



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

<b>Report:</b>	Imperial Sugar Company Dust Explosion and Fire
<b>Recommendation Number:</b>	2008-05-I-GA-R11
<b>Date Issued:</b>	September 24, 2009
<b>Recipient:</b>	Occupational Safety and Health Administration (OSHA)
<b>New Status:</b>	Closed – Reconsidered/Superseded
<b>Date of Status Change:</b>	May 23, 2019

### Recommendation Text:

*Proceed expeditiously, consistent with the Chemical Safety Board's November 2006 recommendation and OSHA's announced intention to conduct rulemaking, to promulgate a comprehensive standard to reduce or eliminate hazards from fire and explosion from combustible powders and dust.*

### Board Status Change Decision:

#### A. Rationale for Recommendation

On February 7, 2008, fourteen workers died, and thirty-six others were seriously injured when combustible dust explosions and fires occurred at the Imperial Sugar Company sugar refinery in Port Wentworth, Georgia. The investigation found that the initial explosion was caused by ignition of dangerous concentrations of explosive sugar dust within an enclosed conveyor belt beneath the sugar silos. The initial explosion lofted sugar dust in other parts of the facility, propagating secondary dust explosions and fires that resulted in the fatalities and injuries and heavily damaged the site.

As a part of its investigations, the U.S. Chemical Safety and Hazard Investigation Board (CSB) reviewed applicable federal regulations and determined there were significant regulatory gaps at the time of the incident. One recommendation was issued to the Occupational Safety and Health Administration (OSHA) from this investigation. This Status Change Summary only addresses Recommendation No. 2008-05-I-GA-R11.

#### B. Response to the Recommendation

On January 6, 2009, OSHA stated that on October 21, 2009, they published an advance notice of proposed rulemaking (ANPR) as an initial step in the development of a standard to address the hazards of combustible dust.

OSHA held several public meetings and scheduled a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel, however on March 30, 2017, OSHA announced in its semi-annual regulatory agenda that the agency was withdrawing its rulemaking proposal for the creation of a standard for combustible dust in general industry citing resource constraints and other priorities as the reason for the withdrawal. The CSB has received no other communication from OSHA with respect to Recommendation No. 2008-05-I-GA-R11.

### C. Board Analysis and Decision

The Board found the information above supportive of an unacceptable status; however, in this case upon further review it was found that Recommendation No. 2008-05-I-GA-R11 is the same recommendation reissued to the same recommendation recipient (OSHA) as Recommendation No. 2006-1-H-XX-R1 from the Combustible Dust Hazard Investigation and Recommendation No. 2011-4-I-TN-R2 from the Hoeganaes Corporation Fatal Flash Fires investigation. As this recommendation did not substantively change and serves no other purpose relative to preventing the reoccurrence of the chemical incident or mitigating its consequences or expediting the implementation of the original recommendation, the Board voted to change the status of CSB Recommendation No. 2008-05-I-GA-R11 to: **“Closed – Reconsidered/Superseded.”**