



Dangerous Goods - Hazardous Materials Group & Network Release 2012 – 909 Newsy Stuff

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

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AUSTRALIA, VICTORIA, LANGWARRIN, NOVEMBER 21 2012. MAN RESCUED AFTER BOBCAT INCIDENT IN LANGWARRIN

christian tatman

 **Photo's [3]** [Man Rescued after Bobcat Incident](#)



A man has been rescued after his bobcat fell into a water-filled pit.

A worker has been rescued after he became fully submerged in water when his bobcat fell into a pit at Langwarrin. The man was pulled from the water by a fellow worker. The incident occurred a short time ago at a disused petrol station site opposite Peninsula Private Hospital, at the corner of McClelland Dve and Frankston-Cranbourne Rd. Ambulance officers have rushed the man to hospital. The workers were doing earth works when the accident occurred. WorkSafe officers are investigating the incident. Spokeswoman Danica Harris said: "WorkSafe has been notified and is currently on site investigating the circumstances surrounding the incident." A spokeswoman for Ambulance Victoria said ambulance officers received a call just after 11.30am today.

<http://frankston-leader.whereilive.com.au/news/story/man-rescued-after-bobcat-incident-in-langwarrin/>

RUSSIA, MOSCOW, NOVEMBER 21 2012. WOMAN SMUGGLES FIREWORKS INTO FOOTBALL GROUND 'INSIDE HER BODY' BEFORE THROWING THEM AT GOALKEEPER

alex ward

 **Watch the Video** [Woman ThrowS fireworks at goalkeeper](#)

- Goalkeeper Anton Shunin received treatment for his eyes and ears after the firework was thrown at him
- The game was suspended after the incident
- Dozens of condoms were found in the women's toilets
- Ninety-two people were arrested after the match but the perpetrator is yet to be found



Fan throws fireworks: Goalkeeper Anton Shunin writhes in pain after a fan threw a firework at him at the match in Moscow on Saturday and it has been reported that he may partially lose his eyesight

A manhunt is underway for a female football spectator after she smuggled fireworks 'inside her body' into a stadium before throwing them at a goalkeeper. The Zenit St Petersburg fan is believed to have put the fireworks in condoms before pushing them in her body and entering the arena in Moscow. It is now feared that Dynamo Moscow keeper, Anton Shunin, may partially lose his eyesight following the attack. Dozens of the contraceptives were found in the women's toilets at the match on Saturday. The game was stopped in the 36th minute and 92 people, including three women, were arrested but the perpetrator is yet to be found. A Russian police officer said that contraceptives such as condoms were used to smuggle flares into the stadium by pushing them into the vagina or anus. An police source was quoted by Interfax saying: 'During the inspection of the stadium after Dynamo's match against Zenit, at which one of the female fans of the St. Petersburg team threw a firecracker on the pitch, injuring the Dynamo goalkeeper, the police found dozens of condoms in the ladies' room.' The inspection of female fans is believed to be not as strict or thorough compared to men at Russian stadiums. Footage of the match showed Shunin jump after being suddenly surrounded by smoke before falling to the ground and writhing in pain. Shunin required treatment to his eyes after suffering a chemical burn and injuries to his ear when the firecracker blew up. Russian Prime Minister Dmitry Medvedev was left to rue 'not an incident but a crime and furthermore a premeditated crime'. He said: 'There cannot be anarchy. People need to be put in prison for this sort of thing.' Medvedev said it should be a priority to adopt new legislation aimed at preventing such violence from taking place. A representative for Zenit fans was quoted by Sovetsky Sport newspaper saying: 'What happened in Khimki wasn't a planned action, but a stupid act of some individuals. 'If they are detained, we'll deal with them inside the fan community, because the technical defeat which we are most like to receive isn't beneficial to anybody.' Dynamo, who were leading 1-0 when the game



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was abandoned after 36 minutes, feel Zenit should be penalised with a technical defeat while the St Petersburg outfit insist the troublemakers were not true fans of the club. The Russian Premier League's control and disciplinary committee are due to hold a meeting on the incident tomorrow or the next day to decide on whether either team should be issued a penalty, which could mean a technical defeat. If caught, the perpetrator is likely to be charged with hooliganism which includes a 300,000-500,000 rubles fine (£6,000-10,000) and a possible jail term of up to five years. A fourth-round Russia Cup tie between Dynamo and their local rivals Torpedo was called off in September when fans threw fireworks and smoke bombs on to the pitch.

Related Links [Flare evasion: Firework that injured Dynamo keeper smuggled in by woman inside body](http://www.dailymail.co.uk/news/article-2235876/Woman-smuggles-fireworks-football-ground-inside-body-throwing-goalkeeper.html)
<http://www.dailymail.co.uk/news/article-2235876/Woman-smuggles-fireworks-football-ground-inside-body-throwing-goalkeeper.html>

ISRAEL, MINISTRY OF ENERGY & WATER RESOURCES, NOVEMBER 22 2012. REPORT: MAJORITY OF RESERVOIRS NEAR PETROL FACILITIES POLLUTED

Water Authority report indicates underground water basins adjacent to gas, petrol warehouse facilities severely contaminated; only 3 of 15 reservoirs tested found to be clean. A survey by the Israel Water Authority has found great quantities of petrol traces in underground water reservoirs that are adjacent to petrol warehouse facilities. The report, which refers to pollution levels measured in 2011, tested 15 water basins and found that 12 of them were severely polluted. The Water Authority differentiates between two types of petrol pollution: "Stains" – which are large oil spots floating on top of the water; and "particles" or which petroleum solvents, which are released into underground water from either oil spots or petrol that has been absorbed into the ground. The Water Authority began testing basins that are in close proximity to petrol facilities in 2004. Between 2004 and 2011 155 sites were tested, with 36 sites presenting stains and 94 sites presenting particles. Only 94 sites were clean. In some cases, stains stretching between 11 sq. feet and 1.2 acres were found. In 2011, multiple drilling projects were launched with aim of removing the oil from the polluted basins. Underground water purification facilities are installed in 51 of the sites found to be polluted, and the Water Authority is monitoring the remaining 79. "These particles are highly toxic and carcinogenic and they can affect people either by drinking water or by inhaling toxic fumes rising from polluted underground water," Guy Reshef of the Water Authority said. "This is why it's so important that we detect these pollutions, monitor them and treat them," he added. Reshef added that the various companies, including Israel Oil Refineries, Petroleum and Energy Infrastructures (PEI) and Paz, were cooperating with the cleanup efforts and that the situation has been steadily improving. PEI said that they are monitoring the situation closely and that "Some of the facilities in our care date back to the British Mandate. We care greatly about the environment and so far, 30 drills have been ordered to remove (the oil) and reduce any environmental impact." Paz said that "The company is treating the pollution found – which predates our ownership of the refineries – according to the Water Authority's guidelines."

<http://www.ynetnews.com/articles/0.7340.L-4303425.00.html>

CANADA, MB, ST BONIFACE, NOVEMBER 22 2012. FIRE CREWS ARRIVED UNAWARE OF THOUSANDS OF LITRES OF BIODIESEL FUEL AT ST. BONIFACE INFERNO SITE >> NEW DETAILS DISCLOSED REGARDING ST. BONIFACE INFERNO

Watch the Video [Fire Crews Arrived Unaware of Thousands of Litres of Biodiesel](#)



Several explosions could be seen as the St. Boniface blaze burned on Nicolas Avenue in Winnipeg on Oct. 1, 2012.

