



## Dangerous Goods - Hazardous Materials Group & Network Release 2013 – 954 Newsy Stuff

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

**April 28 2013**



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### USA, ARK, MAYFLOWER, APRIL 19 2013. EXXON OFFERS TO BUY HOMES NEAR ARKANSAS OIL SPILL SITE



*Clean-up crew removing crude oil from a Mayflower, Ark., development.*

Exxon Mobil Corp. (XOM) has offered to buy the homes of residents of a Mayflower, Ark., neighborhood where a pipeline ruptured last month spilling thousands of barrels of oil. The offer is part of a compensation package that includes a \$10,000 payment for each household to cover "disruption and inconvenience," as well as payment of cleaning and landscaping costs, moving expenses and rent. The move is part of Exxon's response to the rupture of the Pegasus pipeline, which on March 29 spilled an estimated 5,000 barrels of oil into streets and yards of this tranquil community. Crews were still at work this week cleaning some areas and the Arkansas Department of Health said Wednesday that none of the residents of 22 evacuated homes have yet returned. Under the deal put forward by Exxon Tuesday, owners of the 11 homes "directly

impacted" by the spill can sell their property to Exxon within the next three years at prices determined by appraisers approved by the U.S. Department of Housing and Urban Development. The company also agreed to buy other homes in the neighborhood if no buyers come forward or if the spill affects the sale price. For residents who decide to stay in the neighborhood, Exxon said it would make a one-time payment for any reduction in property value in the next three years. The company said accepting the compensation offer won't affect a person's rights to make claims against Exxon. "Exxon Mobil will continue to work with you to resolve such claims," the letter stated. Exxon said Tuesday that 246 claims have been made to a hotline number it set up after the spill. Exxon's bid to placate homeowners comes in the midst of increased awareness of the fragility of the nation's pipeline network. It also comes in the wake of the BP PLC (BP.LN, BP) 2010 U.S. Gulf of Mexico spill, in which the U.K.-based oil giant spent billions compensating individuals and businesses affected by the disaster. Jim Finton, who lives in the Northwoods neighborhood but did not have to evacuate, said he thinks Exxon's offer is fair, but he hasn't decided whether he will stay or go. "A lot goes into that," he said. "If I do stay and they buy some of the homes, what will happen with those homes? Will this subdivision degenerate into low-rent rental-property type situation?" The Arkansas Department of Health has approved a plan to allow residents of 10 of the 22 evacuated homes to return. Department spokesman Ed Barham said the air quality in the area is not dangerous, but other measures, such as earth moving, will need to be finished before residents can go home. Exxon spokesman David Eglinton said some work, such as replacing part of the storm-drainage system, is still being done in the neighborhood. "While the Arkansas Department of Health has indicated there should be no impact on the health of Northwoods neighborhood residents, some residents may not decide to return until all work involving heavy equipment within the neighborhood has been completed," Mr. Eglinton said Wednesday. Earlier this week Exxon cut out a 52-foot-long section of pipe and sent it to a metallurgical lab for testing. On Tuesday the company replaced that section of pipe, but repair and testing plans must be approved by federal regulators before the 95,000-barrel-a-day pipeline can be restarted, a spokesman said. Central Arkansas Water, a major public utility in the region, has asked Exxon to make certain repairs to the line before getting it up and running again. The system wants Exxon to eventually move the line out of the Lake Maumelle Watershed, where it runs for 13 miles. U.S. Rep. Tim Griffin, whose district includes Little Rock and Mayflower, seconded that request, asking Exxon to find a way to move the pipeline. "I am especially concerned that the steepness of the shoreline at Lake Maumelle could exacerbate contamination of the water supply in the event of an oil spill and make cleanup more difficult," Mr. Griffin said in a press release. A spokesman for Exxon said the company is reviewing the request.

<http://www.foxbusiness.com/news/2013/04/17/exxon-offers-to-buy-homes-near-arkansas-oil-spill-site/>

### USA, TX, RIO GRANDE VALLEY, APRIL 19 2013. AT THE HELM: BOAT BUILDERS FACE NEW FUEL SYSTEM RULES

w. d. "doc" gagan

It's been in the works for several years now, and the deadline is fast approaching when all new boat builders will be required to install special fuel systems and components in their boats per Environmental Protection Agency regulations. While these new fuel systems are designed to reduce raw fuel vapors from leaking into our environment, that's not all that will be reduced. It all started in the 1990s when California put in place strict guidelines, regulations and laws regarding almost anything and everything having to do with the environment and vehicle emissions, including boats. It didn't take long for their lobbyists to twist the arms of the government, and especially the EPA, into implementing similar regulations and laws nationwide, including



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the addition of ethanol to good ol' gasoline and diesel, which if you haven't been paying attention, has raised the cost of most foods, shipping, transportation, raw materials and literally every product on the market. The original thought behind ethanol laced fuels was that, like all alcohols, it burns much cleaner than pure gasoline or diesel, and they were correct to a point. What they didn't count on was that ethanol produced less power and for a vehicle to travel at the same speed and carry the same load would require the driver to apply more throttle. Many studies have shown that actually produced more emissions than non-ethanol fuels. These same studies have indicated that over time air pollution and related illnesses will also increase. Unfortunately, these weren't the only nasty side effects of ethanol. Since most ethanol is currently made from corn, right from the start prices for anything made from corn rose overnight. And there are countless other products where prices have increased, doubled and tripled, all because of ethanol. While this has impacted the wallets of every business and individual, there were even more unforeseen side effects to come. One was that ethanol attracts water vapors right out of the air, and as anyone would know, no internal combustion engine – automotive, marine, lawn equipment or whatever – can run on watered down fuel. Also, the combination of ethanol (alcohol) and water is highly corrosive and can ruin engines and their fuel systems in a heartbeat. Needless to say, boaters are forced to install \$50 fuel/water separator filters in-line and change the \$8 filter quite often, at least every 60 to 90 days. While that was a fairly simple and inexpensive problem to remedy, it was the size of the ethanol molecules that would ultimately bring about major changes in marine fuel systems. You see, ethanol molecules are extremely tiny, many times smaller than gasoline or diesel molecules and being that small these molecules easily passed or leaked through not only fuel lines and hoses, but also fuel filters and vents, and fiberglass, metal and plastic fuel tanks. This leakage is called permeation, and was seen as an environmental and air quality problem, but it has also been the cause of many marine fires and explosions on all types of vessels. So, the first of many changes took place a couple of years ago when EPA required engine manufacturers, boat builders and marine dealers to install Type A-1 alcohol rated fuel lines and hoses on all new boats, and when replacing old lines and hoses on older vessels. These new fuel lines had alcohol resistant inner liners and are typically double-walled to prevent permeation. Fortunately, the cost of this fuel hose upgrade was minimal, but that is the last of the inexpensive fuel system upgrades required by the new regulations. Permeation of fuel vapors from fuel tanks, fuel fills and tank vents was still seen as a major environmental issue, so in 2011 EPA required boat builders to install EPA-certified low-permeation fuel tanks, anti-surge valves, grade valves, charcoal filters/canisters and pressure relief valves just to mention a few. However, there was an exemption offered to small boat builders through July 31, 2013. Small builders were considered any builder with 500 or fewer employees and who produced fewer than 1,200 boats per year. Obviously, this exemption included probably 90-plus percent of all boat builders; including all of the builders we're familiar with here in Texas, such as Shallow Sport, Dargel, Cougar Marine, Shallow Stalker, Majek, Shoalwater, New Water and many more. With the July 31, 2013 compliance deadline fast approaching most of these builders are scrambling to learn exactly which fuel components they need for each boat model they build, plus adjusting their boat pricing. The reason for price increases is because compliance with the mandated EPA regulations isn't going to be cheap. For example, a 28-gallon fuel tank a couple years ago retailed for around \$300. The new low permeation tank runs about \$1,350. Add to that the other fuel system components and the additional labor to install them and it's no wonder that the price of an average recreational boat could easily go up by \$1,200 to \$2,000 almost overnight. Believe it or not, that was the good news. The bad news is going to be the potential for reduced inventories, shortages and delayed shipments of these new fuel system components, which could increase the time it takes to get your new boat. The reason for these potential shortages is understandable when you consider that a very large percentage of all boat builders will all of a sudden need these products, and that there are only a handful of manufacturers that have EPA certified components. For instance, there are only two or three fuel tank manufacturers with EPA certified tanks. Instead of their typical wide range of tank sizes and models, most have less than a dozen or so for boat builders to choose from. The same holds true for the carbon canisters and the other related components that are now required. That's called "slim pickin's" and we're not talking about a country music legend. There is also one other change that certain boat builders who typically "bury" the fuel tank inside the hull with no full size access hatch in order to service or replace it will have to make. Now, with all of these valves and other components rigged to the tank itself that will need routine service and/or replacement, builders must provide full access to their boat's fuel tank, which for some builders will require a partial re-design of their boats, and that too will come at a higher price tag to the consumer. So, if you happen to be in the market for a new boat, and you'd like to save a bundle of cash doing it, you might want to order your new boat now, before the deadline kicks in. Then, Go Fishing!

