



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

<b>Report:</b>	DuPont La Porte Facility Toxic Chemical Release
<b>Recommendation Number:</b>	2015-01-I-TX-R9
<b>Date Issued:</b>	June 25, 2019
<b>Recipient:</b>	International Chemical Workers Union Council (ICWUC)
<b>New Status:</b>	Closed – No Longer Applicable
<b>Date of Status Change:</b>	July 27, 2022

### Recommendation Text:

*Work together with DuPont [Corteva Agriscience] to develop and implement the emergency response plan described in Recommendation R8 (2015-01-I-TX-R8).*

### Board Status Change Decision:

#### A. Rationale for Recommendation

On November 15, 2014, approximately 24,000 pounds of highly toxic methyl mercaptan was released from an insecticide production unit (Lannate® Unit) at the E. I. du Pont de Nemours and Company (DuPont) chemical manufacturing facility in La Porte, Texas. The release fatally injured three operators and a shift supervisor inside a manufacturing building. They died from a combination of asphyxia and acute exposure (by inhalation) to methyl mercaptan.

Among other issues, the U.S. Chemical Safety and Hazard Investigation Board (CSB) determined that the emergency response efforts at the DuPont La Porte facility during the toxic chemical release were disorganized and placed at risk operators, emergency responders, and potentially the public. The chemical facility lacked a robust emergency response program necessary to mitigate emergencies as well as to protect the health of workers, emergency responders, and the public. Consequently, the Board issued a recommendation to the DuPont La Porte, Texas, Chemical Facility to update numerous provisions of its site emergency response plan (e.g., CSB Recommendation No. 2015-01-I-TX-R8). The Board also issued a parallel recommendation to the ICWUC to work together with DuPont in revising the site emergency response plan. This status change summary only addresses CSB Recommendation No. 2015-01-I-TX-R9 (R9) issued to the ICWUC.

#### B. Response to the Recommendation

In December 2021, ICWUC confirmed to the CSB that it had worked with Corteva on completing all elements of the CSB Recommendation, but that on March 17, 2021, Corteva closed on the divestment of the assets of the entire La Porte manufacturing site to a Texas limited liability company called “La Porte Rail and Terminal” (“LPR&T”). In addition, a number of other changes had occurred at the La Porte site:

- A pre-negotiated sale of part of the La Porte site’s premises to another third party occurred on July 7, 2021, on which date LPR&T sold a portion of the recently acquired site to a Louisiana-based company called Turn Services, which is involved in barge fleeting, marine services and related activity.
- In June 2020, the Lycra company (formerly known as Invista) served notice to Corteva that Lycra intended to cease production at La Porte and that it would demolish its manufacturing plant located there.
- Kuraray acquired its own emergency response vehicle at La Porte and has taken a more prominent role self-performing emergency response.
- Corteva replaced the site’s chlorinated water treatment system with inherently safer sodium hypochlorite water treatment system.

C. Board Analysis and Decision

As noted above, this recommendation and CSB Recommendation No. 2015-01-I-TX-R8 (R8) issued to the DuPont La Porte, Texas, Chemical Facility to update numerous provisions of its site emergency response plan are directly linked. As a result of all the changes to the La Porte site, the recommendation cannot be implemented as written and no longer applies; therefore, the Board voted to change the status of R8 to” Closed – No Longer Applicable.” As R9 issued to ICWUC is dependent upon the implementation of R8, R9 must receive the same status. As a result, the Board voted to change the status of CSB Recommendation No. 2015-01-I-TX-R9 to: “Closed – No Longer Applicable.”