Jon Hendricks reports on how firefighters did not know what they were facing when they arrived at the site of the Speedway International inferno on Oct. 1. Winnipeg fire officials said crews did not initially know what type of chemicals were used at the site of a raging inferno that consumed Speedway International in October and caused nearby homes to be evacuated. The business occupancy permit for the site was to manufacture windshield wiper fluid. The Speedway International site also had thousands of litres of biodiesel fuel at the location. "We were wondering what it was. It was after the first main explosion that we actually did find out what was there," said William Clark, acting deputy chief of the Winnipeg fire department. Occupancy



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permits are issued when a business opens. If things change afterwards, the fire department might not be informed. The Speedway International location had not been inspected since 2001. "It goes back to what the code requires in the first place. The onus is on the owner," said Clark. But if an owner doesn't spread the word, Clark said the fire department won't know what's on site. Jean-Louis Eusano lived near the site where the St. Boniface blaze raged. "It was scary to see it, but after we knew what was going on, they let us know it was under control," said Eusano. CTV News asked Manitoba Fire Commissioner David Schafer whether some businesses could be storing fuel in places they're not permitted to have it. "I guess that is a possibility," said Schafer. He said there is nothing in the fire code holding the city back from getting information. "Nothing stops a municipality from going over and above the regulation at the present time," he said. Premier Greg Selinger also weighed in. "We want to make sure these facilities, wherever they are, are safe. And fire inspections obviously need to be done more frequently than that, and that's one of the things we can review," said Selinger. A review committee, which includes Winnipeg fire officials, is scheduled to meet in December to examine the current regulations in place. Speedway International also issued a statement Tuesday. "In 2008, when the organization decided to expand its business to include a biodiesel component, architectural and engineering drawings were submitted as part of a request for a change in existing Occupancy Permit. All architectural and engineering drawings and correspondence were filed with the City of Winnipeg," said the company. "Subsequently, Speedway International was asked to make changes regarding the handling of windshield washer fluid. Speedway International made the required changes and issued correspondence that the changes were made by the end of 2009 and commenced open operation of the biodiesel facility. After filing the change in occupancy paperwork and making the required operational changes, Speedway International operated on the assumption that it had fulfilled its requirements with the City and Province." The company also said it would work with city and provincial authorities to clarify any communication issues. "Until the fire in October 2012, which was deemed by The Manitoba Office of the Fire Commissioner as an accident 'as a result of spontaneous combustion of an oily substance in the filter press area of the facility,' Speedway International has been operating with an impeccable safety record since opening the facility in St. Boniface industrial park in 1998," said the company in its statement.

<http://winnipeg.ctvnews.ca/fire-crews-arrived-unaware-of-thousands-of-litres-of-biodiesel-fuel-at-st-boniface-inferno-site-1.1046709>

USA, MI, OSCEOLA CO, NOVEMBER 22 2012. PART OF US-10 CLOSED DUE TO FUEL TANKER ROLLOVER

US-10 is closed from 50th Avenue to 65th Avenue due to a fuel tanker that crashed and rolled on its side. The crash occurred after 8:00 this morning on US-10 at 60th Avenue in Osceola County. Osceola County Under-Sheriff Justin Halladay says a tanker truck that was transporting fuel rolled onto its side after the driver swerved to miss another semi that had pulled onto US-10 from 60th Avenue. The semi truck had stopped at US-10 but due to fog did not see or hear the tanker truck coming before pulling into the road, Halladay said. There were no injuries reported, but due to the fuel being hauled and the danger that presents, US-10 has been closed temporarily. Traffic is being detoured around the area. Also as a precaution, Evert Fire Department has directed an evacuation of a half-mile radius around the crash scene, according to Halladay. The situation is ongoing with personnel from the trucking company working with emergency officials to safely secure the load so the truck can be removed.

<http://www.upnorthlive.com/news/story.aspx?id=828300#.UK1qUIIdOSM4>

USA, WASHINGTON D.C., NOVEMBER 22 2012. CSB RECEIVES PEER AWARDS FOR THREE SAFETY VIDEOS FROM TELEVISION, INTERNET AND VIDEO ASSOCIATION OF D.C.

The U.S. Chemical Safety Board (CSB) was named the recipient of three Peer Awards from the Television, Internet and Video Association of D.C. (TIVA) for safety videos produced in 2012. Videos on an academic laboratory explosion in Lubbock, Texas, and a flammable vapor explosion near Buffalo, New York, received bronze awards, while a video on a string of dust flash fires at a Tennessee metal powder production company received a silver award. CSB safety videos are documentary-style narratives on specific accidents based on CSB investigation findings. They typically include computer 3D animations that depict deadly sequences of events, and include commentary by investigators and CSB board members. TIVA is a Washington, D.C. -- based organization of media production professionals. Accepting the awards at the ceremony, held Saturday, November 17, at the National Press Club, were CSB Chairperson Dr. Rafael Moure-Eraso, Managing Director Dr. Daniel Horowitz, Communications Manager Hillary Cohen, and Sandy Gilmour and Shauna Lawhorne of Sandy Gilmour Communications, LLC, which provides support for CSB video production. Chairperson Moure-Eraso said, "We are proud to



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receive the recent TIVA awards for these important videos. Since beginning the video program in 2005, we have been told by hundreds of company safety officials, executives, independent training companies and others –worldwide—that the videos are being used to prevent accidents and save lives. The videos tell a compelling story of our investigations, making them accessible and transparent to the public. Recognition by peers in the video business confirms that we are achieving our goals of quality production and effective communication.” The winning videos are:

- [Hot Work: Hidden Hazards](#) (Bronze Award) – 2 contractors were performing welding atop a 10,000 gallon slurry tank at a DuPont chemical facility near Buffalo, New York, when hot sparks ignited flammable vapors inside the tank, causing an explosion that killed one of the men and seriously injured another.
- [Experimenting with Danger](#) (Bronze Award) – A laboratory worker performing an experiment for an energetic materials project at Texas Tech University in Lubbock, Texas, was severely injured in an explosion. The video highlights two other academic lab accidents, one at UCLA and the other at Dartmouth College.
- [Iron in the Fire](#) (Silver Award) – Three combustible dust flash fires over a six month period occurred at the Hoeganaes Corporation powdered-iron facility in Gallatin, Tennessee, 20 miles outside of Nashville, resulting in fatal injuries to five workers.

To date, the CSB has produced 29 safety videos, which are all available online at www.CSB.gov, www.youtube.com/uscsb and in a two-volume, three-disc compilation set available free of charge on DVD by filling out an [online request form](#).

The CSB's safety videos received numerous other awards, including three TIVA Peer Awards in 2011. In 2010, the CSB received two CINE Golden Eagle Awards, one for a video on the rural oil tank storage facilities and teenage deaths entitled, “No Place to Hang Out,” and the other for “Dangers of Hot Work,” which reported on fatal accidents caused by the ignition of flammable vapor during welding, cutting and grinding activities at chemical and other facilities, for which the recently-awarded “Hot Work: Hidden Hazards” was a sequel.

Other CSB video awards include:

- May 2010 - 2010 European Process Safety Centre (EPSC) Award for the CSB Safety Video series
- August 2009 - MERLOT (Multimedia Educational Resource for Learning and Online Teaching) award for “Half an Hour to Tragedy”
- November 2009 - TIVA Peer award (bronze) for “Half an Hour to Tragedy”

The agency's video program was specifically cited when the CSB was named the 2008 recipient of the American Chemical Society's (ACS) Howard Fawcett Award, honoring “outstanding contributions in the field of chemical health and safety.

The CSB is an independent federal agency charged with investigating serious chemical accidents. The agency's board members are appointed by the president and confirmed by the Senate. CSB investigations look into all aspects of chemical accidents, including physical causes such as equipment failure as well as inadequacies in regulations, industry standards, and safety management systems.

<http://idevmail.americaneagle.com/message.aspx?d=30&m=1025&e=PETENV@OPTUSHOME.COM.AU&r=4987942&f=HTML>

SAUDI ARABIA, RIYADH, NOVEMBER 22 2012. DEADLY RIYADH TANKER BLAST CAUGHT ON CAMERA

 [Watch the Video Tanker Blast Caught on Camera](#)



A Saudi newspaper on Wednesday published what it said was a brief film showing the deadly petrol tanker blast in the capital Riyadh last week, when 23 people were killed and nearly 140 others were injured. Alsaudeh Arabic language daily said the 28-second film was shot by a security camera mounted on a police car which happened to be in the area where the accident occurred. The morning blast on Thursday Nov 8 badly damaged a flyover in Riyadh after the tanker, laden with gas, rammed into the structure. Besides the human casualties, the blast damaged nearly 300 cars, 100 nearby shops and 600 apartments. Many of those killed have not yet been identified while 26 Saudis were among those injured.

