



THE MARINE CHEMIST NEWS

DEVOTED TO THE DEVELOPMENT AND DISSEMINATION OF
METHODS FOR EVALUATING AND ELIMINATING HEALTH
AND FIRE HAZARDS IN THE MARINE INDUSTRY

FEBRUARY 2008

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ASSOCIATION BUSINESS

2008 meetings: The Marine Chemist Association Meetings for 2008 will be as follows:

- **Gulf-Inland Sectional:** Houston Hobby Airport Hilton, Houston, TX, Saturday, March 15 (ExCom Sunday, March 16, same place). Tel: 713/645-3000
- **Pacific Sectional:** Sienna Hotel, Reno, NV, Saturday, March 29. Tel: 877/743-6233
- **Atlantic Sectional:** Norfolk Airport Hilton, SUNDAY, April 6. Tel: 757/466-8000
- **50th MCA Annual Seminar:** Renaissance Hotel Seattle, WA, Monday, Tuesday, Wednesday, August 11, 12 & 13. tel: 206/583-0300 (Note: ExCom: Sunday, August 10)

Sectional Seminars Topics - Discussions will include NFPA 306-2008 Edition, submitted to NFPA for approval at its next annual meeting. Note: There are significant changes in how the recipient of the certificate in a multiple-employer situation is directed to maintain the certificate, and the program will focus on this at the spring Sectionals. In addition, **OSHA's Maritime Standards Office Amy Wangdhal** will give a presentation and OSHA update at the Houston/Gulf-Inland

Sectional (her presentations will be carried and made to the Atlantic and Pacific Sectionals.) Discussion on OSHA Notice of Proposed Rule Making (NPRM) regarding General Working Conditions in Shipyard Employment will be discussed. This is important in that this is how OSHA expects shipyards to deal with Lock-out/Tag-out issues. Shipyards were exempt from 29CFR1910.147 - Control of Hazardous Energy Sources, the General Industry LO/TO regulations. Reviewers of the NPRM have commented that these regulations, as proposed, will be expensive for shipyards to implement. There will also be a presentation on the OSHA NPRM on Confined Spaces in Construction, and certificate-writing issues as well.

Text of Key Proposed Changes to NFPA 306/2008 Edition - NOTE: these will **not** become final and are not to be considered applicable until approved by NFPA at its next annual meeting (World safety Congress), scheduled 2-5 June, 2008 in Las Vegas. The following are considered by the MCA voting members of the 306 committee to be the most substantive changes recommended and approved by the Technical Committee on Gas Hazards at its Report on Comments meeting at the US Department of Labor, Washington DC, September 11 & 12.

Regarding: 4.6.2 Maintaining the Certificate:

"4.6.1(D) - Only one requestor will be listed on a Certificate. The requestor is responsible for providing a complete statement of the scope of work. The requestor listed on the Certificate will be responsible for maintaining the Certificate in accordance with section 4.6.2 and 29 CFR 1915.15. If the requestor is a host employer in a multi-employer workplace then the host employer will be responsible for maintaining the Certificate for all contract employers unless the host employer requires a contractor employer to obtain and maintain their own Certificate."

Related to this, In the Annex:

A4.6.1(D) The requestor is the company or entity who requested the survey by the Marine Chemist and is listed at the top of the Marine Chemist Certificate

Add Definitions (Chapter 3):

Requestor - A company or entity who requests the survey by the Marine Chemist and is listed on the Certificate (top of Certificate form repeated here for clarity).

Multi-employer workplace- a workplace where there is a host employer and at least one contract employer.

Host employer- an employer who is in charge of coordinating work or who hires other employers to perform work at a multi-employer workplace.

Contract employer - an employer, such as a welder, burner, grinder, painter, or other subcontractor, who performs work under contract to the host employer or to another employer under contract to the host employer at the host employer's worksite.

Also: Modify paragraphs s 4.6.1 (A), (B), (C), 4.6.2 and 4.6.2(5) to replace "**vessel repairer, shipbuilder, or vessel builder**" or "**vessel repairer, shipbuilder, vessel builder, owner or their representative**" with "**requestor**".

Regarding: 4.3, Standard Safety Designations: Safe For Hot Work:

4.3.4(4) All spaces adjacent to **cargo tanks** certified "SAFE FOR HOT WORK" have been cleaned sufficiently of residues, scale, or preservative coatings to prevent the spread of fire; or are inerted. All other spaces adjacent to spaces **certified "SAFE FOR HOT WORK"** shall be **treated as deemed necessary by the**

Marine Chemist and acknowledged on the Certificate.

Also: Remove "fixed tanks" from places to which it was added by first committee meeting in February.

