



## Dangerous Goods - Hazardous Materials Group & Network Release 2012 – 866 Newsy Stuff

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

**August 5 2012**



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Australian Convenience & Fuel Industry Conference 2012  
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### AUSTRALIA, VICTORIA, MELBOURNE, JULY 20 2012. BOWSER HORROR CLAIMS WOMAN'S LIFE >> WOMAN KILLED AT NORTHCOTE PETROL STATION

paul millar

 **Watch the Video** [Woman Killed at Northcote Petrol Station](#)

The scene of this morning's tragic scene at a Northcote petrol station this morning as a woman was killed after her car rolled and pinned her against a bollard.



A teenager watched in horror as her mother was killed in a freak accident at a Northcote service station this morning. The girl was a passenger in the family car when it rolled back, pinning her 45-year-old mother against a concrete bollard, where she was crushed to death. Shaken staff at the Caltex service station were in tears and too traumatised to talk about the accident, which happened about 8am. A witness said the woman had parked her car on an incline at the High Street service station. "The car has then rolled back on her, pinning her against the bollard," the witness said. Paramedics were called to the scene after receiving a report that a woman had been hit by a car but she was dead by the time they arrived. [Radio station 3AW](#) reported the woman had just waved goodbye to her nephew, who was getting on a tram, and had her daughter in the car when she noticed her Toyota Sedan rolling. When she tried to stop it, the Preston woman was pinned between the vehicle and a concrete pillar. Police will prepare a report for the state coroner. A spokeswoman for Caltex offered the company's condolences to the family of the deceased. "We are offering support and counselling services to our people, including the franchisee and staff member present at the time of the accident," she said.

<http://www.theage.com.au/victoria/bowser-horror-claims-womans-life-20120720-22dyy.html>

### NIGERIA, DELTA STATE, OROBIRI, JULY 20 2012. SHELL TO CHALLENGE NIGERIA OIL SPILL FINE



*Villagers stand next to crude oil collected in containers at the shore of the Atlantic ocean near Orobiri village, days after a Royal Dutch Shell's Bonga off-shore oil spill, in Nigeria's delta state.*

Shell will challenge a \$5.0 billion (four billion euro) fine imposed by Nigeria over an offshore oil spill last year, a company statement seen by AFP said. The December leak at the Bonga oilfield spilled roughly 40,000 barrels of crude into the Gulf of Guinea, Nigeria's worst offshore spill in more than a decade. When the penalty was announced earlier this week, Shell insisted there was no basis for the fine since the company had acted quickly to contain the spill. The latest statement by the local Shell Nigeria Exploration and Production Company (SNEPCo) gave the first indication that the firm planned to contest the decision. "SNEPCo will challenge

any attempt to impose such a penalty," the company's Managing Director Chike Onyejekwe said in the statement. The company has said the source of the leak was a flexible line linking a production vessel to a tanker. Peter Idabor, the head of the state-run National Oil Spill Detection and Response Agency (NOSDRA), told AFP Thursday that Shell's failure to maintain that line, or hose, amounted to negligence that could not go unpunished. "This type of thing cannot be done, anywhere, without a fine," he said. Idabor further charged that thousands of people who rely on the ocean for their livelihood have been negatively affected, adding that "health impacts" had been reported. Shell however dismissed that claim. "Some parties are alleging that oil from the spill impacted communities, the shoreline, rivers and creeks," Onyejekwe said. "It was oil from a third party spill that impacted some parts of the shoreline despite SNEPCo's efforts to tackle it," he added. Many delays are expected before the case is resolved and Idabor said he is due to brief President Goodluck Jonathan in the coming days about



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the landmark penalty. The Bonga oil field, which has a capacity of 200,000 barrels per day, is located some 120 kilometres (75 miles) off the coast of Nigeria, Africa's top oil producer and the eighth largest in the world.

<http://www.timeslive.co.za/africa/2012/07/19/shell-to-challenge-nigeria-oil-spill-fine>

#### MID-ATLANTIC JULY 20 2012. MSC FLAMINIA - EXPLOSION CREW LANDED

Thanks to Captain John Hosty CHMM Master Mariner, Director, Training and Environmental Preparedness of the the Warsash Group Cell (905) 320 3861 [www.warsash.ca](http://www.warsash.ca) for the "Heads Up" on this tragedy.

- SMIT's firefighting tugboat Fairmount Expedition reached the MSC Flaminia at approximately 11:00 a.m on Tuesday and immediately commenced fire-fighting operations on the still burning box ship.
- Shipping community sources say the explosions on board the Flaminia could be a result of hazardous cargoes undeclared in the manifest, an increasing problem for the shipping industry.
- The extent of damage to the MSC Flaminia and its cargo still cannot be determined, however, pictures taken by the crew of the M/V Hanjin Ottawa indicate that neither the superstructure, engine room, stern section or forecastle of the ship have been directly affected by the explosion or fire.



The MSC Flaminia boxship, heading from Charleston to Antwerp and Felixstowe, suffered an explosion and fire on July 14 that killed an officer and forced the rest of the crew to abandon ship. The VLCC DS Crown rescued 24 crew from a life-raft, of whom four were injured. One of the latter subsequently died of his injuries, and the other casualties were evacuated by helicopter to the Azores. A second explosion on July 17 has hindered rescue operations, according to German owner NSB Niederelbe, and a full investigation into the cause will not be possible until the ship is back in port. The last explosion happened near the first, but the exact location could not be determined due to the dense smoke. According to NSB, the explosions and subsequent fire have not resulted in the total loss of the ship, and it seems neither the superstructure nor the engine room, the stern section or the forecastle of the ship were directly affected by the fire or the explosion. However, NSB added the salvage captain has not yet finished assessing the condition of the vessel. Shipping community sources say the explosions on board the Flaminia could be a result of hazardous cargoes undeclared in the manifest, an increasing problem for the shipping industry. Dutch salvage company Smit has sent two firefighting tugs to the stricken vessel, and a third will help stabilise and tow it back to Europe once the fire has been extinguished. The second engineer of NSB's ship Hanjin Ottawa, which is also at the scene of the incident, will remain with the salvage team to accompany the vessel back to port. He will also be responsible for reactivating the firefighting systems on the vessel, NSB said. On July 19, NSB issued a press release saying 18 crew and two passengers from the vessel had been landed safely at Falmouth from the DS Crown, concluding: "Reederei NSB would like to thank the captain and crew of DS Crown for the rescue and provision of aid to the crew and passengers of MSC Flaminia. During this dramatic rescue, they have shown extraordinary dedication and proven their excellent nautical skills."

#### Related Links

- [MSC Flaminia remains generally intact. Will it affect the insurance...](#)



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- Reportedly Smit signed a salvage contract with German company NSB Niederelbe, which is operating boxship MSC Flaminia, ...
- [MSC Flaminia, second explosion. Swedish Club got a strong card...](#)  
Early in the morning July 17 boxship Hanjin Ottawa reached MSC Flaminia, followed by salvage tug Fairmount Expedition, said...
- [MSC Flaminia adrift billowing thick smoke, one more death ...](#)  
Falmouth Coastguard received the relayed mayday broadcast from boxship MSC Flaminia reporting that the crew on ...
- [Box lines wait for answers about MSC Flaminia blast - Lloyd's List](#)  
Three hurt in mid-Atlantic accident in hospital as Hanjin Ottawa arrives to aid salvage operation.
- [Explosion rips MSC box ship in North Atlantic -- all hands abandon ...](#)  
Explosion rips MSC box ship in North Atlantic -- all hands abandon ship.... The 75k gross ton container ship, MSC Flaminia, is adrift and ...
- [Boxship ablaze in Atlantic - Tradewindsnews.com](#)  
The crew of NSB Niederelbe's 6732-teu MSC Flaminia (built 2001) have ... German boxship owners are on the verge of being knocked off their ...
- [MSC Flaminia Update: Blast Leaves Two Dead, Three Injured ...](#)  
The 6750 teu box ship, MSC Flaminia. Wednesday Update: Photos Reveal Damage to MSC Flaminia After Blast, Firefighting Efforts Underway ...