<http://www.emirates247.com/news/region/deadly-riyadh-tanker-blast-caught-on-camera-2012-11-21-1.484087>



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NEW ZEALAND, GORE, NOVEMBER 22 2012. TANKER TRUCK BLOCKS TRAFFIC

Two people were injured and a tanker truck blocked traffic for two hours on the Gore-Mataura highway after it was involved in a collision with a Toyota Land Cruiser at 4pm today. Police said the diesel-fuelled truck's container was empty, but feared it could explode. The truck and the car were left about 200 metres apart on the same side of the road following the crash. Gore police Sergeant Sharee Lietze said two Gore men in the Land Cruiser, aged 39 and 19, suffered minor injuries. Police were investigating, but alcohol was not involved, she said.

<http://www.stuff.co.nz/southland-times/news/7981341/Tanker-truck-blocks-traffic>

CHINA, SICHUAN PROVINCE, QIONGLAI, NOVEMBER 22 2012. OIL TANKER BLAST KILLS 2 IN SW CHINA

Two people have been killed in a road accident that involved an oil tanker and a car on an expressway in southwest China's, fire fighters said Wednesday. The accident occurred at around 9 p.m. on the expressway linking Chengdu, capital of Sichuan, and Qionglai City in the same province, the sources said. An initial investigation showed that the oil tanker caught fire and exploded after it collided with a Corolla sedan and overturned, the sources said. Two people in the sedan have been confirmed dead. The condition of the oil tanker driver is not immediately known. The fire fighters have brought the fire under control by mid-night, the sources said, adding that a further investigation is under way.

<http://english.cri.cn/6909/2012/11/22/53s734319.htm>

USA, CA, SANTA ROSA, NOVEMBER 22 2012. HIGHWAY 1 TANKER CRASH, SPILL CUTS TRAFFIC TO ONE LANE IN SALT POINT STATE PARK

Highway 1 near Kruse Ranch Road in Salt Point State Park was limited to one-way traffic after a tanker truck overturned Tuesday afternoon. The truck, owned by Evergreen Environmental Services, spilled several hundred gallons of used oil and antifreeze onto the roadway. The spill was contained to dirt and did not reach waterways, according to initial reports. A hazardous materials team was sent to the site and Evergreen Environmental Services was expected to provide equipment to deal with the spill, according to the CHP. The cab of the truck came loose from the trailer in the incident and two towing vehicles were needed to haul away the wreckage. Traffic remained limited to one lane late Tuesday. The driver, who was not identified, suffered minor injuries.

<http://www.pressdemocrat.com/article/20121120/ARTICLES/121129952/1308/news?Title=Minor-injuries-in-Hwy-1-tanker-crash-spill>

USA, WASHINGTON DC, NOVEMBER 22 2012. PROBE LOOKS TO "HOT WORK" IN FATAL OFFSHORE FIRE

jennifer a. dlohy



Commercial vessels spray water on the fire aboard the West Delta 32 production platform.

Initial investigations of the lethal explosion at an oil production platform in the Gulf of Mexico are focusing on the possibility that a torch ignited flammable materials on the site. Such activities that involve burning, welding or other operations capable of starting fires or explosions — called "hot work" in industry parlance — have been blamed for more than 60 deaths in the United States over the past two decades. Hot work has been a major factor in so many industrial accidents that the federal Chemical Safety Board has warned companies to monitor the amount of flammable gas in the atmosphere constantly before using burning, welding or other sparking tools. The American

Petroleum Institute has issued a standard urging companies to test for flammable gas and take other precautions when conducting the operations. Don Holmstrom, the Chemical Safety Board's lead investigator, stressed that it's not clear whether hot work played a role in the fire on Houston-based Black Elk Energy's West Delta 32 production platform — although Black Elk's CEO John Hoffman suggested the possibility in comments after the accident Friday morning. One worker was killed, several injured — two critically — and one is still missing. Hoffman said the explosion occurred during maintenance work at the site, when workers were cutting a water line. He said workers may have used a cutting torch instead of a saw, igniting flammable vapors in the line and subsequently triggering an explosion in connected oil tanks. On Monday, the contractor that employed the workers — Grand Isle Shipyard — rejected that explanation and said the cause of the fire remains under



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investigation, according to a statement from CEO Mark Pregeant. Although the Chemical Safety Board has not launched a formal investigation, it has subpoenaed Black Elk and Grand Isle Shipyard, asking for gas testing results, hot work permits, safety assessments and other documents. The agency also wants to know about the use of combustible gas detectors at the site. While federal regulations governing offshore work require that companies draft welding plans and get welding permits, those mandates do not appear to extend to other hot work. It also is unclear whether regulations require offshore oil workers to suspend hot work operations if gas detectors reveal enough flammable vapors in the area to ignite. A major concern, Holmstrom said, is making sure companies share hot work policies, equipment instructions and control information to employees in a language they understand. All of the Grand Isle Shipyard casualties in Friday's blast were Filipino. Separately, an analysis by insurer FM Global concluded that the risk of fires can increase by more than 100 percent when outside contractors are involved in hot work without facility supervision. No Black Elk employees were aboard the production platform when the fire started. The Coast Guard called off its hunt for missing crew members late Saturday, after searchers found one body. Although Black Elk continued the search, the company said Tuesday evening it was suspending the work after what it described as a "thorough and robust" effort spanning more than 1,400 square miles of Gulf waters. "We will continue to remain focused on the victims and their families, including those injured in the incident," the company said in a statement. "An official investigation is underway and we will continue to cooperate with all authorities as this process develops." Inspectors with the federal Bureau of Safety and Environmental Enforcement have been at the platform securing potential evidence, ensuring the site is safe and overseeing a cleanup of residual oil that could spill into the Gulf of Mexico. Black Elk Energy and Grand Isle Shipyard have drawn regulators' attention before. Black Elk was cited for an incident last Aug. 5 that sent two workers plunging into the Gulf of Mexico while a crane was attempting to lower them in a personnel basket onto a boat. They weren't injured. In February 2011, a fire on a Black Elk platform was traced to an improperly enclosed rechargeable battery. Grand Isle Shipyard was fined \$7,000 four years ago after two of its workers died inhaling hydrogen sulfide gas while one cleaned a tank on a utility ship. Federal regulators and lawmakers also are looking to scour the companies' records. In its subpoena of Black Elk, the Chemical Safety Board asked for details on its past citations for violating offshore regulations. Founded in 2007 by Hoffman, a former BP and Amoco executive, Black Elk holds interests in 854 wells connected to 155 platforms spanning the Gulf of Mexico. As of 2011, it recorded estimated total proved oil and natural gas reserves of 45.2 million barrels of oil equivalent, mostly concentrated in the shallow waters of the Gulf. Although the platform where the blaze ignited last week was not producing at the time, the company has estimated it is capable of producing about 600,000 barrels of oil equivalent per day. The wells linked to the platform involved in Friday's accident date back decades to the 1950s and 1960s. Federal records indicate the company took over as operator at the offshore oil lease from Energy XXI GOM in 2011.