Amy Sly Certified by NFPA: In a long-awaited and landmark move, the first woman marine chemist to achieve valid certification by NFPA has taken her place among the brethren.



The MCQB certified Amy Sly, **CMC 706**, in October, taking effect November 1. Amy has taken a position with Sound Testing along with **Don Sly** (her father), **Craig Trettevik**, and **Philip Dovich**. In addition to training with Don, Craig, and Philip, Amy trained with **Tom Govey**, **Tom Littlepage** and **Ken Mercer**.

Amy comes especially well-qualified to enter the profession, with a BS in chemistry from Seattle University and a master's degree in industrial hygiene from Washington State. Her dad has stated she's doing an amazing job at the table in our historically male-dominated industry. In less than two months on the job, Amy has already been to Dutch Harbor, Kodiak, Juneau and Ketchikan, as well as all over the waterfront in Seattle. Don comments that, "she has represented us and the profession with grace and intelligence." Don and Amy extend their thanks to her training chemists, and **Larry Russell** and **Guy Colonna** for their selfless help. (See related article.)

Sad News comes that we have lost two marine chemists and MCA Life Members: **Joseph Labauve, CMC 485** and **Charles Thornton, CMC 357**.

We learned of Joe Labauve's passing by way of Guy Colonna. **Lamar Labuave, CMC 576**, Joe's son,

informed Guy that his dad had fallen and underwent surgery to repair a broken leg. Unfortunately, Joe's heart failed during post-operative recovery. He died peacefully with his family at his side on Friday, January 18.

Joe Labauve was one of the most outstanding and outspoken marine chemists in the profession. He worked for Exxon running their refinery laboratory in Baton Rouge for 37 years. He became certified as a marine chemist and started Delta Laboratories, serving the river marine industry as an independent business at that time as well.

What many may not recall is his hand in the crisis that hit the profession after 'the Greenville Explosion' in November 1975. Accident analysis and scathing reports from the USCG and the National Transportation Safety Board had placed the future of the profession under a cloud, with the USCG recommending that the program be taken over and overhauled by them. **Joe Labauve** and **Linwood Temple**, CMC 534, working with NFPA's **Charles Morgan** (who, despite counsel to the contrary, never lost faith in NFPA's connection to the program), convinced USCG and OSHA that the program, with an improved and reorganized MCQB, was worth maintaining in its current structure. Both Lin and Joe served the balance of their careers as spokesmen for the profession as NFPA and MGHCP rebuilt its training curriculum and standards to its current level. Joe served fourteen years on MCQB, and opened the time and resources of Delta Labs as a training resource for many requesting training - a practice continued by his son, Lamar. Joe was an active chemist until 1992.

Like Lamar, Joe was also quite an athlete in his younger days. He was a three-letter sportsman for three years in college, and was inducted into the Southwestern Athletic Hall of Fame.

It seems everyone certificated more than two decades has a Joe Labauve story, and they were always positive. He trained many of the currently certified chemists, and in discussing issues even today, the wisdom he shared with the chemists as trainees stayed with them as they developed into experienced professionals. He was a major contributor to the thinking and standards used by our profession at that time, and his knowledge and observations have been passed even to those who never had the pleasure of working with him.

Standing along with the likes of Lin Temple, Don Smith, Sy Levinson, George Hale, and others, Joe Labauve was indeed one of the giants of his generation.

Joe Labuave will be deeply missed by all who knew and worked with him.

Joe Schneider, CMC 660, has passed along word that **Charles Thornton** has died. Charlie and his wife of 62 years, Jane, lived in Tampa where Charley served as a marine chemist for decades. Charles C. Thornton was a 1940 graduate of Clemson University. After graduating, he joined Thornton Laboratories and ultimately became the owner and president until 2002.

Phosphates were and are important to Florida's economy and Charlie served the industry well. He was awarded Chemist of the Year from the Association of Fertilizer and Phosphate Chemists and was congratulated on 50 years of service in the chemistry and phosphate industry. The eighth edition of the Association of Fertilizer and Phosphate Chemist Methods Manual was dedicated to Charlie for his loyal service as chairman of the methods committee since 1964.

He served as president of the Tampa Propeller Club and was awarded the Maritime Man of the Year Award. Charlie had a passion for orchids and was an American Orchid Society judge for more than 40 years, and was awarded the distinction of judge emeritus. He was also an avid collector of minerals and a lover and collector of fine wines.

When MCA met last year at St. Pete Beach near Tampa, Charlie was invited to attend the Chairman's reception to meet old friends, but his health was too fragile. He extended a warm hello to all at the seminar - saddened he couldn't make the evening dinner. Charlie was 89 when he passed away last November 11.

