



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

Report:	West Fertilizer Fire and Explosion
Recommendation Number(s):	2013-2-I-TX-R4
Date Issued:	January 28, 2016
Recipient:	Occupational Safety and Health Administration
New Status:	Closed-Acceptable Action
Date of Status Change:	March 29, 2019

Recommendation Text 2013-2-I-TX-R4:

Develop and issue a Regional Emphasis Program for Section (i) of the Explosives and Blasting Agent standard, 29 CFR 1910.109(i), in appropriate regions (such as Region IV, VI, and VII) where fertilizer grade ammonium nitrate (FGAN) facilities similar to the West Fertilizer Company facility are prevalent. Establish a minimum number of emphasis program inspections per region for each fiscal year. Work with regional offices to communicate information about the emphasis program to potential inspection recipients.

Board Status Change Decision:

A. Rationale for Recommendation

On April 17, 2013, an explosion and fire occurred at the West Fertilizer Company (WFC), a fertilizer blending, retail, and distribution facility in West, Texas. The violent detonation of fertilizer grade ammonium nitrate (FGAN) fatally injured 12 emergency responders and three members of the public. Local hospitals treated more than 260 injured victims, many of whom required hospital admission. The blast completely destroyed the WFC facility and caused widespread damage to more than 150 offsite buildings.

As a part of its investigation, the U.S. Chemical Safety and Hazard Investigation Board (CSB) analyzed relevant regulatory, industry, and consensus standards for hazard analysis, and safe storage and handling of FGAN. The CSB determined that these regulations and standards did not adequately protect the public from a catastrophic FGAN explosion. The CSB also found that at the time of the incident, the requirements contained in Subpart (i), *storage of ammonium nitrate*, in the Occupational Safety and Health Administration's (OSHA) *Explosives and Blasting Agents* standard, were not very well known or enforced in the fertilizer industry.

B. Response to the Recommendation

OSHA announced the launch of a new Regional Emphasis Program (REP) to address the hazards from exposure to FGAN. The REP was effective October 1, 2018, and ends October 1, 2019, unless extended. It covers the states of Arkansas, Louisiana, Oklahoma, and Texas in OSHA Region VI and Kansas, Missouri, and Nebraska in OSHA Region VII.

The intent of the REP is “to encourage employers to take steps to address hazards, evaluate facilities to determine if the employer is in compliance with all relevant OSHA requirements, and to help employers correct hazards, thereby reducing potential worker injuries, illnesses, and deaths.” Each Area Office will create an inspection schedule by alphabetizing and numbering each facility subject to the REP and then using a random number method to develop the REP inspection list. According to OSHA, it proposes to accomplish numerous outreach and enforcement activities as well – outreach may include letters to employers, training sessions with stakeholders, electronic information-sharing activities, public service announcements, and news releases. Enforcement activities include inspections and review of 1) production operations and working conditions; 2) injury and illness records; 3) safety and health programs; and 4) chemical handling and use.

C. Board Analysis and Decision

Based on OSHA’s development of the REP for OSHA Regions VI and VII, which satisfies the intent of the recommendation, the Board voted to change the status of Recommendation No. 2013-2-I-TX-R4 to “Closed-Acceptable Action.”