[http://www.valleymorningstar.com/coastal\\_current/news/something\\_extra/article\\_a6fee2ac-a83e-11e2-bb8b-0019bb30f31a.html](http://www.valleymorningstar.com/coastal_current/news/something_extra/article_a6fee2ac-a83e-11e2-bb8b-0019bb30f31a.html)



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#### AUSTRALIA, SOUTH AUSTRALIA, PORT ADELAIDE, APRIL 19 2013. MAYOR WANTS FERTILISER FACTORY MOVED



*Incitec Pivot fertiliser plant at Port Adelaide.*

Port Adelaide mayor Gary Johanson says a local fertiliser plant should be moved after yesterday's deadly explosion in Texas. A development at Port Adelaide near the Incitec Pivot plant was put on hold in 2011 after SafeWork SA found that ammonium nitrate stored at the site could explode. Ralph Tonkin runs a business opposite the plant and says witnessing amateur footage of the incident in Texas has left him shaken. "I've seen that blast a few times played over and knowing that was maybe 10 times further away than we are, just thinking what effect it would have on us, the customers or the gear we've got here," he said. SafeWork SA executive director Bryan Russell says the plant stockpiles a "reasonable quantity" of ammonium nitrate and is subject to national explosives regulations that were introduced in 2006. But Mr Russell

says the blast in the US may have been caused by a different chemical compound. "The one thing that we need to do in the first instance is to get appropriate intelligence about the Waco experience," he said. "We need to establish exactly what the product was. Early indications are it was anhydrous ammonia, which is somewhat different to the ammonium nitrate that is being stored at Port Adelaide. "We also need to be aware of what the manufacturing process was and how much of the product was on site." Mr Russell says SafeWork SA keeps in regular contact with the Port Adelaide plant's operators. "We're in constant dialogue with them about the types of safety procedures they've got in place," he said.

##### **Safer Location**

Incitec Pivot indicated last year it might shift from its Port Adelaide premises if taxpayers helped to fund the move. Mr Johanson wants the State Government to step in and close the site. "The blast zone that they implemented, or stated that no residential development should occur within, was something like 900 metres," he said. "When you look at news reports of that fertiliser works going up, I believe they stated the effect was felt as far away as 80 kilometres. I think the time is right to fully support the EPA and SafeWork in their judgment. "Let's look towards this industry which is an important industry, see if it can be moved, potentially with government assistance to a safer location, safer for the people of Port Adelaide in particular if there was to be some form of a catastrophe." Authorities in Texas have confirmed the huge blast at the fertiliser plant at West, south of Dallas, resulted in fatalities. Up to 70 homes and buildings were destroyed in a five-block radius and about 160 people were injured.

**Related Link** [Texas explosion fuels Newcastle fears](http://www.abc.net.au/news/2013-04-19/mayor-wants-fertiliser-factory-moved/4638652?section=sa)

<http://www.abc.net.au/news/2013-04-19/mayor-wants-fertiliser-factory-moved/4638652?section=sa>

#### USA, MI, LUPTON, APRIL 19 2013. DIESEL FUEL SPILLS INTO LUPTON CREEK

tim barnum



*A cleanup crew with Kessler Environmental Excavating places booms in the ditch on the north side of Sage Lake Road to absorb diesel fuel spilled from a tank.*

A 250-gallon diesel fuel tank at Green Briar Golf Course emptied into surrounding waterways Tuesday, April 16, and a cleanup crew is attempting to contain the spill, which reached a tributary of the Rifle River. Kip Cronk, an environmental quality analyst with the Michigan Department of Environmental Quality, said the DEQ was contacted by homeowners near the golf course Tuesday night who reported smelling diesel fumes. Cronk said DEQ workers got on scene around 6:30 p.m. and investigated the area where the odor was reported. "We got out there and tracked the site back up there to the fuel tank up on the Green Briar golf course," he said. Ernie McPherson, the owner of

Green Briar Golf Course, said it appeared foul play could have caused the fuel to spill from the tank. "It looks like they tried to syphon some out from the vent, and got enough out to tip it over," he said. The tank was upright when it was discovered, though, McPherson added. He said it is possible it was leaking, but an air pressure test needs to be conducted so he can determine whether there is a leak present. McPherson said the golf course's insurance company has been contacted and



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investigated the scene. He said the cleanup company, Kessler Environmental Excavation, will be working in the area until the spill is contained and cleaned up. "We regret what happened and we're taking the appropriate steps to clean up what happened," he said. Cronk said when the spill was reported, the DEQ's first concern was taking steps to keep the fuel from reaching the Rifle River. As of April 17, he said no fuel had reached the river. "We checked out the Rifle River yesterday and there was nothing there, and we went back to the next street to the east, and there was no sign of it there either," he told the Herald April 18. Fuel oil can have several adverse effects on the environment, according to Cronk. "It's a water quality issue," he said. "It can have an impact on the vegetation and plants, and have some impact on the wildlife depending on how bad it is." Kessler Environmental is using absorbent pads and absorbent booms to pull the fuel from the water, Cronk said. He said dark red spots found by property owners near the spill are the most threatening spots because the fuel has not broken down yet where they are present. "Whenever they can find those red spots, they right away get the pads in there, or get a boom in there to clean it up," he said. Rain has made the cleanup more difficult, and caused to fuel to spread over a wider area, Cronk said. The tank from which the oil was leaked was filled April 2, according to McPherson. Cronk said the full amount spilled from it is unknown. "We're not exactly sure how much fuel leaked out of it," he said. "We're sure the tank is empty and it was filled up a couple of weeks ago." The scene will be monitored and over the next few weeks until the spill is fully cleaned, Cronk said.

[http://www.ogemawherald.com/stories/Diesel-fuel-spills-into-Lupton-creek,96931?category\\_id=1&town\\_id=7&sub\\_type=stories,photos](http://www.ogemawherald.com/stories/Diesel-fuel-spills-into-Lupton-creek,96931?category_id=1&town_id=7&sub_type=stories,photos)

#### USA, WA, YAKIMA, APRIL 20 2013. MAN SAYS SPARKS HIT GAS TANK; SET GARAGE & CAR ON FIRE

*matt finn*



A Yakima man says sparks too close to a gas tank caused Thursday evening's fire that destroyed a garage and car. It happened around 6 o'clock on Jefferson Avenue. The red hot flames destroyed everything they touched. Thankfully no one was hurt. The man who lives there said he was siphoning gas with an electric pump. Sparks hit the gas and the fire grew too quickly to control. "I still feel the heat still on my chest. It was pretty hot. I was trying to grab the gas can to pull it away from the garage so it wouldn't catch on fire and it just got too hot. Way too hot," Kelly Balles said. The homeowners say the garage had antiques and heirlooms in it.