<http://fuelfix.com/blog/2012/11/20/probe-looks-to-%E2%80%99Hot-work%E2%80%99D-in-fatal-offshore-fire/>

USA, MO, ST. LOUIS, NOVEMBER 22 2012. SUIT FILED OVER GOVERNMENT TEST-SPRAYING IN ST. LOUIS DURING COLD WAR

jennifer mann

A doctoral dissertation that renewed public interest in the military-sponsored chemical spraying of impoverished areas of St. Louis in the 1950s and '60s has spawned a lawsuit. It leaves open the potential for litigation related to more controversial aspects of Lisa Martino-Taylor's work — questions of more sinister government experiments on human test subjects. Undisputed is that St. Louis was among several test cities chosen decades ago by government contractors for the spraying of zinc cadmium sulfide, a chemical powder mixed with fluorescent particles to allow tracking of dispersal patterns. The spraying was part of a biological weapons program, the government conceded in 1994, and St. Louis was chosen because its topography was similar to some of the Russian cities the military thought it might have to attack. When Martino-Taylor's research hit the news earlier this fall, it triggered a memory for Benjamin Phillips, currently the sole plaintiff in what his attorney seeks to turn into a class action in St. Louis Circuit Court. Phillips, a former city marshal, spent part of his childhood in the Pruitt-Igoe housing complex. He suddenly remembered men in protective suits on roofs with machines spewing what seemed like a thick fog of bug spray, according to his attorney, Elkin Kistner. Residents were told it was testing "a smoke screen" for protection in enemy attack. Martino-Taylor's research highlighted studies showing chronic lung and respiratory problems borne from exposure to zinc cadmium sulfide. The Army said earlier this month that no health consequences had been found in St. Louis. Martino-Taylor also raised the possibility of radioactive material's being used. She pointed to links between participants in the St. Louis program and scientists who took part in wartime efforts to build the atomic bomb. The Army has denied such speculation. Phillips' suit generally describes the spraying of "cadmium, including potentially radioactive cadmium, without the



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knowledge or consent of those residents." It names as defendants the Parsons Company, a government contractor known to have conducted the tests, and two others that Martino-Taylor named as potential players based on government records: SRI International, which supposedly designed an air-sampling unit to be used in the aerosol studies, and Monsanto, which allegedly knew of plans and offered the government use of its St. Louis plant. The suit asks over \$50,000 in actual damages on claims of a public nuisance, strict liability, emotional distress and battery. It also seeks unspecified punitive damages. SRI International, through a spokesperson, said it had not found any evidence that the company was involved. It intends to seek dismissal from the lawsuit. Monsanto issued a statement saying that the suit "does not contain any facts about the alleged conspiracy occurring 50 years ago or more, or Monsanto's supposed involvement." Parsons declined comment. Kistner said Phillips had an ear tumor that may or may not be linked to the exposure. Other potential class members have contacted him, he said, including a woman whose family members had cancer. He said more would be learned through the discovery process, but, "In my view, these people are at least entitled to nominal damages." He added, "You can't go spraying stuff on a bunch of people without their consent."

Related Links

- [Missouri senators demand details on military testing in 50s and 60s](#)
- [Researcher to discuss military testing in St. Louis in the 1950s](#)

http://www.stltoday.com/news/local/crime-and-courts/suit-seeks-damages-from-government-test-program/article_9bc1fc7d-7093-58a3-b557-0cbac5dc38ab.html

USA, CA, SAN FRANCISCO, NOVEMBER 22 2012. CHEVRON FIRE MOVES BROWN TO FORM TASK FORCE

jaxon van derbeken

Gov. [Jerry Brown](#) has formed an interagency working group on refinery safety after questions emerged following a fire at Chevron's Richmond refinery about whether California is diligently inspecting oil plants, officials said Tuesday. "We are looking at how we could make the process better going forward," said [Kurt Schuparra](#), the state's assistant labor secretary. "The process involves coordinating the activity of a number of different agencies, working together. We are trying to be proactive." After a fire caused by a corroded pipe badly damaged the Richmond refinery Aug. 6, The Chronicle learned that the state [Division of Occupational Safety and Health](#) had averaged less than 50 hours per planned inspection at the state's 15 oil refineries over the previous decade. That was well below the 1,000-hour average of a three-year federal inspection drive across the country. The federal inspections resulted in an average of \$76,000 in fines at problem refineries, but the state inspectors did not collect a single fine from a major oil company. Contra Costa County's industrial safety inspection program, which monitors refineries' compliance with environmental rules and not workplace safety laws, spends about 600 hours per audit of the county's oil plants, including Chevron's. Critics have called for stricter enforcement by Cal/OSHA. They noted that even after a major fire at the Richmond refinery in 2007, the agency fined Chevron just \$185 for failing to maintain a valve that was supposed to keep oil out of a pipe. The fire, which started when the pipe ruptured, injured three workers. A federal [Labor Department](#) audit of California's regulation of all hazardous industries, including refineries, found this year that state inspectors issued far fewer serious violations per inspection than the national average. California inspectors found 1 in 5 violations to be serious, compared with 3 in 5 nationally. The task force that Brown created is charged with improving cooperation among agencies to help prevent disasters. Agencies represented on the task force include Cal/OSHA, the [Labor and Workforce Development Agency](#), the state Environmental Protection Agency, the [Department of Public Health](#), the [Air Resources Board](#), the [Health and Human Services Agency](#), the [Emergency Management Agency](#) and the [Department of Toxic Substances Control](#). Contra Costa County Supervisor [John Gioia](#), who chairs the Bay Area [Air Quality Management District](#), welcomed the interagency approach to refinery safety. He said it could help dispel confusion over issues such as who has authority over Chevron's rebuilding of the Richmond crude oil unit. "Where we need the work in California (is) in defining each agency's jurisdiction, so we have a more comprehensive system of regulation over oil refineries," Gioia said. "Right now, we have a mix of federal, state, regional and local agencies, with everyone pointing the finger at everybody else." Also Tuesday, the [Richmond City Council](#) met to discuss refinery safety issues, in particular Chevron's plan to replace pipe damaged in the August fire with material that federal investigators say was implicated in a refinery fire in Bellingham, Wash., in February. Chevron officials said Monday they were halting rebuilding work at the Richmond refinery until city officials decided whether to give them the go-ahead. On Tuesday, the council approved a resolution warning Chevron that any rebuilding it undertakes



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before state and federal investigators finish looking into the fire would be done "at its own risk," and that the city reserved the right to order the work redone once the probes are completed.

<http://www.sfgate.com/default/article/Chevron-fire-moves-Brown-to-form-task-force-4055491.php>

NEW ZEALAND, AUCKLAND, NOVEMBER 22 2012. HOT BITUMEN SPILL AT AUCKLAND FACTORY

nicole pryor



The spill from a five-tonne bitumen tank that split inside a South Auckland factory this morning has been contained. The hot bitumen, thought to be around 140 degrees Celsius, spread out of the Thermakraft Industries factory in Otara. The company specialises in roof underlays and building material. Firefighters were alerted to the incident at 9.49am and the hazardous chemical unit was also called. An Auckland council spokesman said the bitumen reached a nearby stream. "The bitumen didn't spread far - it solidifies reasonably quickly - and council immediately put up temporary containment barriers to prevent further pollution." It is unknown if any people were in the factory at the time of the spill.

<http://www.stuff.co.nz/auckland/local-news/7978569/Hot-bitumen-spill-is-contained>

USA, KY, WEST POINT, NOVEMBER 22 2012. LAWSUIT FILED IN OCT. 29 TRAIN DERAILMENT NEAR WEST POINT, KY >> DAMAGES, EXPENSES FOR RESIDENTS SOUGHT

andrew wolfson

 **Watch the Video** [Lawsuit Filed In Oct. 29 Train Derailment](#)



Train derailment near the town of West Point. October 29, 2012.

The first lawsuit has been filed on behalf of potentially thousands of residents and business owners whose lives were disrupted by the Oct. 29 train derailment near West Point, Ky. The suit, filed Tuesday in Hardin Circuit Court, suit asks for unspecified damages from CSX Transportation Inc., two other railroad companies and an Arkansas-based company hired to clean up after the derailment of 13 cars carrying toxic chemicals along Dixie Highway. The suit was filed in the names of four residents but attorney Jasper Ward said he will ask that it be certified as a class action. The suit asks for damages and expenses for about 900 residents evacuated from West Point, as well as hundreds of other residents in Hardin and Jefferson counties within 1.2 miles of the derailment site.