<http://www.shiptalk.com/?p=12031>

#### CHINA, SHANGHAI, JULY 20 2012. DANGEROUS GOODS TRANSPORT VIOLATIONS FALL

*zha minjie*

Shanghai Traffic Law Enforcement Team said today they have handled 373 traffic violation cases involving the transportation of dangerous goods so far this year – a 10 percent decrease year on year. During crackdowns officials found some transport operators do not equip the vehicles with GPS as required. Or in some cases the records on the GPS did not reflect the actual routes taken by the vehicles. Officials said the real-time supervision systems will be alerted once vehicles carrying dangerous or chemical goods take wrong routes or park at restricted areas. Violators will be fined more than 100,000 yuan if caught three times, the traffic authority said.

<http://www.shanghaidaily.com/article/?id=506788&type=Metro>

#### USA, WA, SEATTLE, JULY 20 2012. 55 YEARS AGO, 6 STOOD UNDER ATOMIC BOMB BLAST -- ON PURPOSE

*jim gold*

 [Watch the Video 5 Men & a Cameraman Stand Directly Under an Atomic Explosion](#)

Fifty-five years ago today, five Army officers and a photographer stood directly under a 2-kiloton atomic blast at the Nevada Test Site, about 65 miles northwest of Las Vegas, and survived. The five officers, who volunteered for the duty, and the cameraman, who did not, designated the July 19, 1957, test site with a hand-lettered sign as "Ground Zero, Population 5," KPLU, a Seattle/Tacoma-based NPR station, said in a story marking the 55th anniversary of the blast. The intent of the Cold War test was to film the officers surviving the blast and convince U.S. military leaders of the time that using low-grade nuclear missiles in the air would be relatively safe for people on the ground, KPLU reported. A movie, obtained from government archives by [AtomCentral.com](#), shows two F-89 jets zooming into view and one shooting off the missile carrying the atomic warhead. The officers are shown waiting during a countdown for the missile to detonate 18,500 feet above them. One officer, wearing sunglasses, looks up as the warhead explodes, at first in silence, followed by a roar, after which the sky goes black and the air turns to fire. The movie narrator shouts: "It's happened! The mounds are vibrating. It is tremendous. Directly above our heads!" KPLU said the film was shot at the direction of Col. Arthur B. "Barney" Oldfield, public information officer for the Continental Air Defense Command in Colorado Springs. KPLU listed the test participants as Col. Sidney Bruce, Lt. Col. Frank P. Ball, Maj. Norman "Bodie" Bodinger, Maj. John Hughes, Don Lutrel, and photographer George Yoshitake. KPLU said it looked for death records on the five officers and said that as far as it could determine, at least two of them lived relatively long lives. The test was one of many that the government conducted with live participants in close proximity to nuclear blasts or to



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ground zero directly after explosions. [In a 2010 interview in The New York Times](#), Yoshitake spoke about the effect of the tests on cameramen like himself who chronicled the events. "Quite a few have died from cancer," said Yoshitake, then 82. "No doubt it was related to the testing."

#### Related Links

- [How Not To Watch an Overhead Nuclear Test](#)
- [5 Volunteers Stood Underneath an Atomic Explosion and Lived](#)

<http://usnews.msnbc.msn.com/news/2012/07/19/12834002-55-years-ago-6-stood-under-atomic-bomb-blast-on-purpose>

### USA, TX, PORT ARTHUR, JULY 21 2012. FORMER PRESIDENT OF PORT ARTHUR ENVIRONMENTAL COMPANY CHARGED WITH CONSPIRACY

heather nolan



*Port Arthur police cars were parked at the driveway to Port Arthur's CES facility on S. Gulfway Drive after the plant was shut down Tuesday morning to be investigated by federal agencies.*

The former president of Port Arthur Chemical and Environmental Services is named in a 13-count federal indictment, charged with conspiracy to illegally transport hazardous materials, according to a news release from the U.S. Attorney's Office. According to the indictment, Matthew Lawrence Bowman, 41, of Houston, was president and owner of the company, located on Gulfway Drive in Port Arthur, which was in operation from about November 2008 to November 2010. The company produced and sold caustic materials to paper mills. The company also is named in the indictment. The indictment describes a scheme in which hazardous materials were illegally transported with false documents and without placards, according to the news release. The indictment also says workers were

not properly protected from exposure to hazardous gases. The exposure resulted in the deaths of two employees, who were truck drivers, at the Port Arthur facility on December 18, 2008 and April 14, 2009, according to the news release. Both deaths are attributed to exposure to hydrogen sulfide. According to the indictment, Bowman was responsible for approving and directing production operations, the disposal of hydrogen sulfide wastewater, employee safety precautions, and in some cases, personally handled the investigation of work-related employee injuries. He also directed the transportation of the company's wastewater and determined what safety equipment could be purchased or maintained, the news release said. The conspiracy and substantive counts of the indictment each carry a maximum possible sentence of five years in prison and a \$250,000. The corporation could be fined up to \$500,000. Court records show the company and Bowman were indicted in April. The indictment was unsealed Wednesday.

#### Related Links

- [Defunct facility, owner named in federal indictment](#)
- [Ex-head of Southeast Texas chemical plant indicted](#)
- [Former CES Environmental CEO charged in toxic transportation case](#)
- [Former president of Port Arthur environmental company charged with](#)
- [Port Arthur man charged in environmental violations | abc13.com](#)

<http://fuelfix.com/blog/2012/07/19/former-president-of-port-arthur-environmental-company-charged-with-conspiracy/>

### SCOTLAND, ABERDEEN, JULY 21 2012. OIL SPILL AT OSPREY FIELD

An oil spill in the North Sea's [Osprey field](#) was confirmed by the UK's Department of Energy and Climate Change (DECC) over the weekend. The spill, reported on Friday by Fairfield Energy, was discovered when a hydrocarbon sheen was seen in the vicinity of the Osprey subsea manifold which feeds back to the Dublin Alpha installation on Tuesday last week. The installation is located around 120 miles northeast of the Shetland Islands and is operated by AMEC on behalf of Fairfield. Fairfield said that two on-line wells at the Osprey have been closed in response to the spill. The firm and its partners are making efforts to identify the source of the oil, and a specialist vessel with a remotely-operated vehicle onboard is being mobilized to the



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location of the spill. An ongoing series of aerial observations is also taking place. Fairfield estimates that up to 8.7 tons of oil has been released into the sea. DECC said that all relevant authorities have been notified, while it continues to monitor the incident.

