcinogen, and so it does pose a potential health risk to those who would breathe the vapors," said Lee who serves as the EPA's project manager overseeing what has become a multi-decade and very complicated cleanup. When asked about Jane Horton's concern over her family's health and the effects the TCE vapor intrusion might have on them, the EPA's Lee said "We're concerned as well." The EPA now says the plume of TCE contaminating the groundwater of Mountain View has migrated over the years. The EPA says that monitoring wells around the site show the toxic chemical plume as part of the MEW Superfund site has now moved underground towards San Francisco Bay under NASA's Moffett Field. There, it joins the similar plume that makes up the second EPA Superfund site "Orion Park." Complicating matters, the EPA confirms that toxic PCBs and asbestos washing off the old decomposing Hangar One at Moffett Field have joined the two plumes of TCE in a huge underground mess in the muck. "Unfortunately, in the South San Francisco Bay Area, the contamination does adhere to the Bay muds and so forth," Lee said. "So it's very difficult over time to remove that contamination. the clean-up is complex and it will take decades to clean up the site." While the Department of Defense assigned the responsibility of cleanup of the second "Orion Park" Superfund site to the US Army, the Army does not want to take further action on the site. But NBC Bay Area's Investigative Unit has learned that though the United States Army wants to take no further action, the EPA, in a letter dated March 20, 2012, takes issue with the Army saying the Army's '..... recommendation for "No Further Action" is premature.' For more than a



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month we tried to get a comment from the Army about their role in this and plans to clean this up, but they did not respond to our questions. "There is the potential for vapors to migrate from that contaminated groundwater and up to the buildings which include residences and office buildings," said Lee. Meantime, this land remains a toxic Superfund site where people live and work every day. "This is the heart of Silicon Valley," said Lenny Siegel, Executive Director for the Center for Public Environmental Oversight, a local environmental watchdog group that has been monitoring the underground plume for years. "Cleaning it up is like cleaning up a lake one teaspoon at a time and it's going to take decades, maybe centuries to get it down to the levels that the EPA says is safe for drinking water," Siegel said. A closer look at the EPA's maps of the two plumes reveals another concern: Even as the chemicals remain underground, children at a daycare at the front gate at NASA Ames play in the dirt, located in between the two plumes, one lurking just to the west, the other just to the east. NBC Bay Area Investigative Reporter Stephen Stock asked the EPA about that. "If I was a parent of a child who plays in the dirt, should I be concerned?" Stock asked. "The data that we have shows that the groundwater contamination does not go and migrate towards that particular daycare center," said the EPA's Lee. "However, we are looking at all buildings that overlie the groundwater contamination to see if there is a potential health concern." In fact, the EPA found TCE vapor levels ten times the acceptable levels in one building at NASA Ames. The EPA has worked with NASA and the Navy to reduce that vapor and fix that problem. It plans to test for vapor intrusion on 22 other buildings on Moffett Field in the coming weeks. To educate and try to alleviate some of those concerns, the EPA and Department of Defense still hold community meetings to update residents about the Superfund sites. So far, to people such as Jane Horton, the news isn't encouraging. "Do you worry about the health of your children and your neighbors?" Stock asked Horton. "Absolutely!" she replied. Horton's old redwood built home from the early 1900's now resembles something out of the space age. You can see large pipes fed by machines located in her earthen basement running twelve hours a day, every day, sucking the TCE contaminated air out from under her house and venting it away to the outside. "I want it cleaned up to zero. I want it cleaned up now," Horton said. "I know they can do that." But Horton fears that won't happen in her lifetime. A lifetime of worry by what still lurks under the ground she walks every day. "I don't want to have cancer. I don't want my kids to have cancer," said Horton. "I don't want to have to prove that to show this is bad. There's no way to trace this to vapor intrusion because doctors don't know, doctors aren't trained, nobody knows. But how can it be healthy for you to breathe in a solvent?" The EPA agrees that there are health risks from breathing air contaminated by vapor intrusion. that is why the EPA continues its monitoring and testing of buildings in and around Moffett Field. The EPA has 112 treatment systems and monitoring wells over and around the two Superfund site areas. So far, the EPA has removed more than 100,000 pounds of the TCE chemical alone, as well as five billion gallons of contaminated drinking water from underground. Thousands of tons of earth have also been removed from the site. The EPA and the responsible parties have spent more than \$160 million dollars both investigating and cleaning up the site so far. but the EPA's Lee admits it will likely be decades more before everything is cleaned up to EPA standards. Meantime, California's cancer registry is still actively investigating these sites and is expected to report its findings in the coming months.

<http://www.nbcbayarea.com/investigations/EPA-Superfund-Sites-Cause-New-Toxic-Plume-Concerns-152748375.html>

USA, MT, ROCKY BOY'S INDIAN RESERVATION, MAY 25 2012. EPA RESPONDS TO REPORT OF GASOLINE LEAK INTO CREEK AT ROCKY BOY'S

EPA and tribal officials are responding to a gasoline spill that may have reached a creek in Box Elder on the Rocky Boy's Indian Reservation, according to EPA. EPA received a request for assistance from the Chippewa Cree Tribal Water Department late Monday, said Laura Williams, leader of the EPA's emergency response unit in Denver. Initial reports said 500 to 2,000 gallons had leaked but those numbers have not been confirmed, Williams said. EPA dispatched an on-scene coordinator to the area from Denver and Williams said she still had not received word on the severity of the spill as of 5 p.m. Wednesday. The gasoline leak occurred at the Bear Paw Pastime store, she said. "At the time, they thought the leak was small but later on it turned out it was actually a much larger area than they had thought," Williams said. EPA is responding because "it looks like there might be a sheen on a creek," she said.

<http://www.greatfalltribune.com/article/20120523/NEWS01/120523014/EPA-responds-report-gasoline-leak-into-creek-Rocky-Boy-s>



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