The complaint says the first evacuation lasted about five days and those affected by the evacuation order had to stay in hotels or with relatives — many without adequate clothing or food. The suit also asks for compensation for a second evacuation that affected 31 homes. It alleges that the chemicals released by the derailment, including butadiene, hydrogen fluoride and styrene, are highly flammable and "ultra hazardous" and could lead to illnesses with side effects to the respiratory and reproductive systems and to the central nervous system. A CSX spokesman did not immediately return a phone call. The plaintiffs are identified as:

- Becky Brown of Jefferson County, who was ordered to shelter in place for four days following the first explosion at the disaster site, but due to "severe mental anxiety and stress abandoned her home and stayed at a hotel."
- James Perry Jr., of Vine Grove, who allegedly was forced to get up at 4:30 a.m. for several weeks after the derailment so he could negotiate detours and get to his job as a Jefferson County public school teacher.
- Michael C. Smith, of West Point, whose business, Mike Smith Truck Parts, allegedly suffered financial losses including cancellation of some sales.
- Susan E. Morgan, also of West Point, who was forced to evacuate her home for seven days and allegedly suffered problems, including aggravation of her asthma and allergies, for which she had to seek medical treatment.

In addition to CSX, the suit names Paducah & Louisville Railway of Paducah; R.J. Corman Railroad Group of Nicholasville; and the Center for Toxicology and Environmental Health, North Little Rock, Ark. All three said they hadn't seen the suit and



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couldn't comment. Ward said the clean-up company is accused of negligently deciding it was safe to use welding equipment that caused an explosion. The suit was filed by Jones Ward, a Louisville law firm; the Bryant Law Center, in Paducah; and Wanda J. Edwards, of Denham Spring, La. Ward said the other two firms have experience in derailment cases.

Related Links

- [Dixie Train Derailment](#)
- [Train Derailment 2](#)
- [Train derailment explosion](#)

<http://www.courier-journal.com/article/20121120/BUSINESS/311200075/Lawsuit-filed-Oct-29-train-derailment-near-West-Point-Ky->

USA, N.J, PARSIPPANY, NOVEMBER 22 2012. LITTLE INFORMATION AVAILABLE REGARDING PARSIPPANY FUEL SPILL

cindy forrest

An early morning gas delivery at [Parsippany](#)'s Department of Public Works yard caused an underground tank to overflow, dumping about 2,000 gallons of diesel fuel into the ground. According to Larry Ragonese, New Jersey Department of Environmental Protection spokesman, fuel also seeped into the nearby Troy Brook, which runs behind the Morris Hills shopping center and the Tivoli Gardens Apartments. "We boomed the creek and were able to contact the fuel," he said. Ragonese was unsure of how far the contamination spread but said that they were able to clean up most of the spill with "virtually no environmental impact, including wildlife." Emergency services from the [Morris County](#) hazardous materials team, federal programs such as the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) along with the New Jersey Department of Environmental Protection (NJDEP) with municipal responders were on the scene within hours of the incident. "I don't want to minimize this," Ragonese said, "but for us this is a smaller spill so we just provided backup. The municipal OEM and the county haz-mat team took the lead. Information from township officials has been minimal. According to Paula Cozzarelli, [Parsippany](#)'s director of Municipal Utilities/assistant business administrator, the spill is being cleaned up by two companies, Ken's Marine Service and EPNS Environmental, under the supervision of the NJDEP. The remaining cleanup includes the removal of soil, which should be completed by the week's end (Nov. 17). More than a week after the incident, questions about the cost of the cleanup and whether the incident is covered under the township's insurance policy could not be answered. As to what caused the spill, the official statement is: "The incident is currently under investigation and the township is in the process of gathering all reports and information regarding the events leading up to the spill, the actual spill, and the actions taken after the spill." One township resident, Roy Messmer, who went to down to the DPW yard when he heard about the spill, said he intends to ask Mayor James Barberio for some answers. "I would like to see a report from the administration about how this unfortunate incident occurred, what the cost of cleanup will be and what controls will be put in place to assure this never happens again because anything that effects our environment, effects our quality of life." An unconfirmed report from an anonymous source at town hall explained that two calls went out to two separate companies for a diesel fuel delivery and the second delivery is what overflowed the tank. The mayor could not be reached for comment but a number of Council members contacted a week after the incident said they had not been notified about the spill by the administration.

http://www.northjersey.com/news/180301941_Little_information_available_regarding_Parsippany_fuel_spill.html?page=all

SPAIN, A CORUNA, NOVEMBER 22 2012. TRIAL UPDATE: PRESTIGE CAPTAIN ARGUES AUTHORITIES DENIED HIM ACCESS TO PORT OF REFUGE

The ongoing trial of the Prestige tanker oil spill intensifies between the tanker's captain, Apostolos Mangouras, and Spanish state attorneys. Also sitting on the bench is the former director of the Spanish Merchant Marine, Jose Luis Lopez-Sors. Many are questioning the decisions made back in November 2002 when the old ship spilled thousands of tons of fuel into the waters northwest of Spain. Mangouras argues that it was necessary for the Prestige to reach a port of refuge and proceed there with a smaller vessel to empty the fuel, but confirms that authorities denied him so. State attorneys are asking for a sentence of 13 years in prison for disobedience, resistance, and crime against the environment. Counsel for the State points out that many large vessels find alternative methods of navigation when the sea is disrupted. Mangouras argues that the size of the Prestige did not allow a solution. He goes on to say that he was only able to reduce the speed of the ship. Spanish state authorities are



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being criticized though for sending off eight lives back to sea during a heavy storm. According to Mangouras, the Spanish government acted with contempt for disregarding human life.

<http://maritime-executive.com/article/prestige-captain-argues-authorities-denied-him-access-to-port-of-refuge>

USA, MI, GRAND RAPIDS, NOVEMBER 22 2012. FUEL COMPANY OWNER GETS 14 YEARS FOR \$100M FRAUD

The 52-year-old owner of [Torco Racing Fuels](#) in southwestern Michigan has received a 14-year federal prison sentence for his role in a \$100 million gasoline excise tax refund and bank fraud scheme. Fifty-two-year-old [Evan Knoll](#) of Decatur pleaded guilty July 25 in federal court in Grand Rapids to bank fraud and making false claims. The [Internal Revenue Service](#) says his claims of buying hundreds of millions of gallons from refiners for a "private label" brand were false. High-octane racing fuel is exempt from some taxes. Knoll was accused of seeking to defraud the government and lenders of at least \$100 million over 10 years. The [Justice Department](#) said Wednesday that U.S. District Judge [Robert Jonker](#) also ordered Knoll to make \$83 million in restitution.

<http://www.seattlepi.com/news/crime/article/Fuel-company-owner-gets-14-years-for-100M-fraud-4058072.php>

BULGARIA, RUSE, NOVEMBER 22 2012. SUNKEN BARGE THREATENS OIL SPILL IN DANUBE, WWF SAYS



Oil from a barge that sank in a bay off the Bulgarian section of the Danube is in danger of leaking into the main river, posing "potentially serious" consequences, environmental group WWF said Wednesday.

Oil slicks around a barge that sank in a bay near Bulgaria's largest Danube port of Ruse on November 20. Oil from a barge that sank in a bay off the Bulgarian section of the Danube is in danger of leaking into the main river, posing "potentially serious" consequences, environmental group WWF said Wednesday. The vessel went under on November 9 with around 20 tonnes of fuel in its tanks in a small bay near Bulgaria's largest Danube port of Ruse while unloading firewood, but news of the accident broke only late on Tuesday. Ruse maritime administration chief Georgy Ivanov said Wednesday that authorities have managed to contain any pollution from the vessel within the bay, although attempts to pump out the fuel have failed so far. "For the time being there is no

oil spill in the Danube river itself," he told state BNT television. Petrochemical spills form a thin, monomolecular film on the surface of water, stopping oxygen from penetrating and causing fish and other aquatic organisms to suffocate, WWF said. "Some of the most valuable riparian wetlands in Bulgaria and in the lower Danube, such as Kalimok Marsh and Srebarna Lake, are situated downstream of Ruse and the 10-day delay in disclosing news of the spill may mean that it is already too late to protect these areas," Stoyan Mihov from the WWF said. Oil slicks also cause birds' feathers to stick and cease to be waterproof while toxicity can also kill birds directly, the group added.