<http://www.kimatv.com/news/local/Man-says-sparks-hit-gas-tank-and-set-garage--car-on-fire-203727121.html>

#### AUSTRALIA, NEW SOUTH WALES, STOCKTON, APRIL 20 2013. WARNING FOR NEWCASTLE AFTER TEXAS EXPLOSION

*jeannette mcmahon*

Residents of Stockton and inner Newcastle have been warned of the risks of having Orica's ammonium nitrate plant so close to the city, after the devastating blast in West, Texas. The fertiliser plant in the small Texas town exploded yesterday, killing an unconfirmed number of people, injuring more than a hundred and destroying homes and buildings in a radius of five blocks. Firefighters and paramedics are believed to be among the dead, with the toll estimated at up to 15 so far. The chemical at the Texas plant was reportedly anhydrous ammonia. The chemical also comes in granulated form as ammonium nitrate, which is what is produced by Orica at Kooragang Island. Keith Craig, a chemical engineer and member of the Stockton Community Action Group, told 1233 ABC Newcastle's Philip Clark the chemical made here is "pretty much the same". "It's got the same possibility of explosion, the same explosive potential," he says. "You just have to have one accident and the trouble is the effect is catastrophic, as we're seeing in West at the moment. "So I think West really should bring home to the people of Newcastle just what is sitting there at Kooragang Island." He says up to 9000 tonnes of ammonium nitrate is kept at Kooragang, and it was only 300 tonnes that caused the devastating blast in Texas. "So we're talking 30 times the amount stored at Kooragang as exploded at West," Keith says. He adds that a proposed Incitec plant adjacent to Orica would bring the total to 20,000 tonnes. "I think that Newcastle people should be alarmed that these quantities are stored within 3km of the city



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of Newcastle," he says. With most of the chemical produced by Orica destined for use as explosives in Hunter mines, Keith believes it should be stored further up the valley, away from communities. This would also reduce the risks associated with transporting it long distances by road. Aside from the Texas blast, Keith says there have been 40 similar major explosions around the world, eight since 2000. He explains that the chemical can explode if contaminants come in contact with it or if there is a fire or a nearby explosion, especially if it is contained in a big stockpile. An Orica spokesman says the company adheres to internationally recognised best practice with its handling of ammonium nitrate.

### Related Links

- [AU-Kooragang ammonium nitrate storage plans to go ahead](#)
- [AU-Orica response to Texas explosion fears](#)
- [AU-Blast's shockwaves travel to our doorstep](#)
- [AU-Blast hits close to home](#)

<http://www.abc.net.au/local/stories/2013/04/19/3740795.htm>

## ENGLAND, CORNWELL, APRIL 20 2013. DEAD BIRDS WASHED UP IN CORNWALL >> COVERED IN POLYISOBUTENE (PIB)

wbmiles



*One of the dead birds washed up in Cornwall.*

Thousands of people are calling for action after hundreds of seabirds were killed in Cornwall in a pollution incident. Dead guillemots, razorbills and other rare species have washed up on beaches across the county during the last week. Petitions have been launched to lobby Government ministers for transport and for the environment. The creatures have been found coated in a sticky sludge that experts have identified as polyisobutylene, or PIB. The same glue-like gloop, a lubricating additive typically added to engine oils, wiped out hundreds of birds in February but the source has never been identified. RSPB official Tony Whitehead said: "If this was an illegal spill, we need to [support](#) the Maritime and Coastguard Agency in tracking down the ship responsible. Although this will be difficult, surely it's not impossible. "If this was the result of legal tank washing [operations](#), we need to urge the International Maritime Organisation to tighten up the rules and make it illegal to wash this stuff into the sea." The community action group, 38 Degrees, also urged transport secretary, Patrick McLoughlin MP, to put pressure on the International Maritime Organization, the international agency responsible for our seas and oceans, to make it illegal to dump PIB. A spokesman for the group said: "The longer we wait the higher the [risk](#) of more birds dying. Birds that come into contact with PIB eventually die of hunger or hypothermia as the sticky glue-like substance means they can't eat or move properly." Jessica Hirons, from the Lizard, went to Cawsand to help with the clean-up operation. She has organised a petition with nearly 3,000 signatures to urge action from Richard Benyon MP, Minister for Environment. She said: "I was going down to the beach rescuing helpless PIB covered birds which were washing ashore, struggling to swim and unable to fly. They were slowly starving to death as their contaminated feathers prevented their usual foraging ability and rendered them disabled."

<http://www.thisiscornwall.co.uk/Dead-birds-washed-Cornwall-Thousands-sign-battle/story-18747588-detail/story.html#axzz2QwyRQLXr>

## NIGERIA, LAGOS, APRIL 120 2013. PETROL TANKER SUMMERSAULTS

A petrol tanker belonging to MRS Oil on Thursday summersaulted at the Toyota bus stop along the Oshodi-Apapa Expressway in Lagos, southwest Nigeria, the state Fire Service has confirmed. Mr Rasaq Fadipe, a director with the service told the News Agency of Nigeria (NAN) in Lagos that the vehicle, with registration number XA 282 JHN, was fully loaded with 33,000 litres of petrol. Fadipe said that the accident happened at about 8.48 p.m. The tanker was coming from the Apapa Depot before it summersaulted around 8.48 p.m. "We were able to rescue men out of the tanker and channelled the product to



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a gutter to avoid an inferno on the expressway.” The director said that the accident caused a gridlock on the expressway but added that security agencies were quickly drafted to maintain law and order. He further said that fire service men from Isolo and Ilupeju were deployed to the place, in case on any fire outbreak. He said that the Lagos State Emergency Management Agency (LASEMA), the National Emergency Management Agency (NEMA), the Police and the Rapid Response Squad (RRS) were all on ground to tackle the situation. Furthermore, the Lagos State Transport Monitoring Agency (LASTMA) was also on ground to control traffic, he added. Fadipe, however, advised marketers and oil companies to avoid giving young drivers their vehicles to convey petroleum products. He stressed that oil companies and marketers should not engage unqualified and unregistered truck drivers. NAN reports that there was no casualty as at the time of filing this report.

<http://pmnewsnigeria.com/2013/04/19/petrol-tanker-summersaults/>

### USA, TX, SUNRAY, APRIL 20 2013. REMEMBERING SUNRAY'S HISTORIC PLANT EXPLOSION

chris martin



*Flammable hexane and pentane vapors began escaping from the spheroid designated as No. 199 at the Shamrock Oil and Gas Refinery. A relief valve released, turning pentane loose to the ground. The wind was blowing toward the process area, specifically an asphalt tank about 350 feet away under which a small fire was kept. This photo shows tank 199 before the BLEVE.*

Wednesday's explosion in West, TX bears some similarities to one of the worst deadly disasters in the history of the panhandle. On July 29th, 1956, the Shamrock Oil and Gas Refinery near Sunray suffered a few fires that led to a gas tank exploding. That event which killed 19 and injured 32 happened at what is now the McKee Refinery owned by Valero, is now remembered right in front of Sunray city hall. Volunteer firefighters from Sunray and Dumas were battling a small fire that started after fumes began escaping from a tank and reached a

small kept fire nearly 350 feet away. Ground crews fought other blazes along with trying to keep tanks cooled in the increasingly hot air when one of the tanks exploded, sending fuel and fire into the air. 15 firefighters were killed immediately as the pool of fire spread, the other four died from burn complications. All in all, four tanks exploded containing fuels, gases, or oil, while fires started around two more tanks but they did not explode. Certainly the hearts of those who remember the 1956 explosion are going out to those in West. Among those who lost their lives in the fire, were members of the the Shamrock Industrial Fire Brigade. The flames continued on for a few days after the initial explosion.

