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Southern Nevada Chapter



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January 2006

ATTENTION TO ORDERS!

By order of the Chapter Executive Board, your presence is requested at the next Chapter Meeting!

Date: January 11, 2006

Time: opens @7:00 A.M.

**Place: Main Street Station
"The Pullman Grille"
At Main & Ogden Avenue**

**Technical Presentation:
"Innovations in Concrete"**

Speaker:

Sam Sem, SEMCO, Inc.
(visit their website: www.semcoinc.com)

Continental Breakfast will be provided courtesy of the meeting Sponsor **Encon Safety Products** and your Chapter.

Thank you!

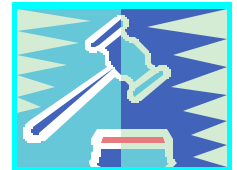
President's Corner

Dr. Gloria Heatherington, Chapter President 2005 -2006

Where are we? What's ahead? How are we going to get there?

With record attendance noted at our December Chapter meeting, it is heartwarming to note that we are meeting our goal of achieving diversity with representation of safety professionals, from many industries, in our community. Achieving this goal has been a constant and consistent effort fully supported by our Chapter Executive Board and Leadership Team. As our membership and guest rosters show, our Hospitality Industry representatives continue to lead the way to provide a forum for Hotel and Casino Safety networking and timely technical programs. **John Willian**, Board Member for Hospitality, and **Wayne Matherly**, Hospitality Committee Chairman, have assembled a dynamic advisory team to make this happen. It is always a pleasure to attend the Hospitality meetings on the first Wednesday of each month.

Construction is our fastest growing membership category. This is due in no small part to the efforts put forth by **Tom Morano**, Board Member-at-Large for Construction; **Don "Stormy" Stormoen**, Construction Committee Chair; **Rodd Weber**, Membership Chair, and all the Committee members who give their time and talent to the Chapter. The Construction Safety Committee has made a commitment to provide seminars, encourage input for specific construction needs, and will be working in concert with our Government Affairs Committee Chair, **Nicole Bauer**, to work on important legislative issues identified with Owner Controlled Insurance Programs [OCIPS].



Another area of safety representation diversity is Hazard Materials Management. **Steve Ross**, CHMM, Board Member-at-Large, is diligently working to finalize a certification study group for chapter members (and soon to be members) who wish to become certified in Hazard Materials Management. This is a new area of representation in our Chapter and we are clearly in good hands with Steve's leadership.

Let me also note that while these new endeavors are exciting we would not be as well on our way without the constant support of our long-term members; especially, those members who were absent for "a while" and are now involved in our growth and success. At the end of December 2005, our Chapter Roster shows 261 card-carrying ASSE members!

For our Chapter to continue all these good works, we must have financial viability. We have several areas of revenue generation which include a small portion of ASSE membership dues, seminar fees, meeting

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sponsorship fees, and for the first time, a Chapter-sponsored Golf Tournament. Our meeting Sponsorship program began during the last Chapter year and now is in full bloom this year. Meeting Sponsorship fees are allocated to back to the membership by way of paying for breakfast at chapter meetings.

The launching of our Golf Tournament this year promises revenue generation provided we have everyone's support for a successful event. Golf Tournament Co-Chairpersons, **Mike Cushman** and **Don Barker**, are already working on this event, scheduled for May 2006. If you haven't volunteered yet, please do get involved in the fun.

On behalf of the Executive Board and Leadership Team, please remember that our prime directive is meeting your needs as members of this great Chapter. We work for you. Help us keep the excitement and momentum moving forward. Let us know how we're doing, what needs doing, and by all means, join us in supporting the Safety Profession in our community. We wish everyone a prosperous and safe New Year.

SPONSORSHIP of the Wednesday, **January 11, 2006** ASSE Chapter Meeting generously provided by:
Encon Safety Products



Encon Safety Products has over 40 years of experience in providing safety solutions to a wide range of industries. Our product offering is wide — ranging from emergency showers and eyewashes to personal protective equipment (PPE) including: eye, face, hearing and hand protection. We have a line of products licensed under

NASCAR® including: glasses, eye accessories, gloves, face shields and ear muffs. Our Emergency Shower and Eye Wash line includes the Aquarion™ Eyewash, an emergency eyewash station, which uses self-evacuating, disposable cartridges with a two-year shelf life, and is designed for comfortable usage. This unit can be installed easily on a wall, shelf, cart, or vertical support beam. It has side windows, easy cover removal and tray releases, and a usage indicator allow for simple visual maintenance inspections. Please visit our website, at www.enconsafety.com, for more information