[http://www.rigzone.com/news/article.asp?a\\_id=119340](http://www.rigzone.com/news/article.asp?a_id=119340)

#### GHANA, LASHIBI, JULY 21 2012. EXPLOSION KILLS ONE AT LASHIBI

vincent kubi



*Kofi Ackaah receiving treatment at the hospital.*

Trauma Erupted residents of Lashibi in Tema, when a fuel tank exploded, killing a welding apprentice and injuring another in the process. The deceased, Peter Boafo, 21-year-old junior apprentice died while one Kofi Ackaah, a 28-year-old senior apprentice sustained severe burns at his back and most part of his body when he attempted to weld a locker on a vehicle fuel tank. The incident was said to have occurred at a welding shop near Shalom Spot, a popular Junction in Lashibi, when Kofi attempted to connect the unregistered articulated truck fuel tank with an electronic welding machine to fix a locker on the tank. It exploded with fire which carried Boafo away to hit a motionless vehicle at the welding shop. Kofi, the senior apprentice at the welding workshop was said to have been entangled by a wild inferno causing leaving burns on him. The victims were both said to have been initially rushed to the Sakumono Hospital in Tema, with Boafo later consigned to Korle-Bu Teaching Hospital in Accra, where he was pronounced dead after surgeons tried effortlessly to save him. Kofi however, responded to treatment at the Sakumono Hospital. Confirming the incident, Superintendent Alex Wowolo, Sakumono District Police Commander told DAILY GUIDE that the incident happened last Wednesday at about 5:45 pm when the deceased attempted to weld a locker on the fuel tank of the DAF articulated truck. According to him, some of the exploded pieces of the fuel tank hit Boafo in the chest carrying him a distance away from the scene of the incident with Kofi caught by fire on his body, adding that investigations were underway to ascertain further needed information. The Workshop proprietor, Mr. Isaac Banafo told Daily Guide that the exploded fuel tank came with 'serious fire' which burned the senior apprentice at his back with the junior apprentice thrown away by the force which accompanied the explosion hitting him on the motionless vehicle. The proprietor, who expressed shock about the incident, continued that they searched around the shop to discover the deceased under one of the parked vehicles after which they rushed him to the hospital. "Some of the exploded tank pierced Boafo in his face and some part of his body and sustained burns on his body as well." Mr. Banafo explained. When Daily Guide visited the workshop, working activity at the yard had come to a halt as some of the apprentices were yet to come to terms with the deadly incident. They expressed shock and anxiety at the manner the incident occurred praying that it never occurred again.

<http://www.dailyguideghana.com/?p=56075>

#### ENGLAND, SOUTHAMPTON, FAWLEY, JULY 21 2012., ESSO FACES CHARGES OVER REFINERY DEATH

caroline binham



*Fawley refinery.*

[ExxonMobil](#)'s UK subsidiary, Esso, will face criminal charges relating to the death of a fuel-tanker worker at one of its refineries in 2008, the UK's Crown Prosecution Service has said. Esso faces three counts of breaching health and safety regulations, while Austin & McLean, a company that Esso used to inspect the equipment involved in the death of the Honduran man, is to be prosecuted for corporate manslaughter, the CPS said in a statement on Friday. Juan Antonio Quintanilla Romero was working on a fuel tanker at Esso's Fawley refinery near Southampton when a fuel pipe collapsed on him after breaking loose from a jib because of a corroded bolt, the CPS alleged. Mr Romero was 40 when he died in August 2008. Gaon Hart at the CPS said: "I have very carefully considered the evidence and have decided that Austin & McLean should be charged with offences



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including an offence of gross negligence manslaughter, relating to a gross breach of their duty of care towards Mr Romero. "I have also decided that Esso should be charged with Health and Safety at Work Act 1974 offences including those under sections 2, 3 and 4 relating to a failure to ensure, so far as is reasonably practicable, the health and safety at work of employees and visitors." [Corporate manslaughter convictions are unusual](#). New legislation that came into force after Mr Romero's death has seen only two convictions. The second company to be convicted of corporate manslaughter under the new act, Lion Steel, is being sentenced on Friday in Manchester. Austin & McLean is being charged under the previous common law, where fines of at least £500,000 can be expected if a gross breach is proved. Similar-sized fines can be levied for breaches of health and safety regulations. Representatives from both companies will appear at a magistrates' court in Southampton in September. Both companies deny the charges. Austin & McLean said in a statement: "The accident occurred when a crane being used to support a large-diameter hose for unloading oil from a tanker ship failed. Mr Romero, a seaman working on the ship, was fatally injured. At the time of the incident Austin & McLean Limited was contracted to carry out inspections of lifting equipment at the terminal. The last scheduled six monthly inspection of the crane involved in the accident was undertaken on 19 March 2008." Exxon said in a statement: "We have co-operated fully with the investigation for over three years. We have a detailed understanding of the facts and circumstances pertaining to the incident and do not believe that the health and safety regulatory charges are justified. Esso places the highest possible priority on safety. Our safety performance remains strong in the industry and we are fully committed to safe operations at our sites."

#### Related Links

- [Seaman dies in refinery incident](#) 30 August 2008, Hampshire
- [Charges brought after Fawley death](#)
- [Austin & McLean and Esso to be charged in relation to the death of Juan Antonio Quintanilla Romero](#)
- [Esso To Be Prosecuted Over Sailor Death](#)
- [Esso To Face Court Over Sailor Death](#)
- [Esso faces charges over refinery death](#)

<http://www.ft.com/cms/s/0/f113e9c6-d258-11e1-ac21-00144feabdc0.html#axzz21CKMO99D>

#### **NIGERIA, RIVERS STATE, PORT HARCOURT, JULY 21 2012. 30 FEARED DEAD IN OIL VESSEL EXPLOSION**

*ernest chinwo*



##### *Sympathisers watching the burning vessel.*

Another tragedy struck Port Harcourt, Rivers State capital Friday, as multiple fire incidents and explosion wreaked havoc in four different locations in the city. A vessel went up in flames at the Abuloma Jetty. The resultant explosion sent shivers down the spines of residents of the area as about 30 persons on-board were feared dead. The exact number of persons on-board the vessel could not be determined, but it was learnt that crew members, welders who came to carry out maintenance work on the vessel and some ladies suspected to be students from higher institutions in the state were among those who lost their lives in the inferno.

This came as the Joint Taskforce (JTF), known as the Operation Pulo Shield in the Niger Delta, set five tankers used for illegal bunkering on fire along the Eneka-Igwuruta road in the city. In the vessel incident, This Day gathered that three persons who managed to jump into the river were rescued and were rushed to the hospital by an ambulance belonging to the Rivers State government, although they were still unconscious. Eyewitnesses said the vessel explosion occurred at about 9.45am Friday, when the vessel had berthed to enable welders carry out a maintenance work, following a leakage noticed on the ferry. One of the eyewitnesses, who gave his name as Iyke Mo, said the welders were trying to seal an opening on the vessel's fuel tank, when the explosion occurred. Two other smaller vessels near the vessel that exploded also went up in flames, but people around there used water pumping machines to put out the fire on the two ferries. Five hours after the incident, men from the Rivers State Fire Service arrived the scene, but it was difficult to put out the fire because their vehicle could not access the vessel. As at 2pm when This Day left the scene the fire was still raging. The eyewitness said that the explosion threw one of the welders several feet above the vessel, even as the victim crashed back into the raging fire, adding that the vibration from the explosion affected buildings in the area. "I was in my house when I heard the explosion. My room vibrated from the explosion. When I rushed out of my room, People were shouting fire and I saw



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thick smoke covered everywhere," lyke Mo said. Another eyewitness, Isaac Sanko said: "The fuel tanker of the ship was not properly washed and flushed before the welding work began. There are several people inside it (vessel). Some girls inside too." Commenting on the incident, the Rivers State Sector Commander, Federal Road Safety Commission (FRSC), Dr. Kayode Olagunju, said, "An oil vessel around 9:45hrs caught fire and exploded at the Abuloma Waterfront in Port Harcourt. Fire still restricted to water area. "FRSC, NEMA, Police, fire service and other rescue agencies on the ground. Casualty figure not known yet," Olagunju said. On its part, the National Emergency Management Agency, NEMA while confirming the explosion said casualty could not be ascertained at the time of filing this report. Regional Coordinator of NEMA, South-South, Mr. Emenike Umesi, said, "We have not been able to ascertain how many persons involved in the explosion. NEMA and other relevant agencies are still on rescue work after which we will make public how many persons that may have died."