#### Related Links

- [54 Years Ago: Explosion Kills 19 Texas Firefighters at the Shamrock Oil Refinery](#)
- [Sunray Memorial Plaza](#)
- [Remembering the Dumas Sunray Disaster in 1956](#)

[http://myhighplains.com/fulltext?nxd\\_id=363282](http://myhighplains.com/fulltext?nxd_id=363282)

### USA, MD, PRINCE GEORGE'S COUNTY, APRIL 20 2013. CAPITOL HEIGHTS FUEL TANK SPARKS CHANGE IN STORAGE RULES >> LEGISLATION LIMITS PROXIMITY TO RESIDENTIAL AREAS

lindsey robbins



*Prince George's County Councilman Derrick Davis (D-Dist. 6) has introduced a bill to regulate above-ground fuel storage tanks in response to complaints from area residents about this fuel tank on Walker Mill Road in Capitol Heights.*

New rules limiting fuel storage tanks' proximity to homes is being applauded by one neighborhood as a step forward, although some say the legislation doesn't go far enough. The Prince George's County Council unanimously approved a bill April 16 that prohibits above-ground bulk storage tanks for diesel fuel and other flammable liquids from being within 300 feet of a residence, school, playground, library or hospital, and limits their size to 660 gallons. Councilman Derrick L. Davis (D-Dist. 6) of Mitchellville introduced the bill in response to complaints from the Capitol Heights neighborhood of Westhampton, which is located about



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100 feet away from a transportation company's 10,000-gallon fuel tank. "It's interfering with the quality of life for residents," Renee Holliday, president of the Westhampton Association, said of the white tank near the neighborhood. The fuel tank, which is 20 feet long and 4 feet high, is owned by Challenger Transportation of Gaithersburg. Westhampton residents said the tank is an eyesore that threatens to lower property values. "I don't think it should be in a neighborhood, period," said Westhampton resident Millie Payton, explaining that she believes 300 feet is still too close for a large tank. "A tank of that size shouldn't be above ground." The legislation still was lauded by Holliday as an improvement as it applies a cap on tank size and places tanks farther away from residences. Davis said the legislation also is part of a push for the county planning department to address design guidelines, physical buffers and noise reduction for industrial businesses located near residential areas. Since the Challenger site opened near Westhampton in 2009, residents have complained of noise from Challenger performing maintenance and accused Challenger of adopting safety measures reactively, such as putting up guards around the tank only after residents complained, Holliday said. Challenger president David Mohebbi denied the allegations and said the company has done everything to standard or better. Prince George's law allows existing tanks to remain if the fire chief confirms their safety and issues a variance. While Challenger originally had a variance, it was revoked because Challenger vacated the property in November, said Linda Lowe, spokeswoman for the county's Department of Environmental Resources. Challenger left because its contract ended, but it plans to return in the next few months and fill the tank, Mohebbi said. The company will need to undergo inspections and apply for permits to use the tank, said Samantha Kappalman, Maryland Department of the Environment spokeswoman. Holliday said she supports the legislation, even though it may not remove the tank near her community. "Nobody else should have to go through this," Holliday said. The bill was sent to County Executive Rushern L. Baker III (D) for signature within 10 days of the vote and can be enacted within 45 days, if Baker signs off on it.

<http://www.gazette.net/article/20130419/NEWS/130418734/1025/capitol-heights-fuel-tank-sparks-change-in-storage-rules&template=gazette>

### USA, ARK, MAYFLOWER. APRIL 20 2013. UPDATE ON ARKANSAS OIL SPILL: EXXON REJECTS AG REQUEST TO PAY FOR INVESTIGATION, OFFERS RESIDENTS \$10,000 AND SENDS DAMAGED PIPELINE OFF FOR STUDY

*chris tackett*



Today marks the fourth week of the cleanup in Mayflower, Arkansas, after the Exxon Mobil Pegasus pipeline ruptured spilled hundreds of thousands of gallons of oil into a neighborhood and wetland. Here's a collection of news related to the spill from the past week. On Monday, a 52 foot piece of the pipeline was removed, including the section where the 22 foot gash that was the source of the leak. [KATV has video: KATV - Breaking News, Weather and Razorback Sports](#) There has been debate and confusion about whether the oil that spilled was tar sands oil or conventional crude. [Maria Gallucci at InsideClimate News has a good post](#) on what exactly spill out of the Exxon pipeline. Exxon has been careful to not call the oil dilbit or tar sands oil, instead calling it heavy crude. Gallucci explains it is nasty stuff whatever you call it: Like

the other dilbits, Wabasca Heavy contains bitumen blended with a hydrocarbon diluent, usually natural gas liquids; benzene, a known human carcinogen; and hydrogen sulfide, a corrosive and poisonous chemical compound, according to the Cenovus MSDS. Wabasca Heavy also contains at least eight other hazardous constituents, including N-hexane and naphthalene, according to a separate data sheet that Exxon provided to cleanup workers in Arkansas. Following the spill, Arkansas Attorney General Dustin McDaniell launched an investigation and requested that Exxon Mobil pay \$4 million for the cost of the investigation. [Exxon has rejected that request](#). In other financial news related to the spill, [KARK reports](#) that another class action lawsuit has been filed. The condition of the pipe is a central piece of the suit: On March 29, 2013, a section of the Pegasus Pipeline in Mayflower, Arkansas, was in an unsafe, defective and deficient condition presenting an immediate environmental and real property harm. Meanwhile, Exxon is [offering \\$10,000 to residents](#) of the neighborhood that was flooded with oil. Compensation information provided by ExxonMobil to residents the company began meeting with Tuesday states each household will receive \$10,000 to compensate for disruption and inconvenience. The information packet says the company will also pay for one whole-house cleaning. Maintenance for re-landscaped yards, those touched by the oil product, will be paid for up to two months. For context, [this CNN video illustrates](#) how much Exxon CEO Rex Tillerson is paid in 60 seconds compared to a doctor, school teacher or minimum wage worker. Tillerson makes \$19.13 a minute, which means that



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\$10,000 his company is offering Arkansans is what he is paid in a little under 9 hours. Via [Co.Exist](#) The spill in Arkansas has been subject of discussion and debate regarding the proposed Keystone XL pipeline. In Washington this week, [Rep. Markwayne Mullin \(R-OK\) says](#) Exxon Mobil should be given a "pat on the back" for how they've handled this oil spill. Back in Arkansas, Max Brantley at the Arkansas Times [published a note](#) from a reader that claimed to have watched Exxon cleanup workers dumping oil-stained coveralls into a dumpster at an Exxon gas station. Max sees it as a sign Arkansans are paying attention: Average Arkansans are concerned and they are watching. Exxon can hire all the local cops at fat pay to shoo or even arrest people who get too close to filming unpleasant scenes. It can unleash an army of PR experts to downplay the ill effects of thousands of barrels of Canadian tar sand equivalent oil diluted with who knows what (stuff that is more and more targeted for shipment across the U.S. because British Columbia people don't want the Alberta crude coming through their territory.) It can claim you can use oil booms to prevent migration of unseen elements of this nasty stuff from spreading throughout a related lake, wetland and ecosystem. But all the fracking dollars in all the world and all the enabling political stooges in all the world won't deter whistle blowing average Arkies who know an oil slick (and an oil company slicker) when they see one. I'll update this post as more information comes in. For earlier coverage, see the links below and to the left of this post.