Chemists on the Move - Jim Chandler, CMC 679, has moved to Charleston and set himself up as a chemist in his own company:

Charleston Marine Chemist, LLC
3307 Waterway Blvd.
Isle of Palms, CS 29451
C = W = 843/743-5023

Jim is available to spell chemists looking for short term assistance because of workload or need for a break. "Have meter - will travel."

Jim Wadatz, CMC 617, CIH, CSP, has moved to from Jacksonville to Tennessee:

203 Tyne Drive
Franklin, TN 37064
R = B = 615/472-8426
C = 615-972-7505
e = jwadatz@yahoo.com

Jim is one of the nation's few CMC/CIH/CSPs, and has worked in the marine industry as a chemist and in general industry as a CIH.

Thomas T. Govey, CMC 677, has moved from Seattle to Kentucky to work for Marathon Oil:
22210 Country Club Drive

Catlettsburg, KY 41129

Home (606) 928-9985

e = tgovey@windstream.net

Tom and Yolanda, expecting their first child were rewarded this week - see back page.

Gary B. Snell, CMC 697, left Northrop Grumman and is working as an independent chemist through his company, Gulfport Marine Chemist Services, Inc.

B = 228/832-9797

C = 228/327-2276

R = 228/831-5996

e = karensnail45@aol.com

MACOSH Committee - The Marine Advisory Committee on Occupational Safety and Health (MACOSH) shipyard workgroup recently sent two recommendations to OSHA requesting OSHA review and update two sections of the 1915 standard.

MACOSH is an advisory committee to OSHA. It is comprised of members from shipyard and long shoring industries representing both management and union interests along with representation from the Navy, Coast Guard and NIOSH. Its purpose is to advise OSHA on health and safety issues affecting the maritime industry.

The first section sent to OSHA for review was Subpart C, Surface Preparation and Preservation. The initial discussion dealt with the methods different shipyards (private and public) used to meet the requirements during spray painting. It quickly became apparent that the regulations were being interpreted very differently among shipyards. OSHA has developed a web site under the "e-tools" section of its website (www.osha.gov) on paint application. While the committee felt that this section was helpful, it also felt the site did not provide enough direction for shipyards to consistently apply the standard.

The committee began by reviewing specific sections of the standard with the intent of submitting recommendations to re-word each section, but felt that the entire standard was outdated and required modernization. Modern paints and coatings along with updated application methods were not covered in the standard. The committee felt that the entire section and not just specific areas needed an update.

Therefore the recommendation submitted to OSHA was to revise the entire section.

The second section sent that was sent to OSHA for review was Subpart D, Welding, Cutting and Heating. The initial reason for reviewing this standard was the section found in 1915.53(d)(1), commonly known as the four inch strip-back rule, which states:

"In enclosed spaces, all surfaces covered with toxic preservatives shall be stripped of all toxic

coatings for a distance of at least 4 inches from the area of heat application or the employees shall be protected by air line respirators meeting the requirements of § 1915.154."

This standard was written about 35 years ago when steel came into a shipyard in an uncoated condition. In modern shipbuilding steel almost always enters the shipyard with a preservative coating. The committee initially tried to develop wording to better define this section and allow some flexibility. As in Subpart C, however, the standard was just so outdated that the committee felt that a full review and update of the section was warranted.

Once MACOSH has sent OSHA its recommendations, OSHA has the option to accept or reject them. If the recommendations are accepted, OSHA will begin the lengthy process of revising them, eventually sending them out for review by the required federal agencies and finally publishing them in the Federal Register. This process would be expected to take several years.

OSHA Subpart F Proposed Rule - OSHA has proposed updating Subpart F, General Working Conditions in Shipyard Employment in the December 20, 2007 Federal Register (A Notice of Proposed Rule Making - NPRM). While most of the areas in this section will have little impact on the daily work of marine chemists there are two areas that you may want to review for comment. (A copy of the federal register can be viewed and downloaded from:

[http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=20234.](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=20234))

The first section is the long awaited lock out, tag out (LO/TO) regulation. For anyone familiar with the Navy LO/TO procedure you will quickly recognize the similarities. OSHA did not end up requiring lock out devices on shipboard equipment and will permit equipment to be tagged out instead.

However, there are several components to the LO/TO program that OSHA will require. It should be noted that this regulation will not apply to a vessels' fish processing equipment, as OSHA feels that fish processing equipment falls under the general industry LO/TO regulations.

A summary of the components of the LO/TO regulation are:

- An energy control procedure must be established, containing scope, purpose, authorization rules, techniques and enforcement methods to control hazardous energy.
- The employer shall provide training to ensure employees have the knowledge and skills to

implement energy controls. This includes each affected employee and all other employees whose work operations are or may be in the area where energy control procedures may be used.