<http://www.thisdaylive.com/articles/port-harcourt-30-feared-dead-in-vessel-explosion-as-fire-destroys-rhythm-fm/120461/>

### AUSTRALIA, VICTORIA, MELBOURNE, JULY 21 2012. MERCURY CONTAMINATION DELAYS EXXON MOBIL'S BASS STRAIT GAS PROJECT

ross kelly

Exxon Mobil is learning that it's not just ships that can suffer in the treacherous seas that separate Tasmania and the mainland. Persistent mercury contamination of gas beneath the Bass Strait sea floor has forced Exxon and two Australian partners to consider building mercury removal equipment, causing project delays and cost overruns. Mercury is a curse of gas producers around the world and Australia is no exception.

<http://www.theaustralian.com.au/business/wall-street-journal/mercury-contamination-delays-exxon-mobils-bass-strait-gas-project/story-fnay3vxi-1226431246458>

### USA, MISS, JACKSON, JULY 21 2012. WELL LEAKING HYDROGEN SULFIDE IN WAYNE COUNTY

Emergency officials say a natural gas well is leaking hydrogen sulfide in [Wayne County](#) and officials have evacuated everyone within a mile radius and shut down the airspace in the area. The Mississippi Emergency Management Agency says in a news release that the evacuation effected seven houses and 27 people. They were put up in hotels by the well operator Escambia Operating Co. LLC. MEMA spokesman Jeff Rent says there was no explosion and workers are attempting to stop the leak. MEMA says hydrogen sulfide is a poisonous, flammable gas which gives off the smell of rotten eggs. It can deaden a person's sense of smell so a potential victim may be unaware of its presence.

<http://www.sacbee.com/2012/07/20/4645479/well-leaking-hydrogen-sulfide.html>

### CANADA, AB, CALGARY, JULY 21 2012. ALBERTA TO REVIEW PIPELINE SAFETY 1

dave dormer



*A cylindrical component sits on blocks at the site where a cancelled BA Energy upgrader would have been located, west of Bruderheim, Alberta on January 11, 2012.*

Alberta's pipelines will be put under the microscope by an independent third party chosen by the Energy Resources Conservation Board, provincial Energy Minister Ken Hughes announced Friday. "The review will focus on the following three aspects," he said. "First, how pipeline integrity is managed, second, safety aspects of water crossings, third, spill response plans and protocols. "Let me be clear, if improvements are required, I will make sure they happen." The review is in response to recent pipeline leaks that have made headlines. The U.S. National Transportation Safety Board also recently took Enbridge to task for how it handled

an oil spill in Michigan two years ago. No timeline was set for the review, but Hughes said he expects it will take "months" to complete. "It could lead to improved regulatory oversight," he said. "It could lead to improved enforcement and certainly the industry will be responding as well." There are 400,000 km of pipeline running throughout Alberta. Hughes wouldn't reveal which third-party company will be tasked by the ERCB to undertake the review. "We will in due course and in the very near future," he said. The findings will be released to the public. "The role of the government of Alberta is to make sure that our regulations are hitting the mark in keeping Albertans and the environment safe," said Hughes. "Then our role is to also ensure regulations are enforced and followed." Hughes said he met with industry leaders this week to go over the parameters of the



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inquiry. "The spotlight is on pipelines and I have challenged the industry, they need to perform," said Hughes. "The scrutiny is at a level we have never seen before." While welcoming the review, Wildrose energy critic Jason Hale said the move wasn't thorough enough. "We support this kind of pipeline review, but we need more information," he said. "Pipelines remain the safest, most secure way to move our product to market. "It's imperative that our network is reviewed."

<http://www.torontosun.com/2012/07/20/alberta-to-review-pipeline-safety>

### USA, S.C, ANDERSON CO, BELTON, JULY 22 2012. TANKER OVERTURNS NEAR BELTON; RESIDENTS EVACUATED

kirk brown & nikie mayo

[Watch the Video Tanker Truck Overturns in Anderson County](#)



Crews worked all night to pump fuel out of overturned tanker.

A tanker carrying more than 8,000 gallons of gasoline overturned late Friday night near Belton, spilling fuel and forcing at least 20 families to evacuate their homes. The tanker flipped in a curve just north of the intersection of Murphy Road and S.C. 247. A company employee at the scene said the tanker is owned by Anderson Transportation and had left from a tank farm on S.C. 20. The wreck happened just before 10 p.m. and blocked both lanes of Murphy Road. A Belton paramedic at the scene said the driver of the tanker was unhurt. The driver's identity was not available Friday night. Families nearest the wreck site — on Murphy Road, Toney Creek Road and New Hope Road were all ordered to evacuate their houses. The Rev. Donnie Gambrell, the minister at nearby New Hope Baptist Church, said he got a call from one of the emergency responders.

He was asked to open the church Friday night so displaced families would have some place to sleep. Dozens of emergency responders went to the scene, including firefighters from the Cheddar and Friendship stations and county Fire Chief Billy Gibson. The South Carolina Highway Patrol was working to piece together the details of the crash. The South Carolina Department of Health and Environmental Control had also been dispatched to the scene. Fuel was still spilling from the tanker at 11 p.m. The scent of gasoline wafted in the air more than a quarter-mile away from the crash site.

<http://www.independentmail.com/news/2012/jul/20/residents-evacuated-after-tanker-overturns-near/>

### USA, TX, LUBBOCK, JULY 21 2012. FEDS GET OK FOR ABSOLUTE FUELS CEO'S ARREST ON WIRE FRAUD CHARGE

walt nett



A federal judge in Lubbock has authorized arresting Jeffrey David Gunselman, former chief executive officer of Absolute Fuels, on wire fraud charges for allegedly selling renewable fuel credits without producing the biodiesel to back up those sales. U.S. District Judge Sam R. Cummings signed the federal complaint Tuesday; it was filed and became public Friday. Gunselman's name did not appear in a check of the Lubbock County Detention Center online roster at 6 p.m. Friday. An attempt Friday night to reach Lubbock attorney Jeffrey Peck, who has been identified previously as Absolute Fuels' corporate counsel, was unsuccessful; a reporter who called Peck's office got a message the attorney's voice mailbox was full. The investigation became public knowledge last October when criminal investigators from the Environmental Protection Agency and the Secret Service raided Absolute Fuels' office building, several company refining facilities and Gunselman's home. Agents seized computers, heavy equipment and fuel testing devices from the company locations. At Gunselman's

home, agents searched and seized several luxury vehicles and took computers from his home. Agents also seized numerous bank accounts and Gunselman's Gulfstream private jet, reportedly the largest private aircraft based at Lubbock Preston Smith International Airport, and a \$129,000 Shelby Cobra Roller "muscle car" Gunselman gave San Antonio Spurs player Tony Parker. The 13-page federal complaint and supporting affidavit, signed by U.S. Secret Service Special Agent Michael Fiveash, says the two agencies have been investigating Gunselman since October for suspicion of wire fraud and criminal violations of



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the federal Clean Air Act. It alleges Gunselman's company never made any saleable biodiesel, but sold renewable fuel credits worth some \$50 million to various refiners. It also identifies 13 Gunselman-controlled limited liability companies as corporate defendants. The complaint also alleges Gunselman, his business interests, and other unnamed people connected with him, used money obtained from the scheme and "used it to buy real and personal luxury property and commodities in excess of \$30 million." Fiveash's affidavit follows a trail of paper documents and e-mails on one allegedly fraudulent \$570,000 sale of fuel credits to a refiner, and statements from a man identified as Absolute Fuels' production manager, Johnny Porras, to support the criminal complaint. According to the affidavit, Gunselman personally worked online to pull a deal together to sell 1 million credits — known in the energy industry as Renewable Identification Numbers, or RINs — to the refiner without really having the fuel to match the credits. RINs were used as a way for refiners to report to the EPA that they'd bought various forms of biofuels — including biodiesel and ethanol — to be mixed with fossil fuel-based petroleum products in compliance with federal renewable fuel use mandates. The deal with the refiner included several missteps, including a botched wire transfer, leading to the refiner sending Gunselman a check. Federal agents found the check's memo document in Gunselman's desk, while a laptop agents seized in Gunselman's Mercedes Benz had electronic documents related to the deal. In the course of that transaction, the affidavit says, Gunselman reported to the EPA's electronic transaction cleaning house Absolute Fuels had made more than 768,000 gallons — equaling more than 1.15 million renewable fuel credits. The fuel didn't exist, as Porras told federal agents in an Oct. 17, 2011, interview, when he told agents the company's plant near Anton had never made fuel "that has passed quality testing and been accepted by a customer." According to the affidavit, Porras also said Gunselman gave him a performance evaluation, noting Porras had not made "a single drop" of saleable biodiesel.