<http://phys.org/news/2012-11-sunken-barge-threatens-oil-danube.html>

USA, ILL, WILL CO, MOKENA, NOVEMBER 22 2012. BP CHICAP PIPE SPILLED OIL AT ILLINOIS TANK FARM, FILING SHOWS

BP shut down a system associated with its Chicap pipeline near Mokena, Illinois, yesterday after a spill. Oil was discharged into a containment area and covered about 1,000 square feet inside a berm, according to a [filing](#) with the National Response Center. The incident occurred at a tank farm, the filing showed. A separate [filing](#) with the Illinois Emergency Management Agency said an estimated 200 barrels of oil spilled from the line. The release was halted and a vacuum truck, tanks and other equipment were sent to the scene. The Chicap Pipeline System includes a 360,000-barrel-a-day, 26-inch mainline from Patoka, Illinois, to the Mokena area. A 100,000-barrel-a-day, 16-inch lateral line runs from Mokena to Lemont, Illinois, according to the company's [website](#). The Chicap line receives low sulfur and heavy crude from the Capline and Woodpat pipes, an [Exxon Mobil Corp](#) system in Patoka and an [Enbridge Inc](#) pipeline system in Mokena, the website showed. U.S. companies must notify the response center if they release hazardous substances in excess of reportable quantities, according to the Comprehensive Environmental Response, Compensation and Liability Act, commonly known as Superfund [Bloomberg News](#) couldn't immediately verify that the information in the NRC filing was accurate.

<http://www.bloomberg.com/news/2012-11-21/bp-chicap-pipe-spilled-oil-at-illinois-tank-farm-filing-shows.html>



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USA, TX, LA PORTE, NOVEMBER 22 2012. EMERGENCY CREWS RESPONDED TO A FIRE INSIDE A CHEMICAL PLANT WEDNESDAY MORNING.

At about 8:40am, a piece of lift equipment caught fire inside a storage tank being constructed at the OxyChem Battleground Plant in La Porte. The plant's Emergency Response Team immediately responded and extinguished the fire. An OxyChem spokesperson says there were no offsite impacts. All workers were accounted for and there were no reported injuries. The local community was made aware of the incident via an electronic notification system.

<http://abclocal.go.com/ktrk/story?section=news/local&id=8894038>

USA, TX, HOUSTON, NOVEMBER 23 2012. HOUSTON'S BLACK ELK ENERGY HAD HISTORY OF VIOLATIONS BEFORE FATAL FIRE

jennifer a. dlouhy

 **Document**

- [Black Elk Energy Enforcement Statistics](#)
- [Letter to Black Elk](#)

Photo Gallery [6] [Aerials of Gulf Oil Rig Explosion](#)



Before last week's fatal fire at one of Black Elk Energy's oil production platforms, the five-year-old firm had racked up more than 300 documented mistakes and violations offshore, according to federal regulators who cracked down on the Houston-based company Wednesday. Federal regulators threatened to bar Black Elk from working in the Gulf of Mexico if it doesn't take immediate steps to improve safety. The Bureau of Safety and Environmental Enforcement ordered Black Elk Energy to develop a plan for boosting the safety of its operations by Dec. 15 and told it to immediately halt burning, welding and other activities that could ignite fires at its 98 production facilities in the Gulf of Mexico. Regulators also are barring the firm from launching operations at facilities that are currently offline. "Black Elk has repeatedly failed to operate in a manner that is consistent with federal regulations," said James Watson, director of the Bureau of Safety

and Environmental Enforcement that oversees offshore oil operations. "BSEE has taken a number of enforcement actions, including issuing numerous incidents of non compliance, levying civil penalties and calling in the company's senior leadership to review their performance and the ramifications of failing to improve," Watson added. Wednesday's action "is an appropriate and necessary step as we continue to investigate the explosion and fire that resulted in the tragic loss of life and injuries last week." The Nov. 16 explosion on board Black Elk's platform roughly 18 miles off the Louisiana coast killed one worker, critically injured others and left one still missing. In a statement, Black Elk spokesman Leslie Hoffman stressed the company's commitment to safety. "We appreciate the perspective of the Bureau of Safety and Environmental Enforcement," Hoffman said. "Safety is a high priority for Black Elk Energy, and we will continue to work cooperatively with local and national federal agencies to understand exactly what happened with the incident at our rig in the Gulf of Mexico." Black Elk's long history of violations offshore has been documented in 315 "incidents of non-compliance" issued by the safety bureau since 2010. On 12 separate occasions, the agency ordered the company to shut in its facilities because the violations were considered so severe or life threatening that work could not safely continue. During that same two-year time frame, the safety bureau ordered Black Elk to shut off specific equipment 145 times because it was too risky to continue operating. The agency also issued 158 warnings to the company, ordering it to correct violations identified during inspections of Black Elk's facilities. In one case two years ago, regulators ordered Black Elk to pay a \$307,000 fine after the safety bureau determined the company had not tested a safety valve every six months as mandated. When it finally was tested, the valve was found to be leaking excessively — and then it took another 117 days to be repaired or replaced. In [a letter to the company Wednesday](#), BSEE said it had documented "numerous troubling safety incidents involving Black Elk facilities," including last week's fatal platform fire. According to the safety bureau, Black Elk also: was hit with 45 incidents of non-compliance for violations at nine of its facilities in the South Marsh Island area of the Gulf of Mexico in October. showed "disregard for the safety of personnel" in a series of incidents, including an Oct. 20 accident that sent six workers to the hospital because improper precautions were taken while an acid-based chemical was used to treat one of Black Elk's wells. Wednesday's move was decried by some as too little, too late, and it