- Inspections between each authorized and affected employee involving a review of employee's responsibilities. Inspections shall be documented annually.

Another area that a marine chemist may wish to comment is section 1915.84: Work in Confined or Isolated Spaces. Currently OSHA requires frequent checks during the workday on employees working in confined spaces or alone in isolated locations, to ensure their safety. This regulation is carried over into the revision. In the preamble, OSHA commented that the only acceptable method of checking on this individual was a visual inspection. An audible check of machine noise would not be sufficient.

The NPRM requires the employer to account for all workers (in confined and isolated spaces) at the end of each shift.

In the NPRM OSHA asked for comments on several issues:

- Should the section be limited to employees working alone in either a confined or isolated space?
- Should OSHA address the hazards of working in confined spaces in Subpart B instead of Subpart F?
- OSHA asked if workers working alone in confined or isolated spaces were checked frequently during the work shift and accounted for at the end of the shift in your establishment.
- OSHA asked if employers should establish a system or some form of a signal to indicate when a single employee enters a confined space to perform work.
- OSHA requested data and information on any injuries, fatalities, or near-misses that have occurred during the last five years due to an employee working in a confined space or alone in an isolated location.

Currently, these are only proposed regulations and are open to comment until **March 19, 2008**. Any input you can provide OSHA will enable them to craft a regulation that will work for the industry to enhance safety and productivity.

You may submit comments, identified by Docket No. OSHA-S049-2006-0675, by any of the following methods:

Electronically: You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions on-line for making electronic submissions.

Fax: If your comments, including attachments, do not exceed 10 pages, you may fax them to the OSHA Docket Office at 202/693-1648.

Mail, hand delivery, express mail, messenger or courier service: You must submit **three copies** of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-S049-2006-0675, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, Washington, DC 20210; tel. 202/693-2350 (OSHA's TTY number is 877/ 889-5627).

Deliveries (hand, express mail, messenger and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m.-4:45 p.m., Eastern Time

Instructions: All submissions must include the Agency name and the docket number for this rulemaking (Docket No. OSHA-S049-2006-0675). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <http://www.regulations.gov>.

(The above two articles were written by **Don Raffo, CMC 668**, MCA Chairman-elect, and MACOSH Representative from the American Shipbuilders Association)

State of the US Marine Construction and Repair Industry - Professional journals are full of the news: the US marine industry is busier than it's been in decades. Those wanting newly built most US vessels are going to have to wait years for a slip. The combination of the Oil Pollution Act's requirement for double-hull construction for petroleum and petrochemical transportation, the continuing prospects 90-to-100 dollar per barrel oil, and the Jones Act has small and medium yards all over the country "maxed-out". In January, the Great Lakes shipyard Erie Shipbuilding delivered its first new-build in 34 years. There are reports of new shipyards being opened: Louisville-based Mammoth Marine is reported to have begun building an all-indoor barge construction facility on a 94 acre sight near Owensboro. Gulf area yards are reported full and still looking for new labor: It was reported last quarter that the Louisiana State marine employment level was nearly 16,000 shipyard workers, with approximately 7,000 positions unfilled. In addition, imaginative use of the Jones Act has some US shipyards actually building large blue-water commercial ships again, though the total tonnage is dwarfed by busy Asian new-building yards. But the ability of these US yard to have the labor-intensive portions of new commercial ships built in Asia, shipped and coupled with "straight sections" built here by

highly automated fabrication, has a couple of the large yards very busy. Aker Philadelphia Shipyards has laid the keel of its seventh double-hulled US-flagged tanker after completing a series of container ships headed for Jones Act service between US ports. Even the requirement to scrap old US Navy vessels is the US has generated interest by yards to restart breaking activities in the US, as MarAd is being forced to get rid of these vessels before they become serious environmental issues at anchor.

Though there is already speculation about when the bubble may begin to contract, and strong opposition to continuing the Jones Act is a matter of the record of politicians now getting close to being their party's nominee, all is humming now.

And it is reflected in marine chemist's work as well: it was reported by NFPA's Larry Russell at the Marine Gas Hazards Control Program meeting in January that projected reports put the profession on-target for 35,000 certificates - perhaps more - in 2008. This trend is part of a steady climb over the past few years, and the largest number reported in records going back more than 20 years.