[http://lubbockonline.com/crime-and-courts/courts/2012-07-20/feds-get-ok-absolute-fuels-ceos-arrest-wire-fraud-charge#.UAtRLQ\\_8rU](http://lubbockonline.com/crime-and-courts/courts/2012-07-20/feds-get-ok-absolute-fuels-ceos-arrest-wire-fraud-charge#.UAtRLQ_8rU)

#### USA, KS, WICHITA, JULY 22 2012. INJURED GODDARD MAN: FIREWORKS 'NOT WORTH THE THRILL'

simina mistreanu



*Dr. Kumar Dalla checks out a patient's eyes at his office Friday. On the 4th of July he got 25 calls for eye injuries caused by fireworks.*

It was supposed to be the usual Fourth, with family fun and fireworks, for Brian Bean of Goddard. Bean, 40, was celebrating Independence Day at home with his wife, two boys and other family members and friends. He was in charge of fireworks — as always. Around 9 p.m., he set up a few mortar tubes. He lit the first one and was reaching for the second one's fuse.

##### **Then it Happened.**

The first mortar tube exploded almost instantaneously after Bean lit its fuse, without the usual few-seconds delay. The force blew Bean's hat off, separating it from its bill. The blast shot pieces of shrapnel deep into his skin and particles of

gunpowder into his eyes. It burned his cheeks, eyes and forehead. It deafened him. "As soon as the thing exploded, I couldn't see," Bean said. "My eyes were so swollen. You physically had to pry them open." His family took him to the Wesley West clinic, at the corner of 13th and Tyler. From there, he went to Wichita Vision Institute, where he was seen by physician Reena Patel. She and physician Kumar Dalla ultimately treated Bean.

##### **It was a Busy Night for the Doctors.**

"Between 6 p.m. and midnight I got called by 25 patients," Dalla said. "(They were injured by) every type of firework that you can imagine. Everything from regular sparklers to Roman candle, to mortar, to rocket." Most of the patients were young men, but there also were a few children: a 3-year-old, a 4-year-old and a 5-year-old. The doctors spent the night doing eye surgeries. Bean's eyes were still swollen shut when he reached the Vision Institute. He said his ears were ringing and everything hurt. On a scale of 1 to 10, he rated his pain a 10. Over the next two weeks, he would have three eye surgeries and plastic surgery. The pain would remain a 10. Bean was always careful with fireworks. He stored them properly, inspected them, checked the fuse, and even added fuse if he thought it wasn't long enough. He kept a bucket of water at hand every time he shot, and he taught his boys — an 8-year-old and a 5-year-old — to make sure the fireworks were out before throwing them in the trash. This year, when his older son was allowed for the first time to shoot his own small, nonexplosive fireworks, Bean assisted him and explained every step. Fireworks were Bean's thing — an amusement in which he invested thousands of dollars every year. "It's my holiday. People know that, and they come to my house because they know," he said. "I take it



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seriously. I'm not careless with the fireworks." There were about 70 calls on July 4 for injuries caused by fireworks, Wichita fire officials said. Physicians with the Via Christi emergency departments saw three cases of eye injuries caused by fireworks that day, according to spokeswoman Maria Loving. Wesley hospital saw six people with eye injuries, said spokeswoman Susan Burchill. Of the people Dalla saw on the night of July 4, none was inebriated, he said. Most patients had experienced accidents. Some happened because people thought the fireworks malfunctioned, when they were just slow to react. Two of the patients — men ages 16 and 24 — had permanent loss of eyesight. "What I want to emphasize is that even when you think you are very safe, accidents and injuries happen," Dalla said. "Even if you're careful, you can still get injured. This is dangerous stuff." Some of the particles in Bean's eyes had gone so deep that the doctors needed several surgeries to get them all out. They used needles to pick gunpowder out of the cornea. He then had cosmetic surgery to remove the shrapnel that had gone deep under his skin, around his eyes, on his cheeks and forehead. It took more than a week for the swelling around Bean's eyes to subside so that he could open them. At first, he could see only large objects but couldn't identify them. Everything was blurry. Now it's gotten better, but he has to wait until Wednesday for a post-op visit to determine his vision loss. So far, the medical treatments have cost Bean more than \$10,000. He is not sure how much of that will be covered by his insurance. He learned he might have problems with getting the insurance to cover his plastic surgery, which could be considered an improvement operation, not a treatment. He also learned that his homeowners insurance, which could offset the costs caused by accidents that happened at home, only covers tenants and visitors — not the owner himself. "It's expensive and it's not worth the thrill of a \$5 mortar bomb that goes off in your face," Bean said. "It certainly has long-lasting effects. I continue to have headaches; I don't know if that will ever go away. Occasionally, my ears will ring; I don't know if that's ever going to go away." People should know that fireworks are unpredictable, Bean said. You never know exactly how they're going to react once you light them up. Some of them are of bad quality — they won't go off, or they'll explode almost instantaneously after they are lit, like the mortar bomb that injured Bean. He also thinks that sellers should be more responsible about who they sell the fireworks to and should give people more instructions on how to use them. In other words, people might want to think about alternative ways to celebrate Independence Day, Bean said, "besides blowing ourselves up."

<http://www.kansas.com/2012/07/21/2416112/injured-goddard-man-fireworks.html>

#### USA, PA, PITTSBURGH, DERRY TWP, JULY 22 2012. LIGHTNING STRIKES A GAS WELL TANK IN WESTMORELAND CO.

"In Derry Township, a lightning strike sparked a fire in a condensate tank at a non-Marcellus Shale CNX gas well near the intersection of state Route 982 and Laughlin Farm Road. "The 500-gallon fiberglass tank was struck about 3:30 p.m., according to the state Department of Environmental Protection, causing a fire that burned for an hour, melting the tank and causing a spill of about 440 gallons of oily "wet gases." "The Westmoreland County hazardous materials team used foam designed for gas fires to quell the 10-foot flames. Crews then let the fire burn itself out. Nearby residents were not affected by the fire, Westmoreland County emergency management spokesman Dan Stevens said. "The spilled gas was contained by a dike around the tank. DEP inspectors plan to visit the site this morning."