Meeting and Training Notes

A Certified Hazardous Materials Manager (CHMM) exam will be offered March 11, 2005 at the Community College of Southern Nevada (CCSN). An exam review course will also be offered to ASSE chapter members over several weeks preceding the CHMM exam (dates TBD). If you have any interest in taking the exam review course or taking the exam, please contact **Steven Ross** at (702) 259-8212 or by email at steven.ross@lvvwd.com. For information regarding CHMM exam eligibility go to: <http://www.ihmm.org>. **Steven Ross**, CHMM, CEM, CFPS - CHMM Member-At-Large

The meeting for owners and insurance reps is scheduled for January 10, 2006 at 8:30 am at the Wynn Development safety training trailer just off of Cathedral Way and LV Blvd. Contact **Jay Ennis** for directions at (702) 770-5159. **Don" Stormy" Stormoen**

Reminder for Seminar Fest 2006, January 22-28, at the Flamingo, Las Vegas. Registration can still be made online at: www.asse.org

The next installment of Risk Management 101 is coming up on January 20. Check: www.asselv.org



December Meeting's speaker, "**Doc**" **Bruce** Interstate Safety. AED Technology



SSGT **Fred Krailert**, USMC and the So. NV Chapter President, **Dr. Gloria Heatherington**



Special Note of Thanks to Boyd Gaming —

On behalf of the Executive Board and Membership, a very special "Thank You" to Boyd Gaming for providing us with The Social Club and Buffet upgrade at our December Meeting. Boyd Gaming members, **Don Barker** and **Mike Cushman**, went the extra mile for ASSE to ensure a wonderful venue for our attendees and a beautiful tree for our Toys for Tots event. **THANK YOU, BOYD GAMING, FOR YOUR SUPPORT OF SAFETY AND THE ASSE SOUTHERN NEVADA CHAPTER!**

A full house at the December '05 Meeting; over 70 chapter members and their guests turned out for the meeting.

ASSE Southern Nevada Chapter Meeting Dates

Chapter Year 2005-2006 Confirmed Dates and Location

Chapter Meetings now are held in "The Pullman Grille" at Main Street Station, 12 Ogden Street [at Main and Ogden]. A complimentary continental breakfast will be served to all attendees.

Executive Board Meetings now are held at The Riviera Hotel, 2901 Las Vegas Blvd South. Call or email **Mary MacDonald** <mary.macdonald@lvvwd.com>, Executive Board Secretary, for meeting room location.

Chapter Meetings
(begin at 07.00)

2006

- January 11
- February 8
- March 8
- April 12
- May 10

Executive Board Meetings
(begin at 07.00)

2006

- January 25
- February 22
- March 22
- April 26
- May 24

SPONSORSHIP of the Wednesday, **January 4, 2006** Hospitality Industry Committee Meeting generously provided by: **Magic Floors**

Magic Floors, Independent Operator for PosiGrip, "The Solution to the World's Slip & Fall Accidents".
 Richard and Sherry West, 4353 Desert Dancer Way, Las Vegas, NV 89147
 (702) 807-9016 or (702) 812-9241
 Safety for Floors, Tubs & Showers
PosiGrip is a no-slip activated treatment for ceramic tile, concrete, terrazzo, marble, stone and other hard surfaces that are slippery when wet. PosiGrip meets or exceeds all ADA and OSHA requirements.
 Visit the website at www.posigrip.com



Hospitality Industry Committee Report

Note: The Hospitality Industry Committee is planning to hold future meetings for March 2005 and rest of the year at the Las Vegas Convention Center. Details will be forthcoming in the next newsletter and posted on the Chapter's website at www.asselv.org (visit the Hospitality Industry section).

Scheduled Hospitality Industry Committee Meetings – a look ahead

<p>January 4 , 2006 Location: Riviera Hotel-Casino Room: TBA Time: 07.00 – 09.00 Speaker: Mary Jo Brown, Training Supervisor Subject: Nevada Safety Consultation and Training Section (SCATS) Contact Person: Wayne Matherly at (702) 794-9381</p>	<p>February 1 , 2006 Location: Venetian Hotel-Casino Room: Facilities Conference Room Time: 07.00 – 09.00 Speaker: Judee Spagnola, President and CEO, Sound Management Subject: Sound Management Contact Person: John Willian at (702) 414-4448</p>	<p>March 1 , 2006 Location: Four Queens Hotel-Casino Room: TBA Time: 07.00 – 09.00 Speaker: Suzanne Thomas, Indept Consultant for ADA Issues Subject: Americans with Disabilities Act (ADA) – Regulations, Violations, and Updated Requirements Contact Person: Kenny Blanche at (702) 387-5115</p>
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The Engineering Consultant (a true story)