#### More on the Mayflower, Arkansas Oil Spill

- [Exxon pipeline rupture is 22 feet long, indicating immense pressure, possible criminal negligence.](#)
- [As Exxon censors local media, citizen journalists document Arkansas oil spill. Can the pros be doing more?](#)
- [Exxon pipeline breaks spilling 84,000 gallons of Canadian crude oil near Arkansas lake \[UPDATED\]](#)
- [Are 'oiled' birds in Arkansas signs the Exxon oil spill has spread to Lake Conway? \(UPDATED\)](#)
- [Exxon won't pay into cleanup fund because oil spilled in Arkansas isn't "oil"](#)
- [Shocking aerial video shows magnitude of Arkansas oil spill, as cleanup continues and frustration at Exxon grows \[VIDEOS\]](#)
- [As Exxon cleans oil spill in Arkansas, Shell pipeline spills 700 barrels in Houston](#)
- [Exxon's Arkansas oil spill has reached Lake Conway, says Attorney General McDaniel](#)
- [Mayflower, Arkansas "on lockdown" following Exxon Oil spill](#)
- [Arkansas oil spill could be almost 300,000 gallons, video shows alleged "dumping ground" in wetland \(UPDATES\)](#)

<http://www.treehugger.com/energy-disasters/update-arkansas-oil-spill.html>

#### USA, TX, WEST, APRIL 21 2013. TEXAS FERTILIZER PLANT STORED 1,350 TIMES THE AMOUNT OF CHEMICAL THAT WOULD TRIGGER OVERSIGHT

joshua schneyer, ryan mcneill & janet roberts

 [Photo Texas Factory Explosion: Satellite Pictures Before & After the Blast](#)

 [Photo West Fertilizer Co. Refinery Explosion: Before & After](#)

 **Watch the Video's**

- [Video: Aerial images show devastation from Texas fertilizer blast](#)
- [Video: Senator Cornyn: Fertilizer plant blast site in search and recovery](#)
- [Video: Rescuers comb through ruins of Texas fertilizer plant](#)
- [Video: Firefighters among those killed in Texas blast](#)



*Smoke rises as water is sprayed at the burning remains of a fertilizer plant after an explosion at the plant in the town of West, Texas early April 18, 2013. The fertilizer plant had last year been storing 1,350 times the amount of ammonium nitrate that would normally trigger safety oversight by the U.S. Department of Homeland Security.*

The fertilizer plant that exploded on Wednesday, obliterating part of a small Texas town and killing at least 14 people, had last year been storing 1,350 times the amount of ammonium nitrate that would normally trigger safety oversight by the U.S. Department of Homeland Security. Yet a person familiar with Department of Homeland Security operations said the company that owns the

plant, West Fertilizer, did not tell the agency about the potentially explosive fertilizer as it is required to do, leaving one of the



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principal regulators of ammonium nitrate – which can also be used in bomb making – unaware of any danger there. Fertilizer plants and depots must report to the Department of Homeland Security when they hold 400 pounds (180 kilograms) or more of the substance. Filings this year with the Texas Department of State Health Services, which weren't shared with the Department of Homeland Security, show the plant had 270 tons of it on hand last year. A U.S. congressman and several safety experts called into question on Friday whether incomplete disclosure or regulatory gridlock may have contributed to the disaster. "It seems this manufacturer was willfully off the grid," Bennie Thompson, ranking member of the House Committee on Homeland Security, said in a statement. "This facility was known to have chemicals well above the threshold amount to be regulated under the Chemical Facility Anti-Terrorism Standards Act (CFATS), yet we understand that DHS did not even know the plant existed until it blew up." Company officials did not return repeated calls seeking comment on its handling of chemicals and reporting practices. Late on Friday, plant owner Donald Adair released a general statement expressing sorrow over the incident but saying West Fertilizer would have little further comment while it co-operated with investigators to try to determine what happened. "This tragedy will continue to hurt deeply for generations to come," Adair said in the statement. Failure to report significant volumes of hazardous chemicals at a site can lead the Department of Homeland Security to fine or shut down fertilizer operations, a person familiar with the agency's monitoring regime said. Though the department has the authority to carry out spot inspections at facilities, it has a small budget for that and only a "small number" of field auditors, the person said. Firms are responsible for self-reporting the volumes of ammonium nitrate and other volatile chemicals they hold to the Department of Homeland Security, which then helps measure plant risks and devise security and safety plans based on them. Since the agency never received any so-called top-screen report from West Fertilizer, the facility was not regulated or monitored by the department under its CFAT standards, largely designed to prevent sabotage of sites and to keep chemicals from falling into criminal hands. The Department of Homeland Security focuses "specifically on enhancing security to reduce the risk of terrorism at certain high-risk chemical facilities," said agency spokesman Peter Boogaard. "The West Fertilizer Co. facility in West, Texas is not currently regulated under the CFATS program." The West Fertilizer facility was subject to other reporting, permitting and safety programs, spread across at least seven state and federal agencies, a patchwork of regulation that critics say makes it difficult to ensure thorough oversight. An expert in chemical safety standards said the two major federal government programs that are supposed to ensure chemical safety in industry – led by the Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) – do not regulate the handling or storage of ammonium nitrate. That task falls largely to the Department of Homeland Security and the local and state agencies that oversee emergency planning and response. More than 4,000 sites nationwide are subject to the Department of Homeland Security program. "This shows that the enforcement routine has to be more robust, on local, state and federal levels," said the expert, Sam Mannan, director of process safety center at Texas A&M University. "If information is not shared with agencies, which appears to have happened here, then the regulations won't work." Chemical safety experts and local officials suspect this week's blast was caused when ammonium nitrate was set ablaze. Authorities suspect the disaster was an industrial accident, but haven't ruled out other possibilities. The fertilizer is considered safe when stored properly, but can explode at high temperatures and when it reacts with other substances. "I strongly believe that if the proper safeguards were in place, as are at thousands of CFATS-regulated plants across the country, the loss of life and destruction could have been far less extensive," said Mr. Thompson. A blaze was reported shortly before a massive explosion leveled dozens of homes and blew out an apartment building. A U-Haul truck packed with the substance mixed with fuel oil exploded to raze the Oklahoma federal building in 1995. Another liquid gas fertilizer kept on the West Fertilizer site, anhydrous ammonia, is subject to Department of Homeland Security reporting and can explode under extreme heat. Wednesday's blast heightens concerns that regulations governing ammonium nitrate and other chemicals – present in at least 6,000 depots and plants in farming states across the country – are insufficient. The facilities serve farmers in rural areas that typically lack stringent land zoning controls, many of the facilities sit near residential areas. Apart from the Department of Homeland Security, the West Fertilizer site was subject to a hodgepodge of regulation by the EPA, OSHA, the U.S. Department of Transportation, the Texas Department of State Health Services, the Texas Commission on Environmental Quality and the Office of the Texas State Chemist. But the material is exempt from some mainstays of U.S. chemicals safety programs. For instance, the EPA's Risk Management Program (RMP) requires companies to submit plans describing their handling and storage of certain hazardous chemicals. Ammonium nitrate is not among the chemicals that must be reported. In its RMP filings, West Fertilizer reported on its storage of anhydrous ammonia and said that it did not expect a fire or explosion to affect the facility, even in a worst-case scenario. And it had not installed safeguards such as blast walls around the plant. A separate EPA program, known as Tier II, requires reporting of ammonium nitrate and other hazardous chemicals stored above certain quantities. Tier II reports are submitted to



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local fire departments and emergency planning and response groups to help them plan for and respond to chemical disasters. In Texas, the reports are collected by the Department of State Health Services. Over the last seven years, according to reports West Fertilizer filed, 2012 was the only time the company stored ammonium nitrate at the facility. It reported having 270 tons on site. "That's just a god awful amount of ammonium nitrate," said Bryan Haywood, the owner of a hazardous chemical consulting firm in Milford, Ohio. "If they were doing that, I would hope they would have gotten outside help." In response to a request from Reuters, Haywood, who has been a safety engineer for 17 years, reviewed West Fertilizer's Tier II sheets from the last six years. He said he found several items that should have triggered the attention of local emergency planning authorities – most notably the sudden appearance of a large amount of ammonium nitrate in 2012. "As a former HAZMAT coordinator, that would have been a red flag for me," said Haywood, referring to hazardous materials.