<http://www.democraticunderground.com/10741978>

#### NEW ZEALAND, CHRISTCHURCH, JULY 22 2012. RADIOACTIVE UTE STILL ON THE LOOSE

sam sachdeva



*Like This: A radioactive gauge similar to the one in the stolen ute, but the stolen one is newer and in better condition.*

A Christchurch ute with potentially dangerous radioactive material on board is still on the loose. The ute, a white Ford Courier with the registration WM1511, was reported stolen from New Brighton on Tuesday. This morning, a police spokesman said the ute had still not been located, and police were continuing to search for it. However, it was not the ute which was of major concern to police, but what was what was in the back. The ute, clearly placarded with "Class 7 Radioactive" signs was carrying a nuclear density meter. The meter had two small radioactive sources and the radioactive material was encapsulated in stainless steel. A police spokesman told The Press he understood the vehicle is owned by a private company. He said he had been told if the radioactive material was exposed it would be "about as



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dangerous as standing in front of an X-ray machine". "It's not something you want kids playing with or you don't want it broken down for scrap metal." Inspector Marc Paynter said the unauthorised removal of the radioactive material could pose a "potential public health and safety concern". "No one should attempt to operate or disassemble the gauge, due to the adverse health effects if they do," he said. "We would like to recover the gauge, fully assembled and to ensure there is no risk to the public. I appeal to the person who took the vehicle to do the right thing and let us know exactly where the gauge is so that we can have it collected". The nuclear density meter is a Troxler model 3440. Anyone with any information is urged to contact their nearest police station. Alternatively, they could call Crime Stoppers on 0800 555 111.

<http://www.stuff.co.nz/national/7322892/Radioactive-ute-still-on-the-loose>

### INDIA, VIRUDHUNAGAR, SANKARALINGAPURAM JULY 22 2012. YET ANOTHER MISHAP AT FIREWORKS UNIT, NONE HURT

Hundreds of workers escaped a major accident at a fireworks unit in Sankaralingapuram near Virudhunagar, on Friday morning. The workers were away from the accident site as they had gone for their breakfast. Pappa Fireworks in the village is involved in the manufacturing of fancy fireworks and more than hundred workers were present on Friday. The factory that has 45 small units was buzzing with activity, as the shift started by 9am. At around 9.30am, the workers took a break to have breakfast and moved out of their units. Suddenly, there was an explosion in the chemical room due to some reaction, resulting in two buildings razed to the ground. Upon hearing the huge explosion, the workers fled from the spot fearing for their lives. However, eight of them were said to have suffered minor injuries. The fire caused by the explosion quickly spread in the unit engulfing the adjacent buildings and fire tenders from Sivakasi and Virudhunagar rushed to the spot and doused the fire. Police sources said that the explosion was so powerful that it brought down two buildings in the unit premises. But the workers were lucky as they were away for breakfast. "The number of casualties would have been really high if it was not a break time. We used earth movers to check for any worker, but luckily no one was trapped inside," a [police official](#) said. "Eight of the workers sustained minor injuries like bruises when they fell down while fleeing and no one suffered any burn injuries," he added. The unit belonged to K Rajalakshmi from the locality and she had leased it to V [Kothandaraman](#) (46) from Narayanapuram near Sankaralingapuram. [Amathur police](#) have registered a case and arrested Kothandaraman.

<http://timesofindia.indiatimes.com/city/madurai/Yet-another-mishap-at-fireworks-unit-none-hurt/articleshow/15066167.cms>

### USA, UT, SALT LAKE CITY, JULY 22 2012. COMPANIES SEEK DISMISSAL OF SLC OIL SPILL LAWSUIT

Two companies linked to a massive oil spill in Salt Lake City two years ago have asked a federal judge to dismiss a lawsuit filed against them by 66 residents. [Chevron Pipe Line Co.](#) and [Rocky Mountain Power](#), in documents filed in U.S. District Court in Salt Lake City, contend the homeowners along Red Butte Creek have no claim against them. Chevron, in its brief, said it "will present evidence that will show, among other things, that plaintiffs did not suffer the injuries alleged and that (Chevron) did not engage in the 'willful,' 'malicious,' 'reckless,' and 'wanton' conduct asserted" by residents. [George Haley](#), an attorney for the oil company, declined further comment. Rocky Mountain spokeswoman [Maria O'Mara](#) told [The Salt Lake Tribune](#) (<http://bit.ly/ONS1gd>) that her company is asking the court to dismiss the suit because it was not filed on time. "We will vigorously defend against these allegations," O'Mara said. "Given the nature of the claims, we expect this will be a fairly lengthy process." Plaintiffs' lawyers did not immediately respond to requests for comment. A pipeline spill dumped 33,000 gallons into Red Butte Creek in June 2010 and killed all the fish at Liberty Lake. Another 21,000 gallons spilled from the pipeline in December 2010 and contaminated the entrance to Red Butte Gardens. The residents, who are seeking unspecified damages, claim they have suffered harm to their health, losses to home values and expenses for environmental consultants. They seek to recoup their costs and receive long-term medical monitoring. Chevron spent about \$43 million on the cleanup, penalties and other related expenses.

<http://www.sfgate.com/business/article/Companies-seek-dismissal-of-SLC-oil-spill-lawsuit-3725107.php>

### COLUMBIA, BOGOTA, JULY 22 2012. BLAST-TRIGGERED OIL LEAK CONTAMINATES RIVERS IN E. COLOMBIA

Blast-triggered oil leakage in eastern Columbia had contaminated rivers, leaving more than 120,000 residents vulnerable to water shortage, authorities said Sunday. An unidentified group sabotaged late Saturday a 780-km long pipeline at the Cano Limon Covenas oil well near Boyaca province's Cubara, leaving the small city Saravena most affected, said Mining and Energy Minister Mauricio Cardenas. Saravena is a thriving urban center thanks to foreign investment in the regional mining and oil industries in recent years. The spill seeped into both Royota and Arauca rivers, affecting the water supply to Saravena



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and its surroundings. At least 120,000 inhabitants were to face water shortage, estimated local authorities. Cardenas condemned the attack and said authorities did not yet know how much oil had spilled into the waterways. "First, we must categorically reject and condemn this new act of terrorism ... against the population, the natural resources and a resource as fundamental and essential as water," Cardenas told local RCN radio. He added that water supply would be restored soon, as workers were trying to stem the spill and clean up the polluted rivers. The river of Arauca lies along the border with neighboring Venezuela. Asked whether the spill could have affected communities in Venezuela, Cardenas said "it may have happened, but we have no official information."

[http://www.chinadaily.com.cn/xinhua/2012-07-23/content\\_6511881.html](http://www.chinadaily.com.cn/xinhua/2012-07-23/content_6511881.html)

#### USA, LA, ST. BERNARD PARISH, LA, MERAUX, JULY 23 2012. ST. BERNARD CREWS RESPOND TO FIRE AT VALERO REFINERY IN MERAUX

St. Bernard Parish fire crews responded to a fire at the Valero Refinery, the former Murphy Oil refinery, in Meraux early Sunday morning. St. Bernard Fire Chief Thomas Stone told Eyewitness News that no residents or people outside of the refinery on E. St. Bernard Highway were in danger and no evacuations were ordered. Additional reports said the fire was contained to a crude unit inside the refinery and that there were no reports of serious injuries. The situation began approximately 2 a.m. Sunday.