There was an engineer who had an exceptional gift for fixing all things mechanical. After loyally serving his company for over 30 years, he happily retired. Several years later the company contacted him regarding a seemingly impossible problem they were having with one of their multi-million dollar machines. They had tried everything and everyone else to get the machine to work but to no avail. In desperation, they called on the retired engineer who had solved so many of their problems in the past. The engineer reluctantly took the challenge. He spent a day studying the huge machine. At the end of the day, he marked a small "x" in chalk on a particular component of the machine and stated, "This is where your problem is". The part was replaced and the machine worked perfectly again. The company received a bill for \$50,000 from the engineer for his service. They demanded an itemized accounting of his charges. The engineer responded briefly: One chalk mark \$1; Knowing where to put it \$49,999. It was paid in full and the engineer retired again in peace.

Analyzing Safety and Safety Myths

Unfortunately, there are several myths about "Safety" in today's world that a well-meaning society has introduced. These myths actually act to impede "Safety".

The slogan "Safety First" taken in the broadest sense is not true! The fundamental reason for the existence of a manufacturing plant or construction company is to produce a product or service - not to practice safety. If safety took absolute precedence there would be no construction company or manufacturing plant. The safest thing to do would be to shut down so that no potential hazards exist. Of course, safety must be a prime consideration in the design of any service or production company. It is always dangerous to *assume* that employees will put "Safety First" when they know that production or piecework is what feeds them and provides for their well being.

Another slogan states: "Even one accident is too many." This slogan is a statement that some safety professionals have been heard to say. From an emotional viewpoint, each of us would probably agree with this statement. From an economic and practical viewpoint, this statement is not reasonable. If one falsely assumes that enough money spent on safety would produce zero accidents and asks every worker to give up part of their salary to prevent accidents, a different conclusion is quickly and properly reached. Humans need food, shelter, clothing, and other things as well as safety. That is the reason that current OSHA and ANSI safety standards are written for economic feasibility. Some risk in the workplace is tolerated, because it is too costly in terms of human needs to require unlimited spending in the name of safety.

Another myth of today's pop culture is most "accidents occur because of defects or failures in machines and equipment". According to Federal OSHA statistics on accidents related to machines or equipment, only 4.5% of all accidents are caused by defects or malfunctions in machines. This means that 95.5% of accidents are related to human factors and behaviors – what people do that they shouldn't, or don't do that they should. Hardware alone, guards and safety devices must never be assumed to be the total solution to safety. Human factors related to application, installation, use, adjustment, maintenance of machinery, and associated safeguarding must be considered and addressed by training and supervision. At an earlier time in this nation's history, safety was the responsibility of the individual. Even though we have largely abandoned this concept today, the best arbiter of your personal safety is still you. To significantly enhance safety in the workplace, we must understand and use training and supervision to combat unsafe conduct on the part of workers and others.



"It can't happen to me" is a subliminal attitude that has the useful purpose of allowing us to mentally function without dwelling on, or constantly fearing, negative events – for example, death, accidents, and violence, that we know will impact each of our lives. Almost every day we witness or hear of negative things that occur to others, and we dismiss their threat to our well being as *something that happens to others*. Think again! Don't get complacent! Unfortunately, this mentally protective attitude often is acted out in ways that actually increase our chances of having an accident. We are not bullet proof or immortal. It is "attitude" that is one factor that often causes workers to fail to use the safety devices or guards provided by their employer. While they often acknowledge the validity of safeguarding for others, they feel that it is not necessary for them! Does "Do as I say, not as I do!" sound familiar? Good managers, supervisors and those in a leadership positions should always "Lead

by Example", an old cliché but very true.

People tend not to do anything that is peripheral to accomplishing a given task. We most often perform only those functions we consider necessary to accomplish our intended results. Another example of this human tendency at work or even at home is the "Failure to Read Instructions," before trying to assemble a product or toy, and heaven forbid we look at our map while trying to find out where we are going. We have to perform the actual assembly to accomplish our purpose, but we hope that reading the instructions or looking at a map will turn out to be an unnecessary task. Trying to avoid actions peripheral to those necessary to accomplish the task often places workers at risk. Often safety devices and guards are not used or adjusted properly because we want to get the task done with as little effort as possible. Beware the pitfalls of this reasoning! Taking two minutes out of your routine to acquire PPE (personal protective equipment) or adjusting a safeguard may save life and limb.

Individual differences among employees present an ongoing problem in the work environment. Each person is, to some degree, different from every other one. Yet within this framework, certain patterns of behaviors are common to all people. By understanding workers' needs and how to go about satisfying those needs, safety and health professionals and supervisors can link company goals to individual goals. People, machines and materials are still the three components of industry that can contribute to safety. Machines and materials can be controlled, but the human factor must be understood, guided, and workers' behavior channeled in the interest of accident prevention.

