



## Chemical Safety and Hazard Investigation Board

OFFICE OF GENERAL COUNSEL

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### Memorandum

To: Board Members

From: Richard C. Loeb *RC*

Cc: Leadership Team  
Mark Kaszniak  
Christina Morgan

Subject: Board Action Report – Notation Item 2013-09

Date: February 26, 2013

On January 30, 2013, the Board approved Notation Item 2013-09, thereby designating Recommendation 2008-08-I-WV-R4, to Bayer CropScience Institute Plant (from the Bayer CropScience investigation), with the status of Closed – Acceptable Action.

### Voting Summary – Notation Item 2013-09

**Disposition: APPROVED**

**Disposition date: January 30, 2013**

	Approve	Disapprove	Calendar	Not Participating	Date
R. Moure-Eraso	X				1/28/2013
M. Griffon	X				1/30/2013
B. Rosenberg	X				1/30/2013



## U. S. Chemical Safety and Hazard Investigation Board RECOMMENDATIONS STATUS CHANGE SUMMARY

<b>Report:</b>	<b>Bayer CropScience (BCS) Pesticide Waste Tank Explosion</b>
<b>Recommendation Number:</b>	<b>2008-08-I-WV-R4</b>
<b>Date Issued:</b>	<b>January 20, 2011</b>
<b>Recipient:</b>	<b>Bayer CropScience (BCS), Institute Plant</b>
<b>New Status:</b>	<b>R4: Closed—Acceptable Action</b>
<b>Date of Status Change:</b>	<b>January 30, 2013</b>

### Recommendation Text:

*Evaluate the fenceline air monitor program against federal, state, and local regulations, and Bayer corporate policies, and upgrade and install air monitoring devices as necessary to ensure effective monitoring of potential releases of high hazard chemicals at the perimeter of the facility.*

### Board Status Change Decision:

#### A. Rationale for Recommendation

On August 28, 2008, an explosion occurred at the Bayer CropScience (BCS) facility in Institute, West Virginia. A runaway chemical reaction inside a residue treater containing the pesticide methomyl, caused the pressure vessel to overpressurize and catastrophically rupture. Two Bayer employees died, and two contract workers and six volunteer firefighters were medically treated for possible toxic chemical exposure. More than 40,000 residents were advised by fire officials to shelter-in-place for more than three hours as a precaution.

As part of its investigation, the CSB found that the Institute facility's toxic air monitoring program was not operating at the time of the incident. The CSB issued a recommendation to the BCS Institute facility to address this shortcoming.

#### B. Response to the Recommendation

BCS reported installing additional fixed fenceline monitors in locations that allow for more systematic coverage along the perimeter of the facility. BCS also reported having additional portable air monitors with GPS that interact with its commercially available plume measurement and monitoring computer software system. These can be used in impacted offsite locations to assist BCS in determining an "All Clear" status after a release. BCS also recently reported that it had removed all EPA regulated substances from the site.

### C. Board Analysis and Decision

Because BCS enhanced its fenceline monitoring capabilities and recently removed all regulated substances from the BCS site and due to the lack of any other regulatory requirements for fenceline monitoring of air releases, the status of CSB Recommendation No. 2008-08-I-WV-R4 was changed to: “**Closed—Acceptable Action.**”