<http://www.wvltv.com/news/St-Bernard-crews-respond-to-fire-at-Valero-Refinery-in-Meraux-163323496.html>

#### CANADA, ONT, OAKVILLE, JULY 23 2012. POWER BOAT EXPLOSION INJURES 3 IN OAKVILLE

amy dempsey & alexandra bosanac

 **Watch the Video**

[3 Injured in Explosion at Oakville Boat Club](#)

[Oakville Boat Explosion Injures 3 Passengers](#)

 **Photo's [6]** [3 Injured in Explosion at Oakville Boat Club](#)

 **Photo's [5]** [Oakville Boat Explosion Injures 3 Passengers](#)



It was a sunny afternoon boat ride that turned an Oakville marina into a disaster zone. Three people were rushed to hospital Saturday after a power boat exploded and catapulted its passengers into the air. A 53-year-old woman sustained serious but non-life threatening injuries and was transported to a Hamilton hospital by air ambulance. A 45-year-old man was taken to hospital with moderate injuries and another man, 56, has minor injuries. "We had a boat fuelling up, and when it pulled away from the dock it blew up," said Jon Leeson, Commodore of the Oakville Power Boat Club, where the explosion occurred. The people on board "got blown straight out," he said. There is no word yet on what caused the explosion. The Fire Marshal, Oakville fire and Halton police are all

investigating the cause of the blast, which happened at about 3:30 p.m. Witnesses described hearing a loud "kaboom" and seeing thick clouds of smoke billowing from the dock. Maryse Weber was on her own boat at the Oakville club, about 10 vessels down from the fuel station, when she heard the explosion. As her husband rushed to disconnect power cords, Weber ran toward the boat that was engulfed in flames and smoke. "All you could see was black clouds," she said. "The smoke was so thick it blocked out the sun." When John O'Hara saw the smoke, he thought a building was on fire. He watched the whole thing unfold from the Rebecca St. bridge, which overlooks the marina. "There was a guy crouched over hanging on to somebody in the water," said O'Hara, who watched as a group of people hoisted a woman out and put her on a stretcher. Another man was lying on the ground beside the fuel station. "I could hear him screaming," O'Hara said. Emergency crews responded swiftly — the Water St. marina sits next door to a fire station. Police did not release any further details Saturday about the condition of the passengers, but Leeson — who has known the owner of the boat for several years — said his latest update was positive. "They'll be pretty banged up but the word I'm getting is they're gonna be OK," he said. The stretch of Sixteen Mile Creek where the boat exploded was littered with debris Saturday. By evening, the vessel had sunk to the bottom. Oakville Deputy Fire Chief Brian Durdin said it will most likely have to be taken out by crane. It is unclear how much fuel is left in the boat and how much has spilled into the creek. Authorities at the Ministry of the Environment have been notified and are



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monitoring the situation, Durdin said. Jenn Chesterton's family owns a boat they keep docked next to the fuel station. She received a call Saturday telling her that the boat had been damaged in the explosion. The 38-year-old mother of three spends most summer weekends at the dock with her husband and children — two daughters, aged 7 and 10, and a 7-week-old son. "We had a neighbourhood barbecue today or else we would have been down here with our two daughters and our son," said Chesterton. "Thank God we weren't."

<http://www.thespec.com/news/ontario/article/765756--power-boat-explosion-injures-3-in-oakville>

#### USA, FLA, TALLAHASSEE, JULY 23 2012. PURCHASERS OF CONTAMINATED SITES ARE LIABLE

*kellie d. scott*

Until recently, parties who knowingly purchased a commercial property containing petroleum or dry-cleaning contamination had a defense to liability for the cleanup costs. All they needed to do was prove the discharge was a prior act or omission of a third party and continue to exercise due care as to the contaminants on the property. However, on June 14 the First District Court of Appeal issued an opinion in *FT Investments Inc. v State of Florida Environmental Protection*, Case No. 1D11-3052, that maintains the Third Party defense found in Section 376.308(2)(d), Florida Statutes, is not an independent defense. Instead, it must be read together with the Innocent Purchaser defense found in Section 376.308(1)(c), Florida Statutes. The effect of the two defenses being read together is that a prospective purchaser in Florida can no longer knowingly purchase a property that is contaminated with petroleum or dry-cleaning solvents and claim the Third Party defense. In its decision, the court specifically stated that "the legislature expressed a clear intent that a purchaser of property must establish that he or she did not have knowledge of the petroleum contamination after making appropriate inquiry." All appropriate inquiry is a required element under the Innocent Purchaser defense if the property is purchased after July 1, 1992, in the case of a petroleum contaminated property, or after July 1, 1994, in the case of a dry-cleaning facility or wholesale supply facility. Until the court's decision, parties asserting the Third Party defense could have claimed that all appropriate inquiry was not a part of the Third Party defense and a contaminated property could be knowingly purchased and still qualify for the defense. Prior to the court's decision, most equated Florida's Third Party defense as being similar to the Bona Fide Prospective Purchaser defense for federal Superfund sites. Under federal law, new purchasers are protected from owner or operator liability under the Superfund law as long as the purchaser meets the definition of a "Bona Fide Prospective Purchaser." The federal Bona Fide Prospective Purchaser defense also requires a prospective purchaser conduct all appropriate inquiry, in accord with the recent Florida decision. However, the two defenses deviate in their implementation because the federal Bona Fide Prospective Purchaser defense specifically allows a prospective purchaser to knowingly purchase a contaminated property and still successfully claim the federal defense, unlike Florida's Third Party Defense. The court provided that its analysis "properly places the burden on prospective purchasers of petroleum contaminated property to pursue reasonable options to minimize liability, such as negotiating a lower sales price, obtaining insurance, or simply choosing not to proceed with the purchase." Consequently, it is incumbent upon any prospective purchaser to thoroughly investigate their options and available defenses prior to buying a contaminated property.

[http://www.tallahassee.com/article/20120722/BUSINESS/307220015/Purchasers-contaminated-sites-liable?nclink\\_check=1](http://www.tallahassee.com/article/20120722/BUSINESS/307220015/Purchasers-contaminated-sites-liable?nclink_check=1)

#### INDONESIA, WEST TIMOR, KUPANG, JULY 22 2012. 2009 TIMOR SEA OIL SPILL 'JUST AS DEVASTATING AS GULF OF MEXICO'



*This handout photo provided by the World Wildlife Fund (WWF) from Sept. 2009 shows a man looking at a waxy substance found in water affected by the Montara oil rig leak in the Timor Sea. Monitoring the clean-up of a huge oil spill in pristine Australian waters could take as long as seven years, an official said in Nov. 2009, as environmentalists urged a wide-ranging inquiry into the disaster.*

A prominent US expert in oil spill recovery said in Kupang on Saturday that Indonesia needs to craft a program to deal with the lingering and largely overlooked effects of the 2009 Montara oil spill in the Timor Sea. Dr. Robert Spies, who was the Chief Scientist for the Exxon Valdez Oil Spill Trustee Council, and who served as an adviser to US government after the BP Deepwater Horizon disaster in 2010, said the Timor Sea can still be restored, but only with "serious attempts" made by the Indonesian and Australian governments in coordination



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with the company who operated the Montara platform. Serious attempts would include substantial money, much of which should come from Thai state-owned oil and gas company PTT Exploration and Production, Montara's primary operator. Spies said he's recently studied the impact of the Montara spill in the Timor sea, especially in Indonesian waters. He said the pollution caused by the Montara leak was just as severe as the Gulf of Mexico spill. "Restoration programs could be made after hearing expert opinions involved in examining the effects of the pollution on the environment," Spies said at a discussion on pollution and impact on the environment. The Montara oil spill leaked an estimated 2,000 barrels a day from Aug. 21 to Nov. 3 2009 (or 74 days), according to the Australian Department of Resources, Energy and Tourism. The Montara slick grew to almost 90,000 square kilometers and entered Indonesian waters, according to environmental group WWF. A team led by the Environment Ministry said the oil slick covered 16,420 square meters of Indonesian maritime territory. The West Timor Care Foundation, which supports poor fishermen in eastern Indonesia, estimated the spill affected the livelihoods of about 18,000 fishermen. Businesses such as seaweed and pearl farms were also reportedly hit. Spies said damage in the Gulf of Mexico was minimized thanks to quick action taken by American authorities in 2010; Spies said the US government was quick to launch environmental restoration programs, and asked British Petroleum to finance much of the environmental assessment. BP was also asked to provide compensation for people directly impacted by the spill — namely fishermen. Similar methods could be used for the Timor Sea pollution through coordination through the multitude of companies involved, Spies was quoted as saying by Antara. The Motara platform was owned by Norwegian-Bermudan Seadrill, and operated by PTTEP Australasia (PTTEPAA), a subsidiary of PTT Exploration and Production (PTTEP) — that company was in turn a subsidiary of PTT. Houston-based Halliburton was involved in cementing the well, and were also involved in cementing the ill-fated Deepwater Horizon well.

