



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

<b>Report:</b>	US Ink Fire
<b>Recommendation Number:</b>	2013-01-I-NJ-R2
<b>Date Issued:</b>	January 15, 2015
<b>Recipient:</b>	Occupational Safety and Health Administration (OSHA)
<b>New Status:</b>	Closed – Reconsidered/Superseded
<b>Date of Status Change:</b>	April 10, 2023

### Recommendation Text:

*Communicate with all OSHA Area Offices to encourage appropriate application of the following existing provisions of the Combustible Dust NEP, Directive CPL 03-00-008:*

- Paragraph IX, Section A2, indicates that area offices may add to their Combustible Dust NEP establishment lists those facilities in their jurisdictions with a Standard Industrial Classification System code, NAICS code, or both (other than those listed in Appendices D-1 and D-2 of the Combustible Dust NEP directive) if those facilities have a known pattern of combustible dust hazards.*
- Paragraph IX, Section B4, indicates that if a fatality or catastrophe investigation is performed at a facility because of a combustible dust deflagration or explosion, the inspector shall use the guidelines in Fatality/Catastrophe Investigation Procedures, Directive CPL 02-00-137, and in the Combustible Dust NEP, Directive CPL 03-00-008.*

### Board Status Change Decision:

#### A. Rationale for Recommendation

On October 9, 2012, a flash fire caused burn injuries to seven workers, including three who sustained third-degree burns, at the US Ink/Sun Chemical Corporation (Sun Chemical) ink manufacturing facility in East Rutherford, New Jersey. The U.S. Chemical Safety and Hazard Investigation Board (CSB) investigation into this incident found that, during the start-up of US Ink's new dust collection system, a flammable mixture consisting of hydrocarbons and combustible dusts accumulated in the ductwork and ignited, causing a flash fire which spread from the duct collection system to the pre-mix room.

The CSB investigation also found that there continues to be no comprehensive federal standard addressing combustible dust hazards, that NAICS Code 325910 (Printing Ink Manufacturing) was not listed on targeting appendices D-1 or D-2 of OSHA's Combustible Dust National Emphasis Program, CPL 03-00-008 ("Dust NEP"), and that the Sun Chemical ink manufacturing facility in East Rutherford, New Jersey was not added to the targeting list for the Dust NEP by the OSHA Area Office based on local knowledge. As a result, two recommendations were issued

to OSHA. This status change summary addresses **CSB Recommendation No. 2013-01-I-NJ-R2**.

B. Response to the Recommendation

In response to the recommendation, OSHA contacted their Hasbrouck Height Area Office to address the matter. Based on their discussion with office personnel, including the Area Director and Assistant Area Director, OSHA believes that the Combustible Dust NEP Directive CPL 03-00-008 was followed when inspecting the US Ink after the October 9, 2012, incident. OSHA stated further their belief that Area Office awareness of the Combustible Dust NEP Directive was determined to be good, and that it is being appropriately used. OSHA did, however, commit to reinforcing awareness of the directive's requirements including following an upcoming change to the directive's targeting list, which they did.

C. Board Analysis and Decision

Upon further review, the Board concurred with OSHA's rationale specific to the appropriate application of the Combustible Dust National Emphasis Program (NEP). Additionally, the Board found no evidence to support inadequate communication of the information in the Combustible Dust NEP to Area Offices. Based upon the information above, the Board voted to change **CSB Recommendation No. 2013-01-I-NJ-R2** to: **"Closed – Reconsidered/Superseded."**