- "SAFETY FIRST"
- "EVEN ONE ACCIDENT IS TOO MANY"
- "ACCIDENTS OCCUR BECAUSE OF DEFECTS OR FAILURES IN EQUIPMENT"
- "IT CAN'T HAPPEN TO ME"
- "READING INSTRUCTIONS"

The psyche and attitude of the "Safety Myth" must be dispelled if employees are to successfully function safely in the work environment.

[Submitted by **Jeff Kranitsky** Safety Coordinator, Perini Building Company; Source note: This article was first published in the "Construction Zone" paper.]

Safety Lies Midway

Phaëthon, son of Clymene and Phoebus, the sun-god, is taunted by a friend and wants to prove that Phoebus is his father. He goes to the sun-god's palace and begs him to grant a wish to which Phoebus gladly consents. Phaëthon then tells his father that he wants to drive the sun chariot across the sky. Phoebus immediately regrets his promise, telling his son that there are many dangers; that the steeds are difficult to handle. But Phaëthon insists! With a sad heart Phoebus agrees, and gives his son this advice:



Five zones there are: your course, confined to three;
The farthest north and south must never see.
Next, share your heat between the earth and sky;
Press not too low, nor set your course too high.
Heaven's halls will kindle if too high you stray;
Too low, the earth: your **safety lies midway**.

Source: The Metamorphoses (Book II, 137, as translated by A.E. Watts)

Author: Ovid (43 B.C. – A.D. 18); First Published: Before A.D. 8; Type of work: Mythological tales in verse
[Magill, Frank N., Magill's Quotations in Context, Vol. 2 Lon –Z, Salem Press, NY © 1965]

Errata: In the December 2005 issue, Joe Olson's name was incorrectly spelled as Joe Olsen. The corrected spelling is **Joe Olson**. Thank you.

A praiseworthy and poignant poem submitted by **Albert Johnson**, Utility Safety Coordinator, City of Henderson.

“I Chose to Look the Other Way”

I could have saved a life that day.
But I chose to look the other way.
It wasn't that I didn't care,
I had the time and I was there,

But I didn't want to seem a fool,
Or argue over a safety rule.
I knew he'd done the job before,
If I called it wrong, he might get sore.

The chances didn't seem that bad,
I've done the same, he knew I had
So I shook my head and walked on by,
He knew the risks as well as I.

He took a chance, I closed an eye,
And with that act I let him die.
I could have saved a life that day,
But I chose to look the other way.

Now every time I see his wife,
I'll know I should have saved his life.
That guilt is something I must bear,
But it isn't something you need to share.

If you see a risk that others take,
That puts their health or life at stake,
The question asked, or the thing you say,
Could help them live another day.

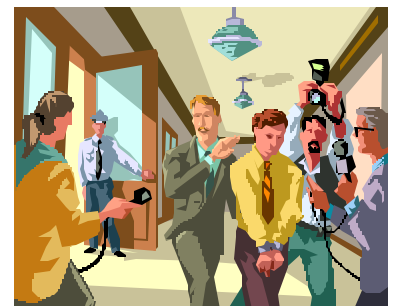
If you see a risk and walk away,
Then hope you never have to say
I could have saved a life that day,
But I chose to look the other way.

- Unknown Author

Avoiding Personal Liability for OSHA Violations

The Occupational Safety and Health Administration (OSHA) enforcement activities, under President Bush's Administration, is being criticized as “soft on corporations” by many citizens and entities. The Secretary of Labor, **Elaine L. Chao**, is asking the courts to disregard the corporate [legal] form - to pierce the corporate veil - and hold corporate officers and directors personally responsible for OSHA violations committed by their corporations. How can corporate officers and directors avoid this fate?

Guarding against personal liability — the courts “pierce the veil” when they think that corporate officers, directors or shareholders (collectively “officers”) are using the corporate legal structure to disguise what are essentially individual actions.



Officers currently can avoid the “piercing of the veil” by keeping the corporation's legal identity separate from their own. On an operational level, officers must engage in an ongoing analysis of the way the corporation conducts its business, and the way officers interact with the company. If you are an officer there are three questions you should consider, to determine if you're doing enough to protect against individual or personal liability:

- Are you and the other officers observing all corporate formalities?
- Are you keeping your personal assets separate from the company's business assets?
- Are you avoiding conduct that could suggest that the corporation is your “alter ego”?

Let's look at each of these things more closely.