### Related Links

- [Safety Rules Limited for Small Fertilizer Plants](#)
- [Texas Plant Explosion: Worst-Case Scenario?](#)
- [12 bodies recovered after Texas fertilizer plant blast](#)
- [Rescuers comb Texas blast ruins for firefighters](#)
- [Hunt for the missing continues in Texas after deadly plant blast](#)

<http://www.theglobeandmail.com/news/world/texas-fertilizer-plant-stored-1350-times-the-amount-of-chemical-that-would-trigger-oversight/article11436704/>

### USA, TX, BAUMONT, APRIL 21 2013. EXXON IDENTIFIES SOURCE OF REFINERY FLASH FIRE



Twelve contract workers were hospitalized Wednesday after a fire broke out in a processing unit at Beaumont's ExxonMobil. Three of the injured are considered critical. All other employees have been accounted for. The unit was down due to maintenance when the fire occurred. Police closed the entrances to the facility. An investigation to the cause of the fire will be conducted.

Exxon Mobil released more information on Friday about [a flash fire that injured 12 contract workers](#) on Wednesday. Exxon Mobil spokeswoman Kathleen Jackson said the fire started when hydrocarbons released from a heat exchanger ignited. The heat exchanger was connected to a catalytic desulfurization unit, or CHD, Jackson said in a prepared statement. The CHD unit, which was down for maintenance at the time of the fire, is used to remove sulfur from petroleum products, she said. Jackson said the cause of the ignition and release of the hydrocarbons was not known as of Friday afternoon. "The

natural thing people want to know is what happened," she said. "This is factual information." Twelve contract employees from three companies were injured in the fire. Seven of those 12 workers were taken to the University of Texas Medical Branch at Galveston to be treated for severe burns UT/MB spokeswoman Molly Danninmaier said Friday afternoon that one of the victims was expected to be released Friday afternoon. [Four of the injured were still listed in critical condition](#) Friday afternoon and two were listed in serious condition, she said. The other injured workers were treated at local hospitals and released.

<http://fuelfix.com/blog/2013/04/19/exxon-identifies-source-of-refinery-flash-fire/>

### INDIA, MUMBAI, KALYAN, APRIL 21 2013. YOUTH KILLED AFTER TANKER DASHES BIKE

In yet another hit-and-run case, a 25-year-old man driving a Bajaj Pulsar motorcycle was killed after a tanker rammed into his bike from behind in the Kolsewadi area of Kalyan (east) on Friday morning, the police said. According to the Kolsewadi police, the incident took place at around 10.10 am, when the deceased identified as Vitthal Shivam Chavan was riding his bike from the Pune Link Road towards the Katemanivali Naka. The tanker came from the rear and knocked down his bike. Due to the impact, Chavan fell off the bike and his head hit the ground. The driver of the tanker escaped from the spot. Other motorists, who saw Chavan lying in a pool of blood, contacted the police and he was rushed to Rukminibai Hospital in Kalyan (west), where he was declared dead due to grievous head injuries. The police managed to trace the driver and arrested him under section 304 A (causing death due to negligence) of the Indian Penal Code.

<http://www.asianage.com/mumbai/16-yr-old-pillion-rider-dies-mishap-513>



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#### **ZAMBIA, TAZAMA, APRIL 21 2013. MAROONED DRIVERS FEAR FIRE ACCIDENT AT INDENI, TAZAMA >> TRAFIGURA**

*abigail chaponda*

Fuel tanker drivers marooned at Indeni and Tazama for over three weeks have warned of a serious fire accident if Trafigura, the company contracted to supply fuel to the Zambian government, does not allow them to offload the consignment. A check found drivers cooking under the tankers. In an interview yesterday, one of the drivers said they were living in fear of a fire should Trafigura continue to refuse to offload the fuel. Trafigura has refused to offload the consignment, demanding a letter of credit from the government. But energy permanent secretary George Zulu said the government has issued the letter of credit to Trafigura to allow the tankers to discharge the fuel in the reserve tanks. People here are cooking while others are smoking, this is not good because these tankers are filled with fuel and any small fire might cause a terrible accident. It is not safe for us to be cooking and under the tankers. We don't even have convenience room so we are answering the call of nature in the nearby bushes," said the driver who opted anonymity. And another driver said contrary to reports that the Zambian government had ordered them to go to Lusaka to offload the fuel, none of them had moved as they were all still stranded at Indeni and Tazama.

[http://www.postzambia.com/post-read\\_article.php?articleId=31694](http://www.postzambia.com/post-read_article.php?articleId=31694)

#### **ZIMBABWE, BULAWAYO, APRIL 21 2013. NEGLIGENCE BLAMED FOR PETROL STATION BLAZE**



*Mid-day blaze ... Fire fighters battle to put out the blaze.*

The Bulawayo fire services department has blamed gross negligence for the fire which razed a petrol station in the city centre on Independence Day. No one was however injured when the Redan Petroleum station, run by local businessman, Earnest Marima, exploded into a ball of fire destroying two fuel tankers. Bulawayo council chief fire officer Richard Peterson said initial investigations had revealed that the mid-afternoon blaze was caused by gross negligence. "Our investigations show that there was gross negligence in terms of fire safety management. The people at the filling station did not adhere to fire safety regulations as they allowed welding activities to take place while fuel was being handled," said Peterson. Marima said he was still trying to establish how much the blaze, which also destroyed part of the roof of the garage, had cost him. "For now we are not sure how much was destroyed, we are still carrying out investigations to determine the value of property that was destroyed. Nothing indicates that the underground tanks were affected but we will have to confirm that," said Marima. ZRP Bulawayo province spokesperson Inspector Mandlenkosi Moyo said police investigations were on-going. "We have sealed off the area to protect the scene until investigations are complete. We are protecting the scene to ensure that evidence is not tampered with and that other departments can

conduct their investigations without disturbances," he said. The fire was reportedly started by sparks from a welding machine a few metres away which ignited the two tankers which were unloading fuel at the time. Workers at the garage said one of the tankers was carrying 18,000 litres of petrol valued at US\$27,000 while the second truck reportedly had 5,000 litres of diesel valued at US\$75,000.

**Related Links** [Fire destroys Bulawayo petrol station](#)

<http://www.newzimbabwe.com/NEWS-10882-Negligence+blamed+for+petrol+station+blaze/NEWS.aspx>

#### **INDIA, MALAD, MITHCHOWKI, APRIL 21 2013. 16-YR-OLD PILLION RIDER DIES IN MISHAP**

A 16-year-old boy, riding pillion on a motorcycle with his uncle, was killed after a 10-wheeler tanker rammed into their bike on the Marve Road in Malad (west) on Thursday afternoon. The tanker ran over the boy; he was rushed to a hospital, where he was declared dead due to grievous head injuries, the police said. According to the Bangur Nagar police, the incident took place at around 1.30 pm on the south stretch of Marve Road at Mith chowki junction. Soon after the accident took place, the tanker driver sped away from the spot. However, an alert citizen noted down the tanker's registration number and alerted the police control room. The control room sent a message on the wireless and the tanker was traced a few hundred metres away from the accident spot by beat marshalls. The deceased Neeraj Morya (16) was rushed to a hospital by his uncle Deshraj



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Morya (33), who was riding the bike. The tanker had run over Neeraj and he had suffered grievous injuries to his head and other parts of the body. Neeraj was on his way to Malad station from his residence in Rathodi village near Marve Road. Neeraj's father is a farmer and lives in a village. Neeraj was living with his uncle in Mumbai. The driver Dharmaraj Vasudev Yadav (30) was arrested under Section 304 A (causing death due to negligence) of the IPC.