Federal Law, State Law and Ships' Bunkers-

The controversy surrounding the control and use of heavy bunkers by ships near ports - an international issue - has been tested in the US Courts. In an attempt to improve the air quality in California coastal cities, especially with respect to the sulfur and particulate emissions of minimally refined heavy bunkers, the California Air Resources Board (CARB) passed regulations to force vessels toward using refined fuels when near the state's coastline. A US federal court ruled in September that the California law regulating emissions of ships up to 24 nautical miles from the coast is pre-empted by the Clean Air Act (CAA), and therefore illegal. The court ruled that since EPA does not allow California to adopt regulations applicable to ships, the CAA preempts the CARB regulations. (Source Maritime Global Net Newsletter)

If the emissions of ships are to be regulated, it appears that it will have to come from the federal and not a state source - and the fed's dismal record in this area was not good news for environmentalists. Environmentalists, however, took some hope in the fact that earlier last year, the Supreme Court (in *Massachusetts v. EPA*) decided the EPA had the obligation to regulate green house gases from vehicles as part of its responsibilities in that they "may reasonably be anticipated" to endanger US health and welfare. If ships can be included with automobiles as

"vehicles" (a rational assumption), EPA now is recognized by the courts as having the authority and responsibility to regulate their emissions under the CAA when in US waters. The current administration is not expected to try to do so before its current term expires, but it's now EPA's task to address it eventually. The next occupant in the White House will determine the agenda to do so.

Global Warming Opportunity? - The International Herald Tribune and New York Times Media Group reported in October on one of the most concrete signs of the effect of a warming climate on government operations: the USCG wants to establish its first operating base to deal with vessels plying Arctic waters.

Increasingly long open-water seasons have the coast guard talking with the Russians about controlling anticipated ship traffic (especially tankers and cruise ships, but possibly fishing vessels as well) through the Bering Strait. A USCG base, possibly in Barrow, Alaska, on the northern tip of the North Slope, would speed responses to oil spills from ships which USCG believes may eventually travel from Scandinavia to Asia through the Bering Strait. This long recognized but (until recently) thought-to-be impractical "Northern Sea Route" cuts as much as 5,000 miles off using the Panama or Suez canals.

"I'm not sure I'm qualified to talk about the scientific issues related to global warming," said USCG commandant Admiral Thad Allen. "All we know is we have an operating environment we're responsible for, and it's changing."

An oceanographic survey by U.S. of the north Alaskan seafloor completed in September by the icebreaker USCG HEALY indicates the US has much at stake in the region. Sea ice pulled back so far last summer that the HEALY was able to scan the bottom several hundred miles further north than in previous surveys. It found long sloping extensions of the continental shelf 200 miles beyond previous estimates. These sonar studies hint that thousands of square miles of additional seafloor, possibly holding future important deposits of oil, gas or minerals, might be under U.S. control. Though more surveys will be needed to firm up any claim, under the UN treaties, countries have the right to expand their control of seabed resources well beyond the continental shelves bordering coasts if they find such sloping extensions. Senior State Department officials later said that the US had to become more involved in the region and urged other countries to cooperate to encourage international trade through the far north.

Ship Owner Pleads Guilty in Alaska Spill -

The owner of the freighter that lost 66,000 tons of soybeans and 340,000 gallons of fuel off an Aleutian Island nearly three years ago pleaded guilty last August 22 to three misdemeanor federal counts of violating the US Refuse and Migratory Bird Treaty Act.



IMC Shipping Co. Pte. Ltd. (IMC) of Singapore, and the presiding U.S. District Court Judge accepted terms of the plea agreement calling for a \$10 million fine, including a \$4 million in community service, \$3 million to assess risks for shipping hazards where the vessel went aground along the Great Circle Route, and \$1 million for the Alaska Maritime National Wildlife Refuge.

The 738-foot freighter M/V SELENDANG AYU went aground on the north side of Unalaska Island, December 8, 2004, broke in two and was followed by a disastrous rescue attempt. A rogue wave hit a USCG helicopter lifting crew members from the freighter and brought the aircraft down. The helicopter crew and four of the crew were rescued, but six crew perished.

The vessel, on its way to China from Tacoma, experienced mechanical problems, so the crew shut down the engine and attempted repairs. Unable to restart the engine the ship grounded off Spray Cape and broke up. More than 1,600 birds and six sea otters were found dead after the spill, and its owner IMC (and its insurers) paid more than \$100 million in cleanup costs. (Source: Associated Press)



Chevron Refinery Fire - Gary Snell. CMC 697 sent along photos of a spectacular fire that occurred on August 16, 2007 at Chevron's Pascagoula, Mississippi refinery - their largest. Seen from miles as it flared, the fire was reported to have started when a pump on the hydrocarbon line caught on fire. The plant was evacuated, responders isolated the line supplying the fire, and it went out. Amazingly, there were no injuries.