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raised fresh questions about the effectiveness of safety changes imposed after the 2010 Gulf oil spill. Bob Dean, an associate director at the Natural Resources Defense Council, likened the government's approach to "locking the gate after the horse has bolted the barn." "This is the right thing to do," Dean said. "Unfortunately it comes too late for the killed or injured workers and their families." Marilyn Heimann, with the Pew Environment Group, said Wednesday's disclosures show "there is still more to do on prevention and safety," two years after the explosion of the Deepwater Horizon rig claimed 11 lives and launched the nation's worst oil spill. "We commend BSEE for their strong response to this incident, but they still need more resources and support to prevent these problems." Dean stressed that robust inspections and "decisive action" are needed to discourage companies from cutting corners. "There's a difference between issuing citations and protecting our workers, waters and wildlife," he said. In the case of Black Elk, he said, "that's 300 warnings, 300 red flags, 300 opportunities for authorities to step in and demand better. Why did it take a tragic disaster for enforcers to step in and connect the dots?" Although Black Elk was first formed in 2007, it has only been operating facilities in the Gulf of Mexico since 2010. In the past year, safety bureau officials have inspected Black Elk platforms 214 times and well operations on two dozen occasions. The agency appeared to step up those inspections in recent months. Some lawmakers on Capitol Hill have unsuccessfully pushed legislation that would make it easier to block companies with repeated violations from buying offshore drilling leases or working on the outer continental shelf altogether. While federal regulators already have some latitude, [current law](#) limits their powers. The Interior Department can disapprove or revoke a company's status as an operator, but only after determining that the firm's "operating performance is unacceptable." The safety bureau stopped short of issuing a notice of unacceptable performance on Wednesday. And while incidents of non-compliance can kick off a lengthy civil penalty process, fines are capped at \$40,000 per incident per day. Any significant hike in the maximum fine would be up to Congress; otherwise, current law limits the safety bureau to making periodic adjustments for inflation. After the Deepwater Horizon disaster, the Bureau of Safety and Environmental Enforcement issued incidents of non-compliance to BP, the London-based company that operated the failed Macondo well in the Gulf. But the safety bureau did not deem BP's overall performance "unacceptable" or move to bar the company from operating offshore. BSEE does not routinely disclose the number of violations logged by oil and gas companies working offshore or the fines imposed on those firms. That can foster a false sense of security about what's happening offshore, said Jacqueline Savitz, a senior campaigns director with Oceana. "You want to think everything is going smoothly, but the fact of the matter is, when you scratch the surface, you see there are a lot of problems," Savitz said. Following last week's platform fire, a Coast Guard search was suspended late Sunday. Black Elk called off additional searches Tuesday evening, after one body was found. Inspectors with the safety bureau have been at the platform securing potential evidence, ensuring the site is safe and overseeing a cleanup of residual oil that could spill into the Gulf of Mexico. The Chemical Safety Board, an independent federal agency that has investigated more than 50 industrial accidents, also has subpoenaed Black Elk Energy and Grand Isle Shipyard, the contractor working on the platform at the time of the fire, seeking combustible gas testing results, hot work permits, safety assessments and other documents. Scrutiny has focused on the possibility that a torch ignited flammable materials on the site. Black Elk CEO John Hoffman said the explosion occurred during maintenance work at the site, when workers were cutting a water line. He said workers may have used a cutting torch instead of a saw, igniting flammable vapors in the line and subsequently triggering an explosion in connected oil tanks. Activities that involve burning, welding or other operations capable of starting fires or explosions — called "hot work" in industry parlance — have been blamed for more than 60 deaths in the United States over the past two decades. Hot work has been a major factor in so many industrial accidents that the federal Chemical Safety Board has warned companies to monitor the amount of flammable gas in the atmosphere constantly before using burning, welding or other sparking tools. Founded in 2007 by Hoffman, a former BP and Amoco executive, Black Elk holds interests in 854 wells connected to 155 platforms spanning the Gulf of Mexico. It is the main operator on 98 platforms, according to federal records. The company has adopted an aggressive acquisition plan that is focused on buying older wells and facilities. The wells linked to the platform involved in Friday's accident date back decades to the 1950s and 1960s. Those decades-old facilities come with big maintenance needs, increasing the need for construction work on the sites and possibly boosting the chance of accidents. Black Elk's acquisition strategy — along with the platform fire — appears to have driven rating agency Standard & Poor's decision Wednesday to warn investors about the company's credit risk. "The ratings on Black Elk reflect our view of its 'vulnerable' business risk and 'highly-leveraged' financial risk, incorporating the company's small reserve and production base, high operating costs, and acquisitive growth strategy," the agency said Wednesday. "While we do not expect (Friday's accident) to materially affect oil and gas production or cash flow, Black Elk has very limited liquidity and we believe little capacity to absorb unexpected expenses or incurred liabilities."

<http://fuelfix.com/blog/2012/11/21/houstons-black-elk-energy-had-history-of-violations-before-fatal-fire/>



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USA, LA, NEW ORLEANS, NOVEMBER 23 2012. ACCIDENT SHEDS LIGHT ON USE OF FILIPINO 'GUEST WORKERS' IN OFFSHORE INDUSTRY



Grand Isle Shipyard Inc., the company whose workers were aboard the West Delta Block 32 platform Friday morning when an [explosion and fire](#) killed one worker, left another missing and injured 11 more, is [facing charges of abusive and exploitative working conditions](#) akin to slavery in a federal lawsuit filed by former workers from the Philippines. The allegations surfaced as the federal [Bureau of Safety and Environmental Enforcement](#), which regulates the oil and gas industry, began its investigation into Grand Isle Shipyard and Black Elk, the Houston-based owner of the oil platform that caught fire 18 miles southeast of Grand Isle. The independent federal [Chemical Safety Board](#) announced it also was considering an investigation into the accident and served two subpoenas on Black Elk on Monday. More information about the crew aboard the platform has emerged as the Coast Guard continues to search for the missing crewman, Jerome Malagapo. The body of contract worker Ellroy

Corporal was recovered Saturday night; it is being prepared for return to the Philippines after an autopsy. Both Malagapo and Corporal are Philippines nationals, according to DNR Offshore and Crewing Services, a job placement and recruitment firm with an office in Manila that brought both men to Louisiana. DNR also is a defendant in the lawsuit alleging widespread mistreatment of Grand Isle Shipyard's workers. One of the four workers suffering burns during the platform fire, Wilberto Ilagan, 50, also from the Philippines, is now in good condition at the Baton Rouge Medical Center, center officials said. The other three men remain in critical condition. There are more than 150 Filipino welders, pipe fitters, scaffolders and riggers working in the Gulf, according to the Philippines embassy, and many of them apparently work for Grand Isle Shipyard. Twenty former employees of the firm, all from the Philippines, filed the lawsuit last year accusing the company of improper treatment of its workers. The suit claims the workers were required to pay between \$2,000 and \$3,500 a month to live in 10-by-10-foot rooms, six to a room -- some in a work barge in Lafitte and others in a Galliano bunkhouse that had been converted from a bowling alley. An attorney representing the workers said she didn't believe any of those involved in the lawsuit are still employed by the company. "I know workers on the platform were from the Philippines, but none to my knowledge are our clients," Lori Mince said. Grand Isle Shipyard provides maintenance services to platform owners like Black Elk. DNR, also based in Louisiana, provides employment services involving guest workers, including visa arrangements, for Grand Isle Shipyard. In court filings, the company has denied the suit's claims. DNR also denies the allegations and contends that it is a different company from D&R Offshore and Crewing Services, the company that helped arrange visas for the workers who filed suit. The workers contend it's the same company or a successor. According to court papers, the Filipino workers originally responded to job offers from Industrial Personnel and Management Services Inc., a recruiting firm based in Quezon City, Philippines, and a second company. The workers had to pass skill tests showing they could perform the trades required by Grand Isle Shipyard, including welding and pipefitting, and were told they would be paid \$16.25 an hour for regular time and \$24.37 an hour for overtime, along with transportation to the United States, housing and food. Actual pay was as low as \$5.50 an hour, the lawsuit says. The lawsuit alleges that the workers were required to sign two different contracts, containing differing pay rates, with the contract containing higher wages complying with federal law filed with the U.S. Embassy in Manila, and a second contract, with lower wages, filed with the companies. "Plaintiffs executed the contracts because they believed that, in order to work in the United States, they had no choice," according to the suit. "Further, they were deceived and/or otherwise fraudulently induced to sign the contracts with the promise that (Grand Isle Shipyard) would sponsor them for E-2 visas, making them eligible for permanent resident status." When they got to Louisiana, the workers allege they were charged exorbitant rates to live in substandard facilities. They also were charged fees for equipment used during their work, the suit said, even though the companies "ultimately retained, and clearly benefited from, these work-related tools and equipment." "Once plaintiffs and other Filipino workers arrived in the United States, however, defendants forced them into involuntary servitude and subjected them to insufferable and inhumane living and work conditions," said a memorandum filed with the court by the workers in support of a motion -- granted Monday by U.S. District Judge Kurt Englehardt -- to block Grand Isle and DNR employees from intimidating them for being involved in the lawsuit. That memorandum charges that the two companies threatened to deport at least one worker, and also offered the same worker and his family "financial assistance" if he



