



Chemical Safety and Hazard Investigation Board

OFFICE OF GENERAL COUNSEL

Memorandum

To: Board Members

From: Christopher M. Lyon *Chris Lyon*
Acting General Counsel

Cc: Leadership Team

Subject: Board Action Report - Notation Item 2024-06

Date: November 3, 2023

On October 31, 2023, the Board approved Notation Item 2024-06, thereby designating Recommendation 2021-01-I-TN-R4, to Wacker Polysilicon North America LLC, from the Wacker Polysilicon Chemical Release Investigation (2021-01-I-TN), with the status of Open – Acceptable Response or Alternate Response.

Voting Summary – Notation Item 2024-06

Disposition: APPROVED

Disposition date: October 31, 2023

	Approve	Disapprove	Calendar	Not Participating	Date
S. Johnson	X				10/30/2023
S. Owens	X				10/31/2023
C. Sandoval	X				10/30/2023



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

Report:	Wacker Polysilicon Chemical Release
Recommendation Number:	2021-01-I-TN-R4
Date Issued:	June 15, 2023
Recipient:	Wacker Polysilicon
New Status:	Open – Acceptable Response or Alternate Response
Date of Status Change:	October 31, 2023

Recommendation Text:

Develop policy requirements to ensure torquing activities performed on equipment containing hazardous energy are performed safely, such as through de-inventorying equipment or restriction of nonessential personnel and ensuring that essential workers wear proper PPE. Document these requirements in procedures, such as Lock, Tag and Try; First Line Break – Return to Service; or other procedures as applicable. Ensure employees and contractors are trained on these procedures in accordance with the Process Safety Management (PSM) standard requirements found in 29 CFR 1910.119(f)(4) and 29 CFR 1910.119(g) and the Risk Management Program (RMP) rule found in 40 CFR 68.69(d) and 40 CFR 68.71.

Board Status Change Decision:

A. Rationale for Recommendation

On November 13, 2020, a graphite heat exchanger cracked during maintenance activities, releasing anhydrous hydrogen chloride at the Wacker Polysilicon facility in Charleston, Tennessee. The incident occurred on the fifth floor of an equipment access structure when a contractor applied excessive torque to flange bolts on the heat exchanger's discharge pipe.

Seven workers from two contracted companies were in close proximity to the release. The location of the release prevented the workers from accessing the platform's single means of egress. While attempting to escape by climbing down piping on the side of the structure, three of the workers fell to the ground, fatally injuring one and seriously injuring the other two. The other four workers remained in place until the release ended. One of these four workers sustained chemical burns from the release due to a rip in their personal protective equipment (PPE). The remaining three workers were uninjured.

The U.S. Chemical Safety and Hazard Investigation Board (CSB) investigated the incident and found several safety issues including ineffective written procedures, control of hazardous energy, and management of hazards during simultaneous operations (SIMOPs), as well as an insufficient means of egress from the platform. As a result of these findings, the CSB issued four recommendations to Wacker Polysilicon. This status change summary addresses CSB Recommendation No. 2021-01-I-TN-R4.

B. Response to the Recommendation

Wacker Polysilicon notified the CSB that the company has substantially implemented the recommendation but needs additional time to provide the required training to its employees and contractors. Wacker Polysilicon has provided documentation of the actions the company has completed and a plan of action for addressing remaining requirements including a timetable.

C. Board Analysis and Decision

Based upon the information above, the Board voted to change CSB Recommendation No. 2021-01-I-TN-R4 to: “Open – Acceptable Response or Alternate Response.”