US Mining Bill Could Radically Alter Permissible Exposure Limits (PELs) Adoption Process -

The American Industrial Hygiene Association reported in November that, in a controversial move, a mining bill was approved by a House Committee that not only addresses mining safety, but makes for the potential of a radical change to OSHA enforceable permissible exposure limits (PELs). The bill, known as the SMINER Act (HR 2768) makes several recommendations on improving miner safety, but the section of interest to many, especially AIHA, addresses exposure limits.

Under the bill, the Mine Safety and Health Administration, MSHA would be required within 30 days of receiving a NIOSH recommended exposure limit (REL) for a chemical (or other hazard to miners) to adopt the REL as a PEL. The Labor Secretary would be allowed to review the "feasibility" of any PEL established in this way.

Given the enormous differences between some PELs v. RELs (See the NIOSH Pocket Guide to Chemical Hazards), this would have an enormous potential logistical and financial impact on any affected industry - mining or otherwise. Many NIOSH RELs are based on conservative health protection criteria only, and without regard to feasibility, costs, the ability to monitor, etc. Many of the RELs are far lower than even ACGIH's Threshold Limit Values (TLVs).

Opponents to the recommendation state that such

an approach would set a bad precedent in overriding OSHA's discretion and experience - to say noting of the procedures presently followed in the Occupational Safety and Health Act in changing PELs. If adopted, it would cut short the enormously complicated and time-consuming process currently required to change a PEL, leaving health scientists of NIOSH in an enormously powerful position in setting public regulatory levels - with little or no input from industry or other outside impacted parties. Very importantly, opponents are concerned that the approach could be applied later to OSHA PELs for general (and marine) industry, whose PEL-modifying process has ground to a standstill. AIHA is monitoring this legislation closely.

OSHA Announces New PPE Final Rule - The final rule, published in the November 15, 2007 Federal Register, on employer-paid personal protective equipment (PPE), states all PPE will be provided, with few exceptions, at no cost to the employee. OSHA anticipates that this rule will have substantial safety benefits that will result in more than 21,000 fewer occupational injuries per year.

"Employees exposed to safety and health hazards may need to wear personal protective equipment to be protected from injury, illness and death caused by exposure to those hazards," said Assistant Secretary of Labor for OSHA Edwin G. Foulke Jr. "This final rule will clarify who is responsible for paying for PPE, which OSHA anticipates will lead to greater compliance and potential avoidance of thousands of workplace injuries each year."

The few exceptions in the final rule pertain to ordinary safety-toed footwear, ordinary prescription safety eyewear, logging boots, and ordinary clothing and weather-related gear. The final rule also clarifies OSHA's requirements regarding payment for employee-owned PPE and replacement PPE. The rule also provides an enforcement deadline of six months from the date of publication (i.e., May 15, 2008) to allow employers time to change their existing PPE payment policies to accommodate the final rule. For more information, visit <www.osha.gov>.

ACCIDENTS

Flash-Fire on Navy Cruiser Sends Five to Hospital - September 17, 2007 - Marine chemist **Tom Beacham**, CMC 635, CIH, CSP, was in the BAE Shipyard conducting a Saturday morning inspection when he was summoned to inspect a flash fire/explosion on board the Navy Ticonderoga class

cruiser **USS LETYE GULF**, undergoing a major overhaul at the facility. Tom was stunned at the destruction caused in one of the central crew's head areas two decks below the main deck. The two-alarm fire sent five civilian contractors to the hospital, but miraculously, no one was killed. Shift supervisors later said two contractors suffered smoke inhalation and another suffered head and back injuries.



Though not described as an explosion, venting gases after ignition blew out bulkheads and ignited small secondary fires

Fire investigators say a buildup of explosive lacquer thinner vapor, used to strip floors, ignited, causing a flash fire and a series of small secondary fires.

It's estimated there were more than 300 workers on board when the fire began. Some said they "felt an explosion", but fire investigators later classified it as a low order deflagration or flash fire. A shipyard employee working one level above where the fire said, "We knew there was an explosion or whatever, we just didn't know where on the ship." Another said, "There was a loud noise - more like a 'woomph!' "



"The ship vibrated and you could feel an intensity. The boat moved and the air just went through the space we (were) working in. You have limited space to move in. You're in an enclosed space. There are no windows to take out to let fresh air in and get the smoke (out)," said another worker who was near the site.



This electric scrubber, used in cleaning the floor with the organic solvent, was a key suspect as the source of ignition.

Nevertheless, fire fighters swarmed the ship, made sure it was evacuated, and potential hot spots and secondary fires were found and put out. The situation was declared under control in 15 minutes.

Tom, brought to the site almost immediately afterward, witnessed something unusual, however. As he completed a drop test of the affected space, a swarm of heavily-armed navy personnel rushed past to ensure it was not a terrorist-related incident. He cautioned them to leave immediately as the space had over 200 ppm carbon monoxide in it, and wasn't ready to be entered. Ignored, he noticed later some of the navy entrants sitting and complaining of headaches. (Fortunately, no terrorists were found.)

