



WHAT'S HAPPENING?

February 2010

Welcome to our New
Associate
Members

Pamela Hoobin
Victoria

Andrew Martin
Victoria

And Returning Member

Peta Lywood
Queensland

Fuel Storage Sites:

Safety and Environmental Standards

This is the final report by the UK Health and Safety Executive's Process Safety Leadership Group.

The main purpose of this report is to specify the minimum standards of control which should be in place at all establishments storing large volumes of gasoline. This report also provides guidance on good practice in relation to secondary and tertiary containment for facilities covered by the (UK) CA Control of Major Accident Hazards (COMAH) Containment Policy. Parts of this guidance may also be relevant to other major hazard establishments.

Contents:

Foreword;

Introduction;

Scope and application;

Summary of actions required;

Part 1: Systematic assessment of safety integrity level requirements;

Part 2: Protecting against loss of primary containment using high integrity systems;

Part 3: Engineering against escalation of loss of primary containment;

Part 4: Engineering against loss of secondary and tertiary containment;

Part 5: Operating with high reliability organizations;

Part 6: Delivering high performance through culture and leadership;

DIARY DATES FOR 2010

RISK ENGINEERING CONFERENCE

“Delivering Major
Initiatives”

10-13 March Melbourne

www.engineersaustralia.org.au/risk

Eminent Speaker

Mr. Bill Hoyle

recently retired

Investigations Manager of
the US Chemical Safety
Board

March 18

University of Sydney

Investigating Major Incidents Workshop

March 18

Engineers Australia
Sydney

HAZMAT

May 5 and 6

Melbourne

<http://www.fpa.com.au/events/?events=hazmat>

AIDGC Annual

Conference

Sydney

September 17

Conclusion;

Appendices;

References;

Further information

The report is available for free download (5MB) from
this link:

<http://books.hse.gov.uk/hse/public/saleproduct.jsf?catalogueCode=9780717663866>

Continuing Professional Development

The AIDGC Board is very pleased to report the findings of the Continuing Professional Development (CPD) Audit recently undertaken by Members selected in a ballot.

Six Members submitted CPD records, all clearly satisfied their CPD obligations, the mean achieved CPD activity being approximately 360 weighted hours for the 3-year period, compared with a minimum requirement of 120 hours.

On behalf of the Board and of all other AIDGC members, we sincerely thank those members who participated in the CPD Audit for their diligence in meeting their CPD obligations, and for their time and co-operation in assisting a process that helps confirm the credibility and reputation of the AIDGC as an organisation of professionals.

Lithium Batteries – Contentious Issue

- <http://www.youtube.com/watch?v=-DcpANRFrl4&feature=fvw>
- <http://www.youtube.com/watch?v=WeWq6rWzChw&feature=related>
- http://www.youtube.com/watch?v=brcSLnAT1nU&feature=player_embedded

Yes, they're commercial but demonstrate how quickly a lithium battery incident can get out of hand.

Manufacturers' Monthly's March Issue Now Available Online

The March digital edition of Manufacturers' Monthly is available for viewing at:

www.manmonthly.com.au

Oxygen Explosion Collapses Hospital Floors

SEVERAL floors have collapsed in an explosion at a hospital in Ukraine's eastern city of Lugansk that reportedly killed two people, the office of Prime Minister Yulia Tymoshenko says.

"As a result of a violation of security rules in the intensive care unit of hospital number seven of Lugansk, oxygen canisters exploded," it said today.

"Several floors of the hospital collapsed," it said, adding that Mr. Tymoshenko was flying to the scene.

The Interfax Ukraine news agency reported earlier that two people were killed in an explosion caused by the canisters exploding on the fourth floor of the seven-storey hospital, citing sources.

Source: News.com.au

<http://www.kyivpost.com/news/nation/detail/57403/>

<http://english.cri.cn/6966/2010/01/19/2001s543475.htm>

Corpus Christi Refinery Fire

The USCSB has issued urgent safety recommendations calling on CITGO to immediately improve its emergency water mitigation system in the event of another release of potentially deadly hydrogen fluoride (HF) vapour. The Board also called on CITGO to conduct third party audits at its plants.