1. Corporate Formalities. Corporations are organized under state corporation laws. The people who create and run a corporation must observe certain formalities including: Filing all incorporation papers; Filing all annual reports; Holding shareholder meetings at least once a year; Holding director meetings at least once a year; Keeping minutes of all shareholder and director meetings; Properly documenting all issuances of corporate stock; Issuing consents in lieu of meetings for actions taken without a formal meeting; and keeping other records.

2. Keeping Corporate and Personal Assets Separate. The corporation is supposed to be a distinct “person” under the law, one that is separate from its owners. For a corporation to be treated as a separate “person”, its assets must be truly its own and not the personal assets of its officers. The corporation's assets must be kept separate from and not “commingled” with the officers' assets. Accordingly, officers should make sure the corporation: has its own bank account(s); maintains separate offices; owns or leases its own equipment; documents any loans to or from officers; and refrains from paying the officers' personal obligations.

3. Treating the Corporation as the Officer(s) “Alter Ego”. Officers need to understand if they act like the corporation is there to serve their own personal interests, then OSHA and the courts may consider the corporation their “alter ego” and “pierce the veil.” When officers act in the corporation's name, those actions should be for legitimate business purposes, not for the officer's personal gain. As a general matter, one person should not be the sole officer, director and shareholder of the corporation. Otherwise, OSHA and the courts may find that the corporation was in fact that individual's “alter ego.”

In conclusion, keep in mind that piercing the corporate veil can be used to hold officers responsible not just for OSHA violations but for any liabilities incurred by the corporation, including violations of other statutes and regulations and contractual obligations. But also keep in mind that it is a measure used only when there has been pronounced abuse. Officers who respect the corporate form and maintain a separate identity have little to fear.

[Submitted by **Don" Stormy" Stormoen**, Hallier Properties, LLC, Construction Risk Safety Director Office - (702) 597-1532, ext. 111]

[Editor's Note: How would you feel if you were threatened with jail time for violating an OSHA regulation? The Occupational Safety and Health Review Commission (OSHRC) is considering two very important issues related to OSHA enforcement. First, OSHRC is determining whether OSHA can “pierce the corporate veil” and impose personal liability on owners, successors or alter egos of the cited employer. Second, OSHRC will soon determine whether OSHA can cite a business found to be an employer's successor or alter ego for repeat health and safety violations. Currently, OSHA is *urging* the Occupational Safety and Health Review Commission (OSHRC) and the courts to hold small-business owners personally liable for OSHA violations, which could result in out-of-pocket fines of up to \$20,000 and up to a year in prison! Under current law, a corporation is considered separate and distinct from its owners or shareholders. Legitimate corporations provide small-business owners with personal liability protections that are vital to encouraging entrepreneurship.]

BP: Final Report Confirms that Personnel Failures Sparked Texas City Tragedy

In a final report from its investigation of the March 23 explosion and fire that killed 15 workers and injured 170 at its Texas City, Texas, refinery, BP Products North America Inc. stands by its assertion from an earlier report that personnel failures played a major role in the tragedy [*hmmm, this is interesting!*].



A blast at BP's Texas City, Tex., refinery killed 15 workers in March. The company found that procedures "and expected behaviors were not met." (Photo Credit: Dwight Andrews -- Associated Press)

According to BP, the report confirms that the failure of BP personnel to follow established policies and procedures – which led to the overfilling of the raffinate [*the portion of an original liquid that remains after other components have been dissolved by a solvent*] splitter tower in the refinery's isomerization unit – was one of the critical factors that led to the March 23 explosion and "greatly increased its consequences." [*from an Ergonomics point of view, a well-designed complex system process typically has meaningful alarms to alert process controllers and warn of critical process upset, before the process gets out of hand*]

The overfilling and overheating of the liquid contents of the raffinate splitter tower resulted in the over-pressuring of one of its relief valves – the blow down stack – which spewed flammable liquid and vapor like a geyser just prior to the explosion. An estimated 50 barrels of liquid overflowed the tower and led to the formation of a hydrocarbon vapor cloud at ground level, according to the report. The venting of heavier-than-air hydrocarbon into the atmosphere was one of the four critical factors identified in both BP reports. [*it appears the engineering design allows for over-pressuring a relief valve with no warning or further control of the over-pressure, e.g., automatic shutdown before over-pressurization critical limits are reached*]

It's not clear "why" BP personnel failed to sound a warning [*perhaps more rigorous investigation would help?*]. The failure of personnel to remove liquid from the tower – the liquid level was at least 20 times higher than it should have been [*and no warnings?, and the process did not automatically shutdown?*], according to BP – or initiate any emergency action "were indicative of the failure to follow many established policies and procedures," the report says. [*were not there any system alarms? sometimes indicators can be faulty or even stuck, and with no backup indicators or alarms who knows what is happening? Critical indicators should be designed with warnings to alert operators to an indicator failure*] "Supervisors assigned to the unit were not present to ensure conformance with established procedures, which had become custom and practice on what was viewed as a routine operation [*typically it's the "routine" procedures that bite you*]," according to the report.