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dismissed the lawsuit. Another was told to withdraw an Equal Employment Opportunity Commission complaint against the companies "for the future of [his] kids," the suit says. The employees were kept from leaving the crew quarters during their off hours through use of curfews, gates and security cameras, according to the memorandum. Other than for work, Mince said the workers were allowed to leave the crew area for only one hour on one day a week, to travel to a local Walmart. They were accompanied to and from the store by company employees, she said. With the deductions from their wages for living expenses and use of equipment, the wages fell below federally mandated minimum wage rates, the lawsuit charges. Some of the workers also had their Social Security cards kept by D&R employees, and were given only copies of them, the suit says. When an employee's contract expired, he would be returned to the Philippines, where his passport and visa would be kept by IPAMS, the Quezon City-based recruiting firm. He would be returned to the U.S. only if he returned to work for D&R, Grand Isle or another related company, the suit says. Engelhardt found that the workers provided enough information to require the notification of all Filipino workers who were employed by the company during the past four years of their right to join in the suit, but limited the ruling to workers who were employed by the companies in Louisiana. On Tuesday, stung by the accusations, Grand Isle Shipyard President Mark Pregeant offered a reporter a tour on Tuesday of the Galliano bunkhouse at the center of a class-action lawsuit. Pregeant was not willing to talk on the record about the year-old federal lawsuit against his firm, nor would he answer questions about the size of the rooms, what he charges for rent, or when the building was last renovated. A quick walkthrough of the facility conjured up a college dormitory: Pregeant, taking the lead, opened the door to one bedroom that had a set of bunk beds lining each wall. He said similar setups - possibly as many as five dozen rooms - went down the length of the hall and throughout the facility. The bunkhouse, which occupies a former bowling alley, has a game room, with air hockey and pool tables; a large TV room, with a flat screen and a karaoke machine; as well as a laundry room and a conference room for making phone calls. As he showed a reporter around, Pregeant stopped often to shake hands and chit-chat with Filipino workers making their way through the facility. Pregeant declined to discuss the lawsuit, but said he was considering calling a news conference to give his side of the story. At the exit of the nearby Walmart Supercenter, a dozen or so Filipino men carrying shopping bags and smoking cigarettes huddled Tuesday afternoon. According to the lawsuit, the Galliano Walmart was the only place workers were allowed to go beyond the crew area - and they were only allowed to go there for one hour on one day a week. Several of those standing outside Tuesday said they worked at Grand Isle Shipyard. One of them said that, despite the lawsuit, he didn't believe the living quarters were so bad. He declined to answer when asked how much he pays to stay there. Last Friday's mishap is not the first fatal accident for Grand Isle Shipyard, according to federal Labor Department records. The company was found responsible for a "serious violation" stemming from the December 2007 death of two workers overcome by poisonous hydrogen sulfide gas. In that accident, a worker who was cleaning a tank aboard a utility vessel fell from a ladder, which disconnected his respirator and exposed him to the gas. A second employee went to rescue the worker, but in the process, his harness was cut. By the time the men were recovered, they were unconscious. They died within days. After the investigation was completed, in 2008, Grand Isle was fined \$7,000 for the accident, which Occupational Safety and Health Administration deemed a "serious violation," federal records show. The explosion and fire last Friday aboard the West Delta 32 production platform -- which had been "shut in" so that the flow of oil had stopped -- will be investigated by the Bureau of Safety and Environmental Enforcement. The agency began an inspection of the site Friday, BSEE spokeswoman Eileen Angelico said in a statement Monday. The bureau's priorities are ensuring Black Elk makes the platform safe for personnel to be aboard, develops a safety plan for future activities, prevents pollution from residual oil released during the accident and secures physical evidence for the investigation. The investigation team met with Black Elk personnel Monday to collect and safeguard evidence, gather accounts from workers on board at the time of the accident, and review documents regarding the personnel, safety procedures and operations in place at the time of the explosion. BSEE Director James Watson said in the statement that regulators were "reviewing all available technical documents to ensure that we are able to obtain an accurate representation of what happened." "When all of the information is collected and analyzed, BSEE will be in a position to decide which enforcement actions are appropriate and more importantly, how BSEE and the offshore industry can learn from this tragic event in order to prevent loss of life and injuries from future accidents," Watson said. The Philippines Department of Foreign Affairs, meanwhile, said it is arranging for relatives of the injured workers to travel to the United States. In a statement, Philippines Ambassador Jose Cuisia, who on Monday visited the Baton Rouge Hospital where the four injured workers are being treated, said his embassy continued to pray for Malagapo to be found alive. "We Filipinos always believe in miracles," he wrote.

http://www.nola.com/crime/index.ssf/2012/11/accident_sheds_light_on_use_of.html



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CANADA, B.C, WILLIAMS LAKE, NOVEMBER 23 2012. DIESEL TANKER ROLLOVER ON BEAVER LAKE ROAD

 [Photo Gallery \[10\]](#) [Diesel Tanker Rollover](#)



A semi hauling diesel flipped the pup trailer over approximately 34 kms along Beaver Lake Road after leaving Gibraltar Mine Road this morning. The tanker was going around a gentle right hand corner, when the pup slid off the icy road into the shallow ditch on the left hand side. It appeared the driver tried to bring the pup back onto the road, but it flipped on its side. The pup was still attached to the tanker unit pulling it. Officials on the scene said that some diesel was spilling, but was mostly contained early on. An excavator was on scene damming the waterway along the side of the road. The Ministry of Environment containment crew was en route to the scene, as well. Traffic was blocked in both directions while officials accessed the scene. The driver of this tanker unit was not injured.

<http://welcometowilliamslake.ca/index.php/the-news/local-news/6395-diesel-tanker-crash-near-williams-lake.html>

USA, MN, CLARA CITY, NOVEMBER 23 2012. HEAD-ON CRASH NEAR CLARA CITY, MINN., KILLS ONE

The driver of a pickup was killed Wednesday in a head-on crash with a tanker truck on state Highway 23 near Clara City. The Minnesota State Patrol says on its website that a 2001 Ford Ranger pickup was traveling westbound, crossed the center line and struck an eastbound semi head-on. The driver of the pickup was killed. The name of the driver is expected to be released Thursday morning. The driver of the 2012 Kenworth semi, Michael A. Rost, 37, of Osakis, suffered no apparent injury. He was wearing a seat belt. The State Patrol report says the crash occurred at 4:41 p.m. Wednesday about 3 miles east of Clara City. The pickup was totaled, and the semi sustained severe damage. Traffic was detoured temporarily around the accident scene Wednesday evening. The Chippewa County Sheriff's Office, Clara City Police Department and Dawson Police Department assisted at the scene.

<http://www.wctrib.com/event/article/id/100540/>

INDIA, KANNUR, NOVEMBER 23 2012. ANOTHER TANKER OVERTURNS IN KANNUR, MISHAP AVERTED

Within three months of the [LPG](#) tanker mishap at Chala here that took 20 lives, Kannur witnessed yet another LPG tanker accident on the wee hours of Wednesday, when it overturned at Madhukoth near Chakkarkal. A mishap was averted as gas was not leaked, but the incident has brought to light the fact that oil companies are still hesitant to abide by the rules, said the police. "Following the Chala mishap, we had strictly asked the oil companies to make sure that there are two drivers in the truck, but the tanker involved in Wednesday's accident had only one driver," said Kannur DSP P Sukumaran. He said in all possibility the accident happened due to the steep curve in the road and also due to the overspeed of the vehicle. Though a case has been registered against the driver of the tanker, Christopher Jeevaraj (40), at Chakkarakkal police station, he could not be questioned as he has been admitted to the [Kozhikode Medical College Hospital](#) with serious injuries on his legs. He would be questioned later. The police would also enquire whether the driver had fallen asleep while driving. Police also said the residents were so panicked that they fled from the spot immediately after the incident and they came back hours later after it was ensured that there was no gas leak. Vehicular traffic was restored after the tanker was lifted around 9am with the help of Khalasis from Valappattanam. According to local residents though the place is notorious for accidents because of the steep 'S' curve there, authorities have not taken any steps to straighten the curve or widen the road. "The only way to solve the issue is to transport tankers via rail. Use road for the transportation of tankers in places where there is no rail connectivity," said [A P Abdullakkutty](#), MLA, who visited the place. "Though the issue was discussed in a meeting called by the chief minister, the railways apparently objected to it as there is no facility to unload the trucks which need separate platforms," he said. "The state government should take initiative to build new platforms in these stations, considering the seriousness of the issue."

<http://timesofindia.indiatimes.com/city/kozhikode/Another-tanker-overturms-in-Kannur-mishap-averted/articleshow/17317029.cms>



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