<http://www.asianage.com/mumbai/16-yr-old-pillion-rider-dies-mishap-513>

### USA, CO, GRAND JUNCTION, APRIL 21 2013. CSP INVESTIGATING SEMI FIRE, MULTI-CAR CRASH

 **Watch the Video's**

- [I-25 open between hwy 402 and hwy 60 after crash](#)
- [Crash at I-25 near Johnson's Corner closes roads](#)

 **Photo's [24]** [I-25 Reopens between Hwy 402 & Hwy 60 after Semi-Truck Fire](#)



Traveling to Denver for the weekend? It might not be the best weekend to do so. Poor weather and driving conditions are being considered as the main reason for several crashes. The Colorado State Patrol is on scene at I-25 near mile marker 253 for multiple vehicle crashes, including a semi-tanker that was engulfed in flames. An estimated 20-50 vehicles have crashed or gone off the roadway in that area, which is heavily impacted by snow and weather. Northbound traffic is closed and not anticipated to open for at least 5-7 hours. Several parties have been transported to MCR with unknown injuries. No fatalities have been reported. The Red Cross is responding to the area to assist stranded motorists and on-scene personnel. The Colorado State Patrol recommends avoiding

driving in inclement weather and conditions whenever possible.

<http://www.nbc11news.com/news/regionalnews/headlines/CSP-investigating-semi-fire-multi-car-crash-199696501.html>

### USA, WI, MILTON, APRIL 21 2013. JANESVILLE MAN KILLED IN MILTON GRAIN BIN

*nico savidge*



A 27-year-old Janesville man died after he became trapped in a grain bin at United Ethanol in Milton on Friday, according to Milton police. Jerad Guell was working with another employee in one of three cone-topped grain bins at the facility at 1250 Chicago St., when he went missing just after 10 a.m., Milton police Lt. John Conger said. The rescue operation continued throughout the day, with first-responders from 16 fire departments, two law enforcement agencies and OSHA all working at the scene, according to a news release from the Milton Police Department. Guell fell into a grain bin approximately five stories high that

contained more than 140,000 bushels of corn. Police were talking with the other employee Friday afternoon to find out how Guell became trapped, Conger said. "They were supposed to be in that silo, but obviously something went wrong, and that's what we're trying to determine," Conger said. Rescue squads from Whitewater, Edgerton, Janesville, Beloit and a number of other departments, as well as State Line Technical Rescue workers, were on the scene assisting in the effort. Besides dealing with the danger of becoming trapped in the grain, rescuers had to rotate out because of gasses in the bin, Conger said. At a media briefing outside the facility around noon, Milton Police Chief Dan Layber said he did not know how much corn was in the bin but it was "fairly deep" and making recovery efforts difficult. "The grain is constantly moving around," Layber said. "It's a tough process." In an effort to reach Guell, crews planned to remove some of the corn, Layber said. At about 1:30 p.m., what appeared to be grain began pouring from the side of the bin, forming a pile at the base. As the grain accumulated, crews used an end loader to move it away. It was still pouring from the bin 90 minutes later, Conger said. "That tells you how much is actually in there," he said. Rock County sheriff's deputies blocked access to the plant, which sits between County M, Highway 59 and Chicago Street, east of downtown Milton. News media observed the scene from a checkpoint about 300 yards from the grain bins.

 **Related Links**

- [Janesville man dies after being trapped in silo - La Crosse Tribune](#)



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- [Body of Janesville man recovered at Milton ethanol plant](#)
- [Body of Janesville man recovered from Milton grain bin](#)
- [Man's body recovered from silo in Rock County](#)
- [Emergency crews searching for missing worker at Milton ethanol plant](#)
- [Industrial accident reported at United Ethanol](#)

<http://gazettextra.com/news/2013/apr/20/janesville-man-killed-grain-bin/>

### CHINA, JILIN PROVINCE, HELONG CITY, APRIL 21 2013. 18 DEAD IN NE CHINA COLLIERY BLAST

A coal mine gas blast killed 18 people and injured 12 others in Northeast China's Jilin province, local authorities said Sunday. The blast occurred around 1:26 pm Saturday at Qingxing coal mine in Helong city. A total of 73 people were working underground when the blast occurred, and 55 of them have been lifted out to safety. Rescue work has come to an end by early Sunday morning. An investigation into the cause of the blast is under way.

[http://europe.chinadaily.com.cn/china/2013-04/21/content\\_16427307.htm](http://europe.chinadaily.com.cn/china/2013-04/21/content_16427307.htm)







### USA, CA, RICHMOND, APRIL 21 2013. FEDS RELEASE REFINERY FIRE INVESTIGATION VIDEO

#### Watch the Video's [3]

- [Chevron Richmond Refinery Fire Animation](#)
- [CSB Investigators Examine Accident Site at Chevron Refinery](#)
- [Surveillance Video from the August 6 Accident at the Chevron Refinery in Richmond, CA](#)

#### Photo's [11] [Chevron Refinery Investigative Photos](#)

#### Document's

-  [Final Report: Chevron Draft Report for Public Comment](#)
-  [Metallurgical Evaluation of Pipe Samples from the Chevron USA Inc., El Segundo Refinery](#)
-  [IST Checklist Questions](#)
-  [Chevron Draft Report for Public Comment](#)
-  [Metallurgical Evaluation from August 6, 2012, Chevron Refinery Explosion and Fire](#)
-  [CSB November 17, 2012, letter to the City of Richmond](#)



Federal investigators released an animated video on Friday showing the events that led to a massive fire at Chevron's Richmond refinery last August, providing the clearest picture yet of the accident. The U.S. Chemical Safety Board released the video (<http://1.usa.gov/13ytf11>) ahead of a public meeting in Richmond where it will be shown on Friday evening. The video shows how Chevron's decision not to shut down production after a small pipe leak was detected led to a series of bad decisions that made the leak worse. In one scene, a company firefighter strikes the pipe with a pike pole while trying to help colleagues pinpoint the leak. A vapor cloud eventually engulfed 19 employees before the fire ignited. The workers escaped serious injury, but the cloud and fire created respiratory problems among residents for days. Both Chevron and

government investigations have found that corrosion in the pipe caused the leak, and that Chevron failed to replace the 1970s-era pipe despite numerous warnings from its own inspectors. But the oil company issued a statement on Friday objecting to the video's release. Chevron said that by depicting the actions of specific workers it "has the effect, surely not intended, of demeaning the challenges faced by the responding personnel." The company also claims the eight-minute video contains inaccuracies, but did not specify what they were. The federal board routinely creates animated reenactments of incidents it investigates.