<http://www.thejakartaglobe.com/nvironment/2009-timor-sea-oil-spill-just-as-devastating-as-gulf-of-mexico/531949>

### AUSTRALIA, VICTORIA, BALLARAT, JULY 23 2012. MAN IN COMA AFTER FIREWORKS EXPLODE IN CAR

*paul millar*

A Ballarat man is in a coma after an illegal firework exploded in the car he was driving, causing extensive damage to his legs. It is also believed the explosion could be linked to a series of loud bangs that rattled Ballarat North last week. The 30-year-old man has been placed in an induced coma at the Alfred Hospital in Melbourne, where he remains in a serious but stable condition. Police say he was driving when the firework exploded on the floor of the car about 6am near Springs Road in Brown Hill, causing major damage to his right leg. He also suffered burns to 30 per cent of his body. However he did not call an ambulance, with police finding him at his home a short time later. He was taken to Ballarat Base Hospital before he was airlifted to Melbourne. Ballarat Criminal Investigation Unit Detective Senior Constable Phil Canny said the car was moving when the fireworks went off. The airbags were deployed and there was a large amount of blood at the scene. Two other passengers managed to avoid injury by jumping out of the car just before the major explosion. "Incidents like this highlight just how dangerous fireworks can be," said Senior Constable Canny. "If they are in the wrong hands or being used by people who don't know how to use them then they can be extremely dangerous." A search of the property also uncovered an extensive amount of fireworks and other weapons. Senior Constable Canny said police believed the explosion could have been linked to a series of unexplained blasts in the Brown Hill and Ballarat North area last week, which police would continue to investigate. Charges are yet to be laid following the incident but police will interview the driver of the car once he has recovered.

<http://www.theage.com.au/victoria/man-in-coma-after-fireworks-explode-in-car-20120723-22k9g.html>

### USA, TX, HOUSTON, JULY 24 2012. BOARD CONCLUDES AMERICAN PETROLEUM INSTITUTE HAS MADE "ACCEPTABLE" PROGRESS ON RECOMMENDATION TO DEVELOP PROCESS SAFETY INDICATORS FOR ONSHORE INDUSTRIES CSB SAYS MORE PUBLIC REPORTING, LEADING INDICATORS STILL NEEDED IN RESPONSE TO 2005 BP TEXAS CITY REFINERY EXPLOSION

The U.S. Chemical Safety Board (CSB) has formally voted to classify the American Petroleum Institute's (API) response to the Board's recommendation to develop an effective system of performance safety indicators as "Open- Acceptable Action." The announcement was made today at a [two-day public hearing](#) convened by the CSB in Houston, Texas, on the overall subject of applying performance indicators onshore and offshore. API developed Recommended Practice (RP) 754 entitled "Process Safety Performance Indicators for the Refining and Petrochemical Industries," following a 2007 CSB recommendation "to develop an effective system of indicators to evaluate performance and implement these measures to continually improve the management and control of process safety risks." The recommendation was issued jointly to the API and the United



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Steelworkers Union (USW); both groups initially accepted the recommendation but the USW later withdrew from the standards development process citing imbalances in the committee composition. [“Open-Acceptable Action”](#) means the Board considers the API is moving in the right direction, but that more remains to be done to meet the intent of the recommendation. The recommendation resulted from the CSB's investigation into the March 2005 explosion and fire at the BP Texas City Refinery that killed 15 workers and injured 180 others. The CSB investigation found that the incident was caused by multiple technical, system and organizational deficiencies; as a result, the CSB issued recommendations to BP at the corporate and facility levels, and to OSHA, the API, the USW, and the Center for Chemical Process Safety. CSB Chairperson Dr. Rafael Moure-Eraso said, “We are pleased that API is actively addressing the issue of indicators, but believe that input from all stakeholders is necessary to develop additional more robust leading indicators to compare performance across industry. Among the most important findings of the investigation into the 2005 accident was that BP and the oil refining and chemical sectors did not have an effective system of indicators to evaluate their safety performance sufficient to determine the potential for a major catastrophe; BP and industry sectors were instead typically using personal safety indicators such as slips trips and falls to measure safety performance. Leading indicators provide data on the health of these critical safety systems before a gas release or spill occurs. Often the difference between a lagging event and a catastrophic one is merely the lack of an ignition source. Industry needs effective leading indicators capable of reducing the risks of catastrophic failures such as the 2005 accident at BP Texas City.” API Recommended Practice 754 is a 25-page document that includes examples of how to categorize incidents according to the RP's definitions, and a second document explaining the basis for categorizing hazardous chemicals by threshold quantities. CSB Recommendations Director Dr. Manuel Gomez said, “The backbone of the newly developed recommended practice is the use of a tiered system that provides a useful framework of indicators that range from clearly defined consequences referred to as ‘lagging’ to variables that are likely predictors of serious process failures which are referred to as ‘leading.’” At the public hearing, the CSB discussed its formal evaluation and detailed the strengths and weaknesses of the newly developed RP. The CSB determined that the API Recommended Practice highlights the need and importance for the use of process safety indicators throughout industry and creates a useful scheme for developing effective process safety metrics. API RP 754 counts incidents and hours worked by contractor workers in the indicator measures. The CSB noted that the experience of contract workers has been generally absent from previous indicator measures used or reported by the industries, and represents an important step forward. In the development of the board's evaluation the CSB also noted several serious shortcomings of API RP 754. Specifically, the Board found that its indicator definitions place undue emphasis on lagging measures that are too infrequent to be useful to drive performance improvements, yet do not comprehensively count and report a likely sizable number of “leading” measures that can be considered to be predictors of potentially serious process failures, and could therefore play a more critical prevention role. The Board also found that the guidance for public reporting of indicators will not effectively permit regulators or the public to evaluate the performance of individual sites and many corporations. The intent of the recommendation was for public reporting that would allow stakeholders—including regulators, the workforce and the communities surrounding high-risk facilities—to understand how well they were performing in comparison to similar facilities around the country and to national averages. However, companies that choose to follow the recommended practice need only report to the public on relatively rare but serious process incidents. Leading indicators which have greater preventative value need not be publically reported at all and are only developed on a site specific basis missing an important opportunity to use these key metric for comparisons and performance improvements across companies and industry. Dr. Moure-Eraso said: “While concluding that the API Recommended Practice makes important contributions to the adoption and use of process safety indicators in the refinery and petrochemical industries, the Board found that the upcoming revision of the Recommended Practice needs to address these shortcomings if the guidance is to be truly effective.” Additionally, the CSB is encouraging renewed discussion of effective process safety indicators and is calling on industry to utilize this information to prevent future catastrophic accidents. Dr. Moure-Eraso said, “Officials on the Macondo oil rig were in the process of lauding operators and workers for a low rate of personal injuries on the very day of the April 20, 2010 tragedy. Company VIP's had flown to the rig in part to commend the workforce for zero lost time incidents. This tragic similarity to the BP Texas City explosion, which occurred on the day of a luncheon to celebrate low personal injury rates, underscores the need for industry to examine broad process safety indicators to prevent future catastrophes.”

[www.csb.gov](http://www.csb.gov)



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