Another critical factor that exacerbated the severity of the incident, according to BP, was the presence of workers in and around mobile trailers within 150 feet of the blow down unit [*sounds like a major management and engineering failure in recognizing this potential danger*]. Both BP and the U.S. Chemical Safety and Hazard Investigation Board (CSB) have acknowledged that situating trailers so close to the blow down stack greatly increased the number of deaths and injuries, and CSB on October 25 [2005] issued an urgent safety recommendation to the American Petroleum Institute to develop a new industry guideline for the positioning of trailers [*of course, it always takes a lethal accident to get things changed*]. Still, BP's final report asserts that refinery personnel who were aware of the trouble brewing [*but were they really "aware"?*] in the raffinate splitter could have prevented many injuries if they had warned nearby workers to leave the area [*but, still, no process systems alarms are being sounded to warn of impending danger?*] "It is not clear why those aware of the process upset failed to sound a warning," the report says. [*perhaps the answer lies in the system process design NOT having including necessary automatic system alarms, automatic shutdown, etc ... extra costs?*]

Use of Antiquated Equipment a Critical Factor. The fourth critical factor involved in the accident, according to BP, was the continued use of a blow down unit "for light-end hydrocarbon service" when "inherently safer options" were available [*extra costs rearing its ugly head*]. CSB lead investigator Don Holmstrom on Nov. 10 [2005] said BP's use of obsolete equipment – including a blown down unit that Holmstrom said was "half-century-old technology" – is an issue BP needs to analyze at all of its U.S. refineries [*how about re-engineering action?*].

Neither BP nor CSB has conclusively determined what ignited the hydrocarbon vapors that were released into the atmosphere on March 23 [2005], although BP in its final report speculates it likely was a running vehicle engine [*you've got 15 dead workers and injured 170 more, and "speculation" is the best you can do?*].

The report points to systemic, long-term safety problems at the refinery [*sounds a lot like NASA management re: Challenger accident. Go back and read Richard Feynman's castigation of NASA management in the Appendix of the Challenger report: "The argument that the same risk was flown before without failure is often accepted as an argument for the safety of accepting again. Because of this, obvious weaknesses are accepted again and again, sometimes without a sufficiently serious attempt to remedy them, or to delay a flight because of their continued presence."*]. While the final report reiterates BP's conclusion that personnel failures played a major role in the March 23 [2005] tragedy, the investigation team says it "found no evidence of anyone consciously or intentionally taking actions or decisions that put others at risk."

However, "the team found many areas where procedures, policies and expected behaviors were not met." "The underlying reasons for the behaviors and actions displayed during the incident are complex, and the team has spent much time trying to understand them [*but not enough, in my opinion*]," the report says. "It is evident that they had been many years in the making and will require concerted and committed actions to address."

The underlying causes of the March 23 accident, according to the BP investigation team, point to a number of long-term breakdowns in morale, communication, management oversight and the safety culture. According to the BP investigation team: Over the years, the working environment at Texas City "had eroded to one characterized by resistance to change and lacking of trust, motivation and a sense of purpose." Process safety, operations performance and systematic risk-reduction priorities had not been established or consistently reinforced by management. Many changes in a complex organization led to a lack of clear accountabilities and poor communication, which together resulted in confusion among workers as to their roles and responsibilities [*very important stuff, for all work places*]. A poor level of hazard awareness and understanding of process safety on the site resulted in people accepting levels of risk that are considerably higher than similar operations – for example, not questioning "the established industry practice" of placing mobile trailers within 150 feet of a blow down stack. Given the poor vertical communication and performance management process, **there was neither an adequate early warning system of problems nor any independent means of understanding the deteriorating standards in the plant** [*here lies one of the major root cause(s) in design engineering and management ... stop berating and blaming the workers*].

"The report clearly describes the underlying causes and management system failures that contributed to the worst tragedy in BP's recent history," BP Products North America President Ross Pillari said. "We accept the findings, and we are working to make Texas City a complex that attains the highest levels of safety, reliability and environmental performance."

