

## Bad Planning Cited in Fatal CO Plant Fire

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DENVER (AP) — Federal officials investigating a 2007 fire that killed five workers at a hydroelectric plant said Wednesday that Xcel Energy Inc. and its contractor failed to adequately plan for hazardous work that included taking flammable solvents inside a 4,300-foot tunnel.

The U.S. Chemical Safety Board, which investigates serious chemical accidents and makes safety recommendations, called for strengthening federal and state regulations to prevent workplace deaths like those at the power plant near Georgetown, about 40 miles west of Denver.

The board recommended a safety bulletin and clear regulations from the U.S. Occupational Safety and Health Administration that spell out when flammable materials make an enclosed space such as a tunnel unsafe to enter. The board also recommended state changes, including a firefighter training program for rescues in tunnels and other special areas, and Public Utilities Commission regulations that require utilities to select contractors based on safety.

The lack of clear regulations "does not absolve Xcel from doing a safety analysis," Don Holmstrom, the board's lead investigator, said at a news conference. He later said such an analysis would have warned the companies of the hazards and told them what precautions to take.

Holmstrom will lead the investigation into the explosion and sinking of a BP PLC oil rig that spilled some 206 million gallons of oil into the Gulf of Mexico.

Board members also said Xcel ignored RPI Coatings Inc.'s poor safety record when it chose that company to sandblast a 1,500-foot section of tunnel and re-coat it with epoxy paint primarily because it was the lowest bidder.

"The report confirms that OSHA's regulations simply weren't clear enough," said Cliff Stricklin, an attorney for Minneapolis-based Xcel.

If Xcel officials had known the contractors planned to take 15 gallons of flammable solvent into the tunnel, the officials would have stopped them, he said.

Stricklin offered condolences to family members who were present Wednesday. He said Xcel has taken steps to prevent similar accidents.

RPI, formerly known as Robison-Prezioso Inc., had been investigated by OSHA for mishaps that involved two fatalities, including that of a motorist in September 2001, during a lead removal and repainting project on the Bay Bridge that connects Oakland and San Francisco.

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OSHA proposed \$59,000 in fines for safety violations in those two cases that are listed as open, according to the board's report.

A written statement from RPI said the men who lost their lives in the accident "were not only our employees, but our longtime colleagues and friends. One group's report or our objections to it do not affect our profound sadness surrounding this tragedy."

The report notes that before the Xcel project began, the utility company and RPI expressed concerns about there being only one entrance to the tunnel.

"But despite this, no plans were made for prompt rescue in an emergency, and no rescuers qualified to enter this confined-space environment were standing by," board member William B. Wark said.

Specially trained crews did not arrive at the scene until about 1½ hours after the fire started. A rescue would have involved firefighters using ropes or ladders to go down a 20-foot vertical section of tunnel, then down a 1,000-foot section sloped 55 degrees to reach a horizontal section where the workers were.

The board said its proposed safety changes would affect an estimated 4.5 million so-called confined space entries each year. The board found that 45 people died in confined space work accidents since the rules meant to prevent such deaths were enacted in 1993.

The board's report comes about two weeks after Xcel decided to release a draft version after initially trying to block it. The company feared it would be released close to the criminal trial in the case, possibly influencing jurors.

Xcel, RPI Coating, and RPI executives Philippe Goutagny and James Thompson each face federal charges of violating OSHA standards. They're expected to go on trial next year.

The safety board said the report Xcel released wasn't complete and that it had instructed the company to keep the draft confidential. Board members admonished the company in a letter sent earlier this week to Xcel CEO Richard Kelly.

The report provides a detailed account of the events leading up to the October 2007 fire that killed Donald Dejaynes, 43, Dupree Holt, 37, James St. Peters, 52, Gary Foster, 48, Anthony Aguirre, 18 — all from California. All ultimately died from smoke inhalation, according to the report. Three workers were injured.

Families of three of the workers attended Wednesday's announcement. Some shook their heads as they watched a safety board animated video of the event and wept when they spoke later to reporters.

"It feels like we're getting somewhere, but I'm disappointed because it could have been prevented," said Dejaynes' widow, Carolynn Dejaynes of Marrietta, Calif. "That makes me ill."

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Workers had just finished sandblasting the inside of a portion of the tunnel that serves as a pipe from a mountain reservoir to a hydroelectric generator. They began spraying an epoxy paint inside the tunnel and were having problems keeping the mixture flowing through the hoses.

They painted only about 10 feet of the tunnel when they decided to stop for the day. They were cleaning their spraying equipment with a flammable solvent when a static spark likely ignited the fire, according to the report.

The five trapped workers communicated via radio for 45 minutes with colleagues and rescue crews. Firefighters who first arrived at the scene attempted a rescue by taking a small gas-powered ATV through the entrance and up the tunnel, but they were turned back by thick smoke.

Board investigators said workers did not have a fire extinguisher near the work area. The initial flash fire had calmed down before other 5-gallon and 2-gallon buckets of solvent and epoxy began burning.

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