AMSA “Dangerous, Hazardous and Harmful Cargoes Handbook”

Dangerous Goods Intended to be Shipped by Sea

This 290 page A5 size handbook has been produced as an information resource for those involved in the transport of dangerous goods intended to be shipped by sea. It is also designed as a training text and includes a guide to the training required for each function described in Chapter 1.3 of the IMDG code.

Useful guide to ADG 7 and dangerous goods generally

Since ADG 7 and IMDG have the same structure, including paragraph numbering, (both being based directly on the same UN “Orange Book”), much of the explanatory material in this handbook is useful in understanding dangerous goods in general and ADG 7 in particular. Of particular relevance are the following major Parts

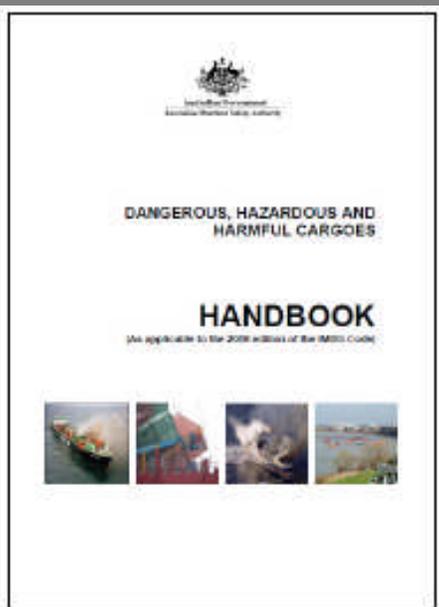
- **Part 6: Introduction to Classification – Physics, Chemistry and properties.**
23 pages of explanation relevant to ADG 7
- **Part 7a: Classification and Index used by UN/IMO**
45 pages of explanation and examples applicable to ADG 7
- **Part 8: Package and Tank Requirements**
12 pages of explanation relevant to ADG 7

In addition there are relevant chapters within other Parts, such as

- **3.3: The Dangerous Goods List**
The first 14 columns of the IMDG DGL are effectively identical; to those in ADG 7 DGL
- **10.1: Limited Quantities**

Recommended for AIDGC Accreditation and Refresher Training

Particularly in areas such as classification and packaging this is a useful resource for Associates moving to Membership and for Members’ refresher



training. Use of this handbook for such training attracts CPD points.

Availability

The book can be purchased (\$25 per copy plus GST and postage) from the Australian Maritime Safety Authority (AMSA) Head Office - Phone 62795020 or email: dangerousgoods@amsa.gov.au

Altona Petrol Spill

A leaking petrol tank at the Mobil Oil Refinery in Melbourne's west was threatening to collapse when a leak was detected at the refinery, on the corner of Kororoit Creek and Millers roads, about 11.45pm on February 8. Almost 70 firefighters attended, fearing an explosion. Mobil refining manager Glenn Hanson said the company was sorry for the incident. "We very much regret this incident and apologize for any inconvenience to our neighbours," Mr. Henson said. "We care about the community of Altona and want to reassure our neighbours that we are working hard to protect our site personnel, the community and the environment. "At this stage we estimate the product spilled is a small percentage of the tank capacity. "The tank area is protected by a bund (raised walls) to contain any spilled product and enable faster clean-up. "The transfer of remaining product to another tank continues and we expect that the transfer will be complete early this afternoon." Two major roads were closed as workers cleaned up a petrol spill. The tank can hold 10 million litres, but was only about 40 per cent full when the leak was discovered. Hobsons Bay Mayor Bill Tehan said they had enacted the council's emergency response plan. "In this instance, the council assisted authorities by providing some minor traffic management assistance," Cr Tehan said. "The council was concerned, but has been assured by the authorities that the leak has been fully contained and there is no impact on the abutting coastal park or homes. "The council expects to be involved in a de-brief with