CSB: 'BP's Report is a Sober Look in the Mirror'. CSB, which in October released a preliminary report from its investigation of the March 23 [2005] accident, will review BP's final report over the next several weeks, CSB Chairman Carolyn Merritt said today. "I commend BP for making its final report public, for

cooperating with CSB's independent investigation and for pledging corrective actions in the aftermath of this tragedy," Merritt said. "BP's report is a sober look in the mirror that reveals an ineffective safety culture [and don't forget system design?] at the Texas City refinery. I urge the company to draw upon this report and enact any needed changes not just in Texas City but at all facilities worldwide. The CSB plans to request an update from BP on its implementation of the report's recommendations over the next few months." - **Josh Cable**; Source: [<http://www.occupationalhazards.com/articles/14427>]

[Editor's Note: I put many comments into this article of the BP report because this summary — assuming it is accurate — of the report makes me angry as an Ergonomist and a member of the safety community. In my opinion, it appears this investigation is an attempt by management and the company to quickly move away from accepting responsibility and place the blame on the workers. Sorely lacking in this report is any mention of Human Factors Engineering, aka Ergonomics, in the design of the system and the contribution of poor system design promoting unintended unsafe actions by line personnel, to wit, the Three Mile Island , Union Carbide's Bhopal, Piper Alpha (North Sea tragedy), and other major worldwide accidents. Too often, in accident investigations, Ergonomics (Human Factors) is given an obligatory mention, but very rarely a real in depth analysis of the entire system is conducted detailing how humans and technology work together in making the system unsafe to operate. The ignorance of Ergonomics knowledge and "lessons learned" in systems engineering applicable to many places of work and design is indeed staggering and unacceptable.]

Communicate Up Front. . .

My experience with preventing "fake injuries" among our employees is to be very "up front" with this situation. Hoping these types of "injuries" won't happen if we don't bring the subject up with our employees, simply doesn't work.

We train people during orientation and again throughout the year that no one likes to be injured and that our goal is "zero injuries." But, if one is injured they are to report it immediately. We emphatically state that the primary reason for prompt reporting is to conduct a prompt investigation so that we can prevent its recurrence. Also, we manage a very effective Behavioral Safety Observation Program, where leadership and hourly employees document observations of employees performing their normal job duties. The entire culture revolves around performing tasks safely. As a result of leading this Safety Culture, we have experienced a 67% reduction in injuries and subsequent Workers' Compensation costs this first year at the new company I am presently working with. I can also honestly say that this proactive approach of activities and communication, UP FRONT, has always been just as successful in my prior experiences, spanning the past 25 years.

. . . And at the Back End

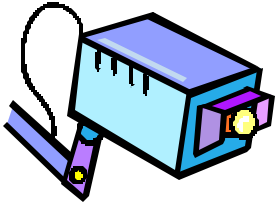
We have one employee that recently filed a worker compensation claim that eye witness reports revealed was not true. This same employee has a questionable past with previous claims as well. Once we had the evidence to substantiate our suspicion, our President sat down one on one with the employee and had a heart to heart about this and previous claims, indicating that not only could he be fired for fraudulent claims, but he could be taken to court as well. Since that time, the problems with questionable claims from this employee have gone away. Thus, I think a simple heart to heart may help sometimes to simply let the employee know that the company is aware of their games, and that it will not be tolerated.

Josh DeBroux, Environmental, Health & Safety Director
Systems Control, Inc

Britain will be first country to monitor every car journey *[smile, you're on camera!]*

From 2006 Britain will be the first country where every journey by every car will be monitored
By **Steve Connor**, Science Editor; Published: 22 December 2005

Britain is to become the first country in the world where the movements of all vehicles on the roads are recorded. A new national surveillance system will hold the records for at least two years.



Using a network of cameras that can automatically read every passing number plate, the plan is to build a huge database of vehicle movements so that the police and security services can analyse [*sic*, US spelling analyze] any journey a driver has made over several years. The network will incorporate thousands of existing CCTV cameras which are being converted to read number plates automatically night and day to provide 24/7 coverage of all motorways and main roads, as well as towns, cities, ports and petrol-station forecourts.

By next March a central database installed alongside the Police National Computer in Hendon, north London, will store the details of 35 million number-plate "reads" per day. These will include time, date and precise location, with camera sites monitored by global positioning satellites. Already there are plans to extend the database by increasing the storage period to five years and by linking thousands of additional cameras so that details of up to 100 million number plates can be fed each day into the central databank.

Senior police officers have described the surveillance network as possibly the biggest advance in the technology of crime detection and prevention since the introduction of DNA fingerprinting. But others concerned about civil liberties will be worried that the movements of millions of law-abiding people will soon be routinely recorded and kept on a central computer database for years. The new national data centre of vehicle movements will form the basis of a sophisticated surveillance tool that lies at the heart of an operation designed to drive criminals off the road. In the process, the data centre will provide unrivalled opportunities to gather intelligence data on the movements and associations of organized gangs and terrorist suspects whenever they use cars, vans or motorcycles.

