



Chemical Safety and Hazard Investigation Board

OFFICE OF GENERAL COUNSEL

Memorandum

To: Board Members

From: Richard C. Loeb *RCL*

Cc: Leadership Team
Christina Morgan
Mark Kaszniak

Subject: Board Action Report – Notation Item 2013-56

Date: October 21, 2013

On September 30, 2013, the Board approved Notation Item 2013-56, thereby designating Recommendation 2011-06-I-HI-R5, to the U.S. Department of the Treasury, Executive Office for Asset Forfeiture (from the Donaldson Enterprises Investigation), with the status of Closed – Acceptable Action.

Voting Summary – Notation Item 2013-56

Disposition: APPROVED

Disposition date: September 30, 2013

	Approve	Disapprove	Calendar	Not Participating	Date
R. Moure-Eraso	X				9/23/2013
M. Griffon	X				9/30/2013
B. Rosenberg	X				9/30/2013



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

Report:	Donaldson Enterprises, Inc. Fatal Fireworks Disassembly Explosion and Fire
Recommendation Number(s):	2011-06-I-HI-R5
Date Issued:	January 17, 2013
Recipient:	Treasury Executive Office for Asset Forfeiture (TEOAF)
New Status:	R5: Closed – Acceptable Action
Date of Status Change:	September 30, 2013

Recommendation Text(s):

Require additional provisions within the TEOAF seized property management contract, such as a contract line item number (CLIN), that provide for the prime contractor to use expert(s) to assist the prime contractor's personnel in the selection and oversight of subcontractors who handle, store, or dispose of explosive hazardous materials, including fireworks, pursuant to the main contract.

Board Status Change Decision:

A. Rationale for Recommendation

On April 8, 2011, an explosion and fire occurred in a leased magazine at Waikele Self Storage in Waipahu, Hawaii that was being used by Donaldson Enterprises, Inc. (DEI) for seized fireworks storage and disposal-related activities. As a result of the explosion and fire, five DEI personnel were fatally injured and a sixth sustained minor injuries.

As part of its investigation, the CSB reviewed the federal seized property management contract awarded to VSE Corporation for the seized fireworks storage and disposal and concluded that it lacked provisions which would allow VSE (the prime contractor) to use experts to assist in the selection and oversight of subcontractors who handle, store, or dispose of explosive hazardous materials pursuant to the main contract. Based on the findings of the investigation, the Board voted to issue a recommendation to the Treasury Executive Office of Asset Forfeiture, the issuer of the contract, to address this shortcoming.

B. Response to the Recommendation

In December of 2012, the TEOAF issued a new seized property contract to VSE Corporation that included a contract line number (CLIN) that allows VSE to use experts to assist in the selection and oversight of subcontractors who store, handle or dispose of explosive hazardous materials, including fireworks.

C. Board Analysis and Decision

As the response and documentation supplied by TEOAF meets the intent of CSB Recommendation No. 2011-06-I-HI-R5, the Board voted to change the status to:
“Closed—Acceptable Action.”