If you would like to make a contribution, have an interesting story, case study or report, please send to:

robhogan@tpg.com.au

This month my thanks go to

Don Johnston, Tim Dean,
Philip Turner and Peter
Hunt.

authorities once the cause of the incident has been investigated.” This is not the first time Mobil has been the centre of a major fuel leak. In December 2006, one of the company’s underground fuel pipes started leaking petrol in Newport, causing several residents to feel sick. Mobil had been advised in 2003 to fix the problem. The company was fined in 2008 and ordered to contribute cash towards local environment schemes. Mr. Hanson said the Altona refinery was today operating normally and there is no impact on fuel output. An investigation into last night’s incident had started. “A thorough investigation into the cause of the leak will be carried out, and we will cooperate fully with relevant authorities,” Mr. Hanson said. “We look very carefully to identify root causes of incidents in order to apply learnings. “We will certainly review all investigation findings for this incident.” The Environment Protection Authority was overseeing the clean up.

Watch the Video:

<http://www.theage.com.au/national/mobil-in-damage-control-as-leak-sparks-ire-20100209-npr1.html>

Slideshow

<http://hobsons-bay-leader.whereilive.com.au/photos/gallery/altona-oil-refinery-leak/>

Mobil Gets Clean Up Notice

Mobil has been issued with a clean-up notice following the leak of between 20,000 to 30,000 litres of petrol at its Melbourne refinery. The Environment Protection Authority (EPA) served the clean-up notice to Mobil Refinery Australia after petrol started leaking from a tank holding 3.5 million litres on February 9. At the time, a Mobil spokesman said the petrol spill had been contained within a walled area surrounding the tank. EPA chief executive officer John Merritt said the notice requires Mobil to remove all industrial waste resulting from the spill and

Corporate Members

Our Corporate Members provide a range of products and services to the Dangerous Goods Industry. Their contact details are:

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Vanguard Solutions
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dispose of it to an EPA-approved site by the end of the month. "Mobil have a short period of time to remove any contaminated soil and in the event groundwater contamination has occurred, they will need to address this too," he said. "We have requested a full incident summary and are very keen to see what Mobil's current maintenance regime consists of and how they plan to prevent similar incidents from occurring."

<http://news.smh.com.au/breaking-news-national/mobil-gets-cleanup-notice-after-spill-20100217-o9s6.html>

Sydney Airport Evacuation Still a Mystery

Authorities are no closer to working out what made dozens of people ill at Sydney Airport in December 2009, forcing 900 to be evacuated from the international terminal.

Fire, police and ambulance crews descended on the departure area of the airport's international terminal at about 7.30pm (AEDT) on the Friday following reports of a possible gas leak.

Nine hundred people had to be evacuated, while 27 people suffered nausea and burning to the throat. They were all treated at the scene and none had to be hospitalized.

NSW Fire Brigades spokesman Warwick Kidd says all the tests conducted at the scene had shed no light on the substance. "To be quite honest, we cannot confirm what it was that gave people the alkaline taste in their mouth," he told AAP on Sunday.

"The unfortunate thing is here it's such a big area.

"You just don't know ... some sort of cleaning chemical could have got spilled somewhere at some stage and cleaned up, and a there was a residual and it got heated up by the hot evening.

"It's just impossible to know."

Mr. Kidd said the testing had been exhaustive.

"We did endless amounts of air sampling right

throughout the whole departure and arrivals terminal and we were getting no readings at all," he said. Police declared the area safe at 2.15am (AEDT) on Saturday.

Mr. Kidd said police had taken over the investigation. Police superintendent Karen McCarthy said on Saturday disruptions to airport operations were minimal and at no time was there a security threat.

Source:AAP

Unidentified Fumes from Chemical Spill

Six people at the Jalco factory in Smithfield inhaled the unidentified chemical fumes following the spill in January. They were treated at the scene, while 104 other people evacuated from the factory and adjacent buildings were assessed and given the all-clear.