The scheme is being orchestrated by the Association of Chief Police Officers (ACPO) and has the full backing of ministers who have sanctioned the spending of £24m this year on equipment. More than 50 local authorities have signed agreements to allow the police to convert thousands of existing traffic cameras so they can read number plates automatically. The data will then be transmitted to Hendon via a secure police communications network.

Chief constables are also on the verge of brokering agreements with the Highways Agency, supermarkets and petrol station owners to incorporate their own CCTV cameras into the network. In addition to cross-checking each number plate against stolen and suspect vehicles held on the Police National Computer, the national data centre will also check whether each vehicle is lawfully licensed, insured and has a valid MoT [Ministry of Transportation] test certificate.

"Every time you make a car journey already, you'll be on CCTV somewhere. The difference is that, in future, the car's index plates will be read as well," said Frank Whiteley, Chief Constable of Hertfordshire and chairman of the ACPO steering committee on automatic number plate recognition (ANPR). "What the data centre should be able to tell you is where a vehicle was in the past and where it is now, whether it was or wasn't at a particular location, and the routes taken to and from those crime scenes. Particularly important are associated vehicles," Mr. Whiteley said.

The term "associated vehicles" means analysing convoys of cars, vans or trucks to see who is driving alongside a vehicle that is already known to be of interest to the police. Criminals, for instance, will drive somewhere in a lawful vehicle, steal a car and then drive back in convoy to commit further crimes. "You're

not necessarily interested in the stolen vehicle. You're interested in what's moving with the stolen vehicle," Mr. Whiteley explained.

According to a strategy document drawn up by ACPO, the national data centre in Hendon will be at the heart of a surveillance operation that should deny criminals the use of the roads. "The intention is to create a comprehensive ANPR camera and reader infrastructure across the country to stop displacement of crime from area to area and to allow a comprehensive picture of vehicle movements to be captured," the ACPO strategy says. "This development forms the basis of a 24/7 vehicle movement database that will revolutionise [*sic*, US revolutionize] arrest, intelligence and crime investigation opportunities on a national basis," it says. Mr. Whiteley said MI5 [the highest intelligence gathering agency in England, 007 stuff] will also use the database. "Clearly there are values for this in counter-terrorism," he said. "The security services will use it for purposes that I frankly don't have access to. It's part of public protection. If the security services did not have access to this, we'd be negligent."

Source: The Independent Newspaper [<http://news.independent.co.uk/uk/transport/article334686.ece>]

OSHA Guidelines for Handling of Humorous Materials

1. All posts containing humorous, sarcastic, parodical, and/or [*sic*] satirical passages, or any other post not intended to be taken seriously must be labeled prominently in the header as follows:
 - a. The Subject header must contain at some point, the string "HA!".
 - b. The Keywords line shall contain a summary of the hazard levels present in the post, ranked on a scale of 0-4 in the following categories, in the order: humor, sarcasm, satire:
 - 0 -- No hazard
 - 1 -- Slight hazard
 - 2 -- Moderate hazard
 - 3 -- Extreme hazard
 - 4 -- Critical hazard
 - c. The Summary line shall contain any specific notices of hazard as required under local and state laws.
 - d. In a satirical or parodical post, a disclaimer should be present in the header to avoid confusion.
2. All humorous, sarcastic, parodical, or satirical remarks within the body of a post must be clearly labeled as follows:
 - a. Preceded by a clearly-worded warning ten (10) lines in advance.
 - b. Preceded by a clearly-worded warning one (1) line in advance.
 - c. Preceded immediately by not less than three (3) smiles of a commonly acceptable variety compliant with Smiley Code paragraph 4, subparagraph b.
 - d. Followed immediately by not less than three (3) smiles of a commonly acceptable variety compliant with Smiley Code paragraph 4, subparagraph b.
3. Hazards shall be defined as follows:
 - a. No hazard: Found to contain no more than 1.5 times background contamination levels in no less than two (2) independent tests.
 - b. Slight hazard: Contamination exists in amounts greater than 1.5 times background levels, yet have been deemed insufficient in no less than two (2) independent tests to be capable of bodily harm during casual exposure.
 - c. Moderate hazard: Significant risk of bodily harm due to prolonged and/or excessive exposure and/or slight risk of bodily harm due to casual exposure, as determined in no less than two (2) independent tests.
 - d. Extreme hazard: Significant risk of bodily harm due to casual exposure, as determined in no less than two (2) independent tests.
 - e. Critical hazard: Significant risk of bodily harm due to ANY exposure not compliant with any and all codes pertaining to the handling of hazardous materials.
4. Those posts containing materials deemed critical hazards must not be handled except by trained personnel in compliance with any and all codes pertaining to the handling of hazardous materials.