[http://www.thecalifornian.com/article/20130420/NEWS06/304200033/Feds-release-refinery-fire-investigation-video?nclink\\_check=1](http://www.thecalifornian.com/article/20130420/NEWS06/304200033/Feds-release-refinery-fire-investigation-video?nclink_check=1)



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## Dangerous Goods - Hazardous Materials Group & Network

### Release 2013 – 954 Newsy Stuff

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

**April 28 2013**



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#### IRELAND, LEITRIM, APRIL 21 2013. SHELL CUT REFINERY GAS PIPE THEY THOUGHT WAS A WATER PIPE

John Donovan



*News release – Issued by Shell to Sea Friday 19th April 2013*

*– Latest incident further example of Shell as “Neighbour from Hell”*

Shell has admitted that on Monday, the 8th April, they had to vent all the nitrogen currently in the gas pipes at the Bellanaboy refinery, after they mistakenly cut a gas pipe. Shell claim the reason for this was the gas pipe was mistaken for a water pipe in the refinery and was cut. The gas pipes on the refinery site are currently filled with nitrogen to inhibit corrosion. The incident only came to light because a local resident contacted Midwest Radio with details of the incident. Shell confirmed the incident took place one week after the event. [1] Commenting on the incident, Shell to Sea spokesperson Terence Conway stated “How can Shell possibly claim to have mistakenly cut a gas pipe inside the refinery, and then try to pass off the seriousness of the incident? It would be hard to mistake a water pipe for a gas pipe in a normal house, it should be impossible to do that in a refinery.” Shell to Sea spokesperson Maura Harrington stated “This incident only came to light when a local person alerted the local radio

station, MidWest Radio. This had happened a week beforehand and Shell, despite all their talk of being ‘good neighbours’ said nothing to anyone”. “A whistleblower email received by Shell to Sea expressed concern about the use of unqualified personnel at Bellanaboy and also stated that the drinking culture on site had become a big problem. The longer this farce continues, the worse it gets”[2]. Terence Conway continued “This incident could only happen in a situation where Shell have become so used the absence of regulation, that they don’t even need to pretend to follow proper safety procedures. The Government have clearly sent the message to Shell, ‘you can do whatever you want’. Fortunately due to protest, the refinery remains unconnected to the gas field. If, as Shell planned, gas had been flowing by now, we would potentially all be dealing with a gas leak and explosion.” For more information contact Maura Harrington 087 9591474 Terence Conway 086 0866264

<http://royaldutchshellplc.com/2013/04/19/shell-cut-refinery-gas-pipe-they-thought-was-a-water-pipe/>

#### USA, WASHINGTON DC, APRIL 21 2013. UNITED STATES: SUPREME COURT LIMITS TORT CLAIMS FOR VIOLATING THE LAW OF NATIONS

The Supreme Court ruled unanimously yesterday in *Kiobel v. Royal Dutch Petroleum*, No. 10-1491, 2013 U.S. LEXIS 3159 (Apr. 17, 2013), that a claim under the Alien Tort Statute (ATS), which relates to civil actions by foreign citizens for violations of the “law of nations,” does not extend to conduct that occurred on foreign soil. This ruling upheld the U.S. Court of Appeals for the Second Circuit in its dismissal of an ATS suit originally filed in the Southern District of New York by Nigerian plaintiffs against Netherlands-based Royal Dutch Shell PLC (Shell Oil). The suit alleged complicity in human rights violations committed against Nigerian civilians in Nigeria’s oil-rich Ogoni region. Specifically, the Supreme Court held that a canon of statutory interpretation - the “presumption against extraterritoriality” - applies to claims asserted under the ATS and that nothing in the statute’s text, history or purpose rebuts that presumption. The Court emphasized that a finding of extraterritorial ATS reach could constitute “unwarranted judicial interference in the conduct of foreign policy” and failed to find any indication the statute was passed to make the United States a forum to enforce international norms. The Court also noted that a finding of extraterritorial jurisdiction under the ATS could provide a reciprocal basis for other nations to hale U.S. citizens into their courts for conduct occurring anywhere in the world, including conduct occurring in the United States. Chief Justice Roberts authored the majority opinion, which was joined by Justices Scalia, Kennedy, Thomas and Alito. Justices Kennedy and Alito filed concurring opinions noting the narrow scope of the Court’s holding. Justice Thomas joined in Justice Alito’s opinion. Justice Breyer filed an opinion concurring in the judgment but indicated he would not have relied upon the presumption of extraterritoriality. Justice Breyer also argued for a broader statutory interpretation that would allow for the protection of U.S. citizens and U.S. interests. Justices Ginsburg, Sotomayor and Kagan joined in Justice Breyer’s concurrence. The Court’s opinion and the concurring opinions can be found [here](http://www.supremecourt.gov/opinions/13petitions/10-1491.pdf).

##### Background

Originally enacted as part of the Judiciary Act of 1789, the ATS allows foreign citizens to bring civil actions “committed in violation of the law of nations or a treaty of the United States” in U.S. district courts. The first significant ATS case was heard



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by the Second Circuit in *Filartiga v. Pena-Irala*, 630 F.2d 876 (2d Cir. 1980). In *Filartiga*, the court held that a foreign national could bring a suit against another foreign national living in the United States for torture that occurred abroad. In 2004, the Supreme Court determined in its first - and until *Kiobel*, only - ATS case that the ATS confers jurisdiction over lawsuits for certain limited, serious violations of international law. *Sosa v. Alvarez-Machain*, 542 U.S. 692 (2004). Notably, the *Sosa* holding did not address whether the ATS applies if the violations of international law occur in another country. In *Kiobel*, novel questions were raised regarding the proper interpretation of the ATS in the context of corporate tort liability and customary international law. The Southern District of New York had initially ruled in 2006 that customary international law did not define the violations claimed by the Nigerian plaintiffs with the particularity required by *Sosa*. On appeal, the Second Circuit found that corporations cannot be sued in the same manner as any other private-party defendant under the ATS. The Supreme Court granted certiorari in October 2011 to consider certain questions related to whether the ATS applied to corporations. In March 2012, the Court ordered a rare second hearing and supplemental briefing to ponder the issue of whether and under what circumstances the ATS would allow courts to recognize a cause of action at all for violations of the law of nations that occur overseas. Reargument before the Court took place on October 1, 2012, and yesterday's decision has been much anticipated.

### Looking Ahead

The Court's ruling in *Kiobel* has significant implications for U.S. corporations that do business on foreign soil. Mining companies, oil companies, pharmaceutical companies, manufacturers and financial institutions have all been the subject of ATS claims. Due to the nature of the allegations in a typical ATS case, the potential damages sought have historically been quite substantial. The determination that the ATS does not have extraterritorial reach indicates that, for the time being, corporations will not likely face the same level of potential liability from their overseas activities under this statute as they have in the recent past. However, the narrow holding, the issues raised in the concurring opinions and the submission of voluminous amicus briefs to the Court all suggest a strong likelihood of continued legal challenges regarding overseas violations of international law. U.S. individuals and companies that are considering initiating overseas operations or those already engaged in overseas operations would be well served to carefully monitor their overseas operations to be certain that they are not running afoul of other similar U.S. laws and that they are in compliance with any foreign laws that might subject them to the same sort of tort liability that, until yesterday, has been vigorously pursued in the United States under the ATS.

<http://www.mondaq.com/unitedstates/x/234760/court+procedure/Supreme+Court+Limits+Tort+Claims+for+Violating+the+Law+of+Nations>

### IRELAND, CO ARMAGH, APRIL 21 2013. ARRESTS OVER CO ARMAGH FUEL RAID



Items were seized from the scene.

Four men have been arrested following a raid on an illegal diesel laundering plant in Co Armagh. Police seized over 8,000 litres of fuel, a 20ft lorry used for transporting materials, a number of cars and other equipment from the Jonesborough area on Friday. The fuel plant, located inside a farm shed, was said to be capable of producing over 4.3m litres of illicit fuel a year, evading £2.8m in unpaid duty annually. Officers questioned the four men, who are from Co Armagh, and released them on bail. John Whiting of the HMRC said: "Buying illicit fuel not only funds crime but supports and encourages these dangerous activities within our communities. "The only winners are the criminals, who are

profiting at the expense of honest businesses and endangering the future viability of our legitimate fuel retail service. "I would urge anyone with information to contact our free telephone hotline on 0800 59 5000 and let us know of any suspicious activities or fuel misuse in their area."

<http://www.u.tv/News/Arrests-over-Co-Armagh-fuel-raid/7fa25c93-7094-4f21-b3dc-2b45d2e9626d>



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