Three Hazmat trucks and a pumper were called to the factory, but a fire brigades spokesman said the slight fumes that remained in the air posed no danger.

"We have isolated the valves that caused it. It's under control," the spokesman said.

Source:smh.com.au

Vandals Try to Light Chemical Vats

Paramedics called to a chemical spill in Melbourne's outer-east to treat up to 16 patients found no one had inhaled dangerous fumes coming from a vandalized factory.

An Ambulance Victoria spokeswoman said paramedics originally believed up to 16 workers at a business on Mountain Highway, Bayswater had been affected by the spill at a next-door factory.

She said a woman at the business required medical attention for an unrelated matter after initial reports that fumes had been leaking from the neighbouring factory where fire fighters were working to contain hazardous chemicals.

The factory had been broken into overnight by would-be arsonists who attempted to set alight vats of chemicals, believed to be types of glue, which were

spread across the floor, a Victoria Police spokeswoman said.

CFA fire fighters had worked from 10am to try and clean the spill and transfer the chemicals into a sealable containers.

A CFA spokesman said the business next-door shut off its air-conditioning to prevent the fumes from entering the building, which in turn led to a worker feeling unwell.

The vandals caused \$100,000 damage to equipment in the factory, sparked a small fire and repeatedly attempted to light chemicals stored at the business. Nothing was reported stolen, a Victoria Police spokeswoman said.

The CFA is continuing to work to decontaminate the area.

Source:theage.com.au

Massive Blast Rocks US Power Plant

A huge explosion has ripped through a US power plant being built in Connecticut, with reports that up to 50 people may have died.

February's blast at the gas-fired plant in Middletown, home to 40,000 people on the Connecticut River, sent flames and black smoke billowing into the sky and shook houses several kilometres away, witnesses said.

As helicopters, ambulances and fire trucks rushed to the scene and a massive search and rescue operation was launched, officials were reluctant to say how many might have died, but a large number of fatalities was feared.

"The reports vary from a few, several, to possibly as many as 50 dead," Brian Albert from the Middlesex hospital, which was treating several of those injured in the blast at the Kleen Energy plant, told AFP.

"They are in the process of search and rescue,"

Albert said, adding that the Middlesex was treating six patients and a seventh had been transferred to the nearby Hartford hospital, which confirmed it was also handling injured.





CNN reported at least two fatalities but officials would not immediately confirm the number of deaths or injured at the plant in the northeastern US state of Connecticut.

One witness told the local Hartford Courant newspaper: "There are bodies everywhere." Other witnesses suggested many victims could still be buried in the rubble.

"There was a massive explosion, there are multiple injuries and possible fatalities," Middletown police spokesman George Yepes told AFP.

Dozens of emergency personnel swarmed around the sprawling energy complex.

The Hartford Courant reported that 20 ambulances were at the scene and said helicopters were airlifting some of the victims to nearby hospitals.

A second spokeswoman at the Middlesex told AFP an emergency command centre was being set up there to deal with the incident. "We don't know what we've got at the moment," she added, referring to the state of the injured.

Pictures of the site showed a convoy of ambulances driving into the facility, from which a huge, black plume of smoke rose into the sky.

AFP could not immediately contact officials at the plant.

A local resident told the Hartford Courant that the explosion took place during a test of the plant's power generating systems.

The 620-megawatt Kleen Energy plant, said to be one of the largest power facilities to be built in New England for many years, was still in the process of being built.

The gas-fired energy production plant is located on the outskirts of Middletown on the edge of the Connecticut river, but close to some residential housing.

A company called Energy Investors Funds recently acquired 80 per cent of the Kleen Energy plant, which had been due to go online sometime in 2010.

Source:theage.com.au

AS/NZS ISO 31000: Risk Management Principles and Guidelines

The Risk Management Standard, AS/NZS 4360:2004 has been superseded by AS/NZS ISO 31000:2009. This new Standard provides practical guidance on how organizations, in all sectors, can improve the way they respond to all the risks they may face.



This Standard was prepared by Joint Standards Australia/Standards New Zealand Committee OB-007, Risk Management to supersede AS/NZS 4360:2004, Risk management.

When AS/NZS 4360:1999 was revised in 2004 (as part of a routine five yearly revision), it was decided by the Joint Australian/New Zealand Committee OB-007 that rather than undertake a similar revision in 2009, Standards Australia and Standards New Zealand would promote the development of an international standard on risk management which would then be adopted.

In 2005 the International Organization for Standardization (ISO) established a working group to develop the first international risk management standard using AS/NZS 4360:2004 as the first draft. The standard development process included extensive public consultation in Australia and New Zealand and resulted in the publication of ISO 31000:2009.

The main variations to AS/NZS 4360:2004 are as follows:

- (a) Risk is now defined in terms of the effect of uncertainty on objectives.**
- (b) The principles that organizations must follow to achieve effective risk management have now been made explicit.**
- (c) There is much greater emphasis and guidance on how risk management should be implemented and integrated into organizations through the creation and continuous improvement of a framework.**

(d) An informative Annex describes the attributes of enhanced risk management and recognizes that while all organizations manage risk in some way and to some extent this may not always be optimal. The process described for managing risk is identical to that in AS/NZS 4360:2004. This Standard is identical with, and has been reproduced from ISO 31000:2009, Risk Management—Principles and guidelines. Minor changes have been made to the Introduction to address the application of the Standard in Australia and New Zealand.

As this Standard is reproduced from an International Standard, the following applies:

(i) Its number does not appear on each page of text and its identity is shown only on the cover and title page.

(ii) In the source text 'this International Standard' should read 'this Australian/New Zealand Standard'. The term 'informative' is used to define the application of the annex to which it applies. An informative annex is only for information and guidance.

Buying Your Standards as an AIDGC Member

The AIDGC is a member of Standards Australia. Members can buy Australian Standards from their web site www.saiglobal.com/shop at discount prices by using the AIDGC's Membership Code and Online Access Code, provided that:

- * Purchases are made over the internet**
- * Purchases are made using a credit card**

To purchase standards, you must be registered on the SAI website and will be asked to log on.

To be able to purchase standards at a discount you must list the following details on the "Memberships" tab of your "My User" profile.

- * On the "Add/Authenticate a Membership" pane of this tab, in the "organization" field select "SAI Global: Buyer Advantage Program".**

* Enter SP012765 in the Member ID field (that's SPzero, not SPO)

* Enter 5449 in the PIN field

Once you have done this, the discount will be applied whenever you log on to purchase standards.

Once you have selected your Standard(s), and are processing your order, you must:

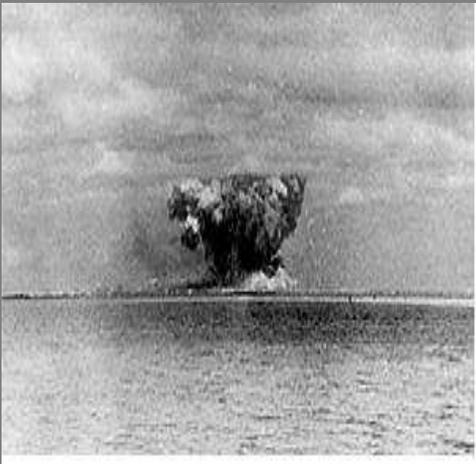
* Purchase by credit card, not the member account

* Complete the remaining fields using your personal details, NOT those of the AIDGC

From the Archives

The Texas City Disaster was a major 20th-century industrial accident in Texas City, Texas (United States). The tragedy took place on April 16, 1947 and started with a mid-morning fire on board the French-registered vessel *SS Grandcamp* in the Port of Texas City. The fire detonated approximately 2,300 tons of ammonium nitrate and the resulting chain reaction of fires and explosions killed at least 581 people.^{[1][2]}

These events also triggered the first ever class action lawsuit against the United States government, under the then-recently enacted Federal Tort Claims Act (FTCA), on behalf of 8,485 victims.



Texas City Ship, Grand Camp, Filled with Nitrates, Explodes in 1947



The Ships

The *Grandcamp* was a recently re-activated 437-foot-long (133 m) Liberty ship. Originally christened the *SS Benjamin R. Curtis* in Los Angeles in 1942, the ship served in the Pacific theatre and was mothballed in Philadelphia after World War II. In a Cold War gesture, the ship was assigned to the French Line to assist in the rebuilding of Europe. Along with ammonium nitrate—a very common cargo on the high seas—it was carrying small arms ammunition, machinery, and on the deck bales of sisal twine. The *SS High Flyer* was another ship in the harbor, about 600 feet (200 m) away from the *SS Grandcamp*. The *High Flyer* contained an additional 961 tons of ammonium nitrate and 3,600,000 pounds (1,800 tons)

of sulfur. The ammonium nitrate in the two ships and in the adjacent warehouse was fertilizer on its way to farmers in Europe. The *Grandcamp* had arrived from Houston, Texas, where the port authority did not permit loading of ammonium nitrate.

Explosions

The 32.5% ammonium nitrate, used as fertilizer and in high explosives, was manufactured in Nebraska and Iowa and shipped to Texas City by rail before being loaded on the *Grandcamp*.

It was manufactured in a patented explosives process, mixed with clay, petrolatum, rosin and paraffin to avoid moisture caking. It was also packaged in paper sacks, then transported and stored at temperatures that increased its chemical activity. Longshoremen reported the bags were warm to the touch prior to loading.

Around 08:10, smoke was spotted in the cargo hold of the *Grandcamp*. Attempts at control failed as a red glow returned after each effort.

Shortly before 9:00 AM, the Captain ordered his men to steam the hold, a firefighting method where steam is piped in to put out fires in the hope of preserving the cargo. Meanwhile, the fire had attracted a crowd of spectators along the shoreline, who believed they were a safe distance away.^[3] Spectators noted that the water around the ship was already boiling from the heat, an indication of runaway chemical reactions. The cargo hold and deck began to bulge as the forces increased inside.

At 09:12, the ammonium nitrate reached an explosive threshold and the vessel then detonated, causing great destruction and damage throughout the port. The tremendous blast sent a 15-foot (4.5 m) wave that was detectable over nearly 100 miles (160 km) of the Texas shoreline. The blast leveled nearly 1,000 buildings on land. The *Grandcamp* explosion destroyed the Monsanto Chemical Company plant and resulted in ignition of refineries and chemical tanks on the waterfront. Falling bales of burning twine



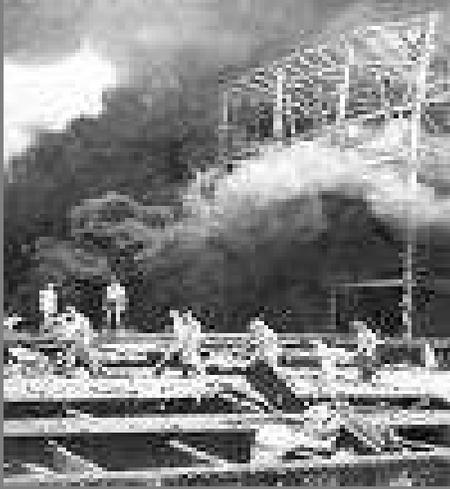


added to the damage while the *Grandcamp's* anchor was hurled across the city. Sightseeing airplanes flying nearby had their wings sheared off ^[4], forcing them out of the sky. Ten miles away, people in Galveston were forced to their knees; windows were shattered in Houston, Texas, 40 miles (60 km) away. People felt the shock 250 miles (400 km) away in Louisiana. The explosion blew almost 6,350 tons of the ship's steel into the air, some at supersonic speed. Official casualty estimates came to a total of 567, but many victims were burned to ashes or literally blown to bits, and the official total is believed to be an underestimate. The entire volunteer fire department of Texas City was killed in the initial explosion, and with the fires raging, first responders from other areas were initially unable to reach the site of the disaster.

The first explosion ignited ammonium nitrate cargo in the *High Flyer*. The crews spent hours attempting to cut the *High Flyer* free from its anchor and other obstacles, but without success. After smoke had been pouring out of its hold for over five hours, and about fifteen hours after the explosions aboard the *Grandcamp*, the *High Flyer* blew up demolishing the nearby SS *Wilson B. Keene*, killing at least two more people and increasing the damage to the port and other ships with more shrapnel and fire.

Scale of the disaster

The Texas City Disaster is generally considered the worst industrial accident in American history. Witnesses compared the scene to the fairly recent images of the 1943 Air Raid on Bari and the much larger devastation at Nagasaki. The official death toll was 581. Of the dead, 405 were identified and 63 have never been identified. These 63 were placed in a memorial cemetery in the north part of Texas City near Moses Lake. A remaining 113 people were classified as missing, for no identifiable parts were ever found. This figure includes firefighters who were aboard *Grandcamp* when it exploded. There is some



One of *Grandcamp's* anchors in Texas City Memorial Park



speculation that there may have been hundreds more killed but uncounted, including visiting seamen, non-census laborers and their families, and an untold number of travelers. However, there were some survivors as close as 70 feet (21 m) from the dock. The victims' bodies quickly filled the local morgue, and several bodies were laid out in the local high school's gymnasium for identification by loved ones.

Over 5,000 people were injured, with 1,784 admitted to twenty-one area hospitals. More than 500 homes were destroyed and hundreds damaged, leaving 2,000 homeless. The seaport was destroyed and many businesses were flattened or burned. Over 1,100 vehicles were damaged and 362 freight cars were obliterated—the property damage was estimated at \$100 million.^[5]

A 2 ton anchor of *Grandcamp* was hurled 1.62 miles (2.61 km) and found in a 10-foot (3 m) crater. It now rests in a memorial park. The other main 5 ton anchor was hurled 1/2 mile (800 m) to the entrance of the Texas City Dike, and rests on a Texas shaped memorial at the entrance. Burning wreckage ignited everything within miles, including dozens of oil storage tanks and chemical tanks. The nearby city of Galveston, Texas, was covered with an oily fog which left deposits over every exposed outdoor surface.

Firefighting casualties

Some of the deaths and damage in Texas City were due to the destruction and subsequent burning of several chemical plants (including Monsanto and Union Carbide), oil storage, and other facilities near the explosions. Twenty-seven of the twenty-eight members of Texas City's volunteer fire department and three members of the Texas City Heights Volunteer Fire Department were killed after an attempt to extinguish the fire on the first ship in what was one of the worst 20th century firefighter tragedies. More firefighters died at one time than had



Firefighters Memorial

ever died in any previous fire in the nation. One firefighter, Fred Dowdy, who had not responded to the initial call, coordinated other firefighters arriving from communities up to 60 miles (100 km) away. Eventually two hundred firefighters arrived, from as far away as Los Angeles. Fires resulting from the cataclysmic events were still burning a week after the disaster, and the process of body recovery took nearly a month. All four fire engines of Texas City were twisted and burned hulks. A positive result of the Texas City disaster was widespread disaster response planning to help organize plant, local, and regional responses to emergencies.

Reactions and rebuilding

The disaster gained attention from the national media. Offers of assistance came in from all over the country. Several funds were established to handle donations, particularly the Texas City Relief Fund, created by the city's mayor Curtis Trahan. One of the largest fundraising efforts for the city and the victims of the disaster was organized by Sam Maceo, one of the two brothers who ran organized crime in Galveston at the time. Maceo organized a large-scale benefit on the island featuring some of the most famous entertainers of the time including Phil Harris, Frank Sinatra, and Ann Sheridan. In the end the Texas City Relief Fund raised more than \$1 million (\$10.1 million in today's terms). Payouts for fire insurance claims reached nearly \$4 million (\$37.7 million in today's terms). Within days after the disaster, major companies that had lost facilities in the explosions announced plans to rebuild in Texas City and even expand their operations. Some companies implemented policies of retaining all of the hourly workers who had previously worked at destroyed facilities with plans to utilize them in the rebuilding. In all the expenditures for industrial reconstruction were estimated to have been approximately \$100 million (\$954 million in today's terms).

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return your call.

Legal case

Hundred of lawsuits were filed as a result of the disaster. Many of them were combined into *Elizabeth Dalehite, et al. v. United States*, under the recently enacted Federal Tort Claims Act (FTCA). On April 13, 1950, the district court found the United States responsible for a litany of negligent acts of omission and commission by 168 named agencies and their representatives in the manufacture, packaging, and labeling of ammonium nitrate, further compounded by errors in transport, storage, loading, fire prevention, and fire suppression, all of which led to the explosions and the subsequent carnage. On June 10, 1952, the U.S. Fifth Circuit Court of Appeals overturned this decision, finding that the United States maintained the right to exercise its own "discretion" in vital national matters. The Supreme Court affirmed that decision (346 U.S. 15, June 8, 1953), in a 4-to-3 opinion, noting that the district court had no jurisdiction under the federal statute to find the U.S. government liable for "negligent planning decisions" which were properly delegated to various departments and agencies. In short, the FTCA clearly exempts "failure to exercise or perform a discretionary function or duty", and the Court found that all of the alleged acts in this case were discretionary in nature.

In a stinging dissent, three justices argued that, under the FTCA, "Congress has defined the tort liability of the Government as analogous to that of a private person," i.e., when carrying out duties unrelated to governing. In this case, "a policy adopted in the exercise of an immune discretion was carried out carelessly by those in charge of detail," and that a private person would certainly be held liable for such acts. It should also be noted that a private person is held to a higher standard of care when carrying out "inherently dangerous" acts such as transportation and storage of explosives.

According to Melvin Belli in his book *Ready for the*

Plaintiff! (1956), Congress acted to provide some compensation after the courts refused to do so. The Dalehite decision was eventually "appealed" to Congress, where relief was granted by means of private legislation (Public Law 378, 69 Stat. 707 (1955)). When the last claim had been processed in 1957, 1,394 awards, totaling nearly \$17,000,000, had been made.

Source: Wikipedia

Joint Report of Fire Preventions and Engineering Board of Texas & the National Board of Fire Underwriters

<http://www.local1259iaff.org/report.htm>

and could it happen again?

<http://www.youtube.com/watch?v=TworcINhDhQ>

Valley of the Lambro River



Workers clean up an oil spill on the Lambro river, a tributary of the Po, near Milan. The spill reached the Po, Italy's biggest river, today. Photograph: Tommaso Balestra/AP



Italy Oil Spill 'Ecological Disaster'

A spill that sent massive amounts of oil into the Po River in northern Italy was a deliberate act of vandalism, officials said.

Investigators said someone opened a valve on an oil tank on Tuesday at a former refinery near Milan, the Italian news agency ANSA reported. An amount of oil equivalent to the load carried by 125 tanker trucks spilled into a tributary of the Po.

Roberto Formigoni, the governor of Lombardy, described the spill as a "criminal act" after flying over the affected area Thursday.

"They need to find out who did this and apply the harshest penalties possible," he said.

Cleanup teams have been using floating barriers to slow the progress of the oil slick, with limited results. The oil reached the Po on Wednesday and is expected to traverse the river delta near Venice and flow into the Adriatic Sea within three or four days.

The Po, the longest river in Italy, flows more than 400 miles from the Cottian Alps to the Adriatic, passing through major cities, including Turin, Ferrara and Piacenza. It is connected with Milan by a series of canals.

Source:UPI.com