Later investigations revealed the events that lead to this accident. The head area was being refurbished, and part of that work was given to a company specializing in tile-setting. Since the head tile was laid on steel, and the cement grout normally used doesn't flex with vessel movements, an epoxy grout was used to set the tiles. To speed removal of excess epoxy grout after setting, these subcontractors used a (recommended) lacquer thinner and electric rotary scrubber to clean the surface. No one was informed about the introduction of the five-gallon can of thinner used by the subcontractors. The lacquer thinner was later found to be a mix of flammable solvents (mostly toluene) with a flash point of 20°F, and clearly marked as "flammable". Evidently, they were clueless about the potential consequences of

combining the solvent, the enclosed space and non-explosion proof electrical equipment.

OSHA subsequently investigated and issued numerous citations against the subcontractor tile-setting company.

Second Cruiser Suffers Tank Flash Fire - Only two months after a serious flash fire on the cruiser USS LEYTE GULF in Norfolk, a sister ship the **USS LAKE CHAMPLAIN**, under maintenance repair in San Diego, suffered a gas deflagration during repair in a fuel tank. Six workers were injured, one of whom was very seriously burned. On Saturday, November 10, an eight by eight foot section of a fuel tank was ripped by what was described as more a flash fire than an explosion. Though quoted reports vary, early reports indicated the fire did not occur immediately after a break, but an hour or so into work in the tank. The tank had a marine chemist's certificate on it, but the source of the fire was quickly determined to be from leaking as hoses, and not fuel residues: the tank evidently was started as clean and SFHW. Though contrary reports have been heard, union officials interviewed later claimed that the space was not under mechanical ventilation.

So an official report on the event has not been seen yet, and differing reports give different facts. Understandably, several controversies have developed surrounding the accident.

First, if the accident was indeed caused by leaking fuel gas hoses, and the ignition didn't happen at entry from a break, it seems strange that the workers didn't pick up the smell of the gas building up in the tank. Though initial reports mentioned acetylene, it was later reported that the dry dock and its burners were set up to use natural gas as the fuel gas (supplied from local utility company lines through a manifold system), and not acetylene. It was also said - but not confirmed - that the workers were wearing organic-vapor cartridge respirators, and speculation was that the mercaptans, added to natural gas as a powerful warning odorant, might have been filtered out by the respirators. This might have hidden rising gas levels from the workers.

Second, Cal-OSHA, on site and after an initial investigation, turned the final investigation over to the shipyards involved: the dry dock was worked by BAE Systeems, General Dynamics/NAASCO in a joint maintenance contract with the US Navy, along with several subcontractors. This sent union and safety representatives howling ('the fox guarding the chicken coop!'), but Cal-OSHA reacted properly, in its opinion, given that there were no fatalities (yet) and the shipyards acted in

complete cooperation during the initial visit. Complaints about the maneuver were, nevertheless, so intense that OSHA reportedly later changed its mind and reentered the investigation with its own resources and control.

The story was also complicated by a third event: a shipyard competent person, fired the day before the incident by a sub-contractor also working in the mix (Tecnico), filed suit for breach of contract and defamation. The basis: he claimed he was fired for continued complaining about the lack of sufficient inspections on the vessel, and was ignored, laughed at, and finally fired because of his continuing complaints about improper confined space testing at the yard. The announcement of the suit one week after the accident greatly increased the incident's visibility in the press.

The final issue (a broad but very important one) involves the evolving recent history of multiple contractors, their control and the overlapping responsibilities in a multiple-employer worksite like a shipyard. The US Navy has evidently directed its favored shipyards with contract requirements that have greatly increased the number of subcontractors used in its larger repair projects. Ship repair, being very dangerous and involving techniques, regulations and practices not necessarily found elsewhere, must be tightly controlled, or accidents will happen. When shipyards are in a position of bringing in help, even skilled help in the persons of subcontractors, they might be and certainly have been introducing workers to unfamiliar situations and conditions. These become jobs where, what might have been a perfectly safe practice in construction of the second story of a partially framed building, become disastrous when done the same way two levels below the main deck of a cruiser. When the accidents happen, analysis of accountability is naturally a focus for preventing their repetition. The question of the degree of responsibility in multi-employer workplaces is turning out to be complicated (Ref; Occupational safety & Health Review Commission Docket 01-1891: Secretary of Labor v. Summit Contractors, 23 December 2002). OSHA has been overturned by its Review Commission in a case that indicates there is a fairly high hurdle to proving just how "on top of" safety details a prime or controlling contractor must be before the same citation can be issued against subcontractors and prime contractors when the subcontractor's employees were the only ones exposed. In the situations in San Diego and Norfolk, it should be noted that neither prime contractor has yet been cited in either confined space fire.

On a positive note, the seriously injured worker, a widower in his 20's, caring for a young daughter, was awakened from his medically-induced coma about a month after the fire. Looks like he's going to make it.

Sewer Construction Worker Killed in Trenching Collapse

A construction worker installing sewer line at a shopping complex construction site was killed in a trench collapse in Somers, Wisconsin last December 19. Rescuers were close to freeing the 52-year-old worker when a second cave-in buried the victim. The fire department later announced that when crews reached him again over an hour later, he had expired. Because of unstable conditions, rescuers took over seven additional seven hours to recover the body. OSHA and local law enforcement were on the scene conducting an investigation before retrieval was accomplished.

Nevada Gaming Company Pays \$185,000 In Fines For Two Workers' CS Deaths

On February 2, 2007, would-be rescuers scrambled to save three maintenance workers found unconscious after going into a manhole to free a clogged sewer pipe associated with a Nevada casino. Overcome by deadly gasses, almost certainly hydrogen sulfide coupled with an oxygen deficiency, only one survived.

On August 21, the casino owner announced responsibility for the accident and to pay \$185,000 in fines, as well as take part in what safety officials called, "unprecedented safety and health programs" throughout the company, and a redoubling their commitment to their employees' safety. Nevada State OSHA officials say their investigation uncovered nine violations of federal and state workplace standards.

Five Killed on Virginia Farm

In what was a deadly repeat of an accident many recall happening a few years ago to members of three generations of another family farm, nearly an entire family was killed in the farm's manure pit last July 3rd, this time in Bridgewater, Virginia. Farmer Scott Showalter, 34; his wife, Phyllis, 33; their daughters Shayla, 11, and Christina, 9; and Amous Stoltzfus, 24, who worked at the Showalters' dairy farm in the Briery Branch Mennonite farm community, were all overcome in an entry-rescue disaster. The couple also had two younger daughters.

Sonny Layman, another farmhand, said he tried to save Phyllis Showalter by hooking her onto a grate and pulling her up. "I tried to hook her but I couldn't," a visibly shaken Layman said.

The accident began when Scott tried to transfer manure from one small pit to a larger one, measuring 20 by 20 by 8 feet deep. A pipe that used to transfer manure became clogged, and Showalter evidently climbed in the pit to free the blockage.

"It was probably something he had done a hundred times," said fire rescue services later. "There was gas in there and he immediately succumbed."

Emergency workers believe Stoltzfus climbed into the pit in an attempt to rescue Showalter. Phyllis Showalter and the two girls were outside the milking barn, heard the commotion, and all went into the pit and succumbed.

Though methane was quoted by some as the immediate cause, it was later noted that grain had been falling from the barn floor above into the pit, and had become part of the mix. Others speculated that, since the farmer had entered the pit many times before, the grain in the mix had changed things, possibly causing an accelerated fermentation, leading to depletion of oxygen, rising levels of heavier-than-air carbon dioxide, further displacing oxygen. In addition, the pit had a loose fitting grate on top, and though poorly ventilated, estimates are that it would take approximately 40% methane to reduce the levels of oxygen to produce the collapse experienced by the entrants. Methane is, however, lighter than air.

Regardless of the exact mixture of the fatal gas, it is ironic, but true, that agriculture (i.e., mostly family farms) outranks even construction in the rate of confined space fatalities. Nearly of the fatal accidents involve grain or animal feed engulfment, but manure pit atmospheric accidents are among the most tragic because of the family's immediate reaction to rescue fallen loved-ones.

Five Killed by H2S on Indian Naval Vessel - It was especially sad news that five crew were reported killed and three critically injured in an accident while the **INS JALASHWA** (LPD-41) this past Friday, February 2, during an exercise in the Bay of Bengal. The first reports were of a fire on board the vessel, but by Saturday, the accident was reported the result of exposure "to hydrogen sulfide by a repair party carrying out maintenance in one of the ship's compartments and not due to fire or any other causes", said an official press statement. Two of the injured were officers. The Indian Navy rushed its medical ships to treat the injured and to bring back the serious cases to Port Blair.

Last June the US and Indian Navies celebrated in the transfer of the venerable USS TRENTON (LPD-14) to the growing naval power of the Indian government. Festivities in Norfolk culminated

eight month's transfer activities involving Indian and US sailors, including two sea patrols. Some Norfolk area chemists had worked on the vessel before and during the transfer period. The TRENTON was rechristened (... renamed might be better term for the primarily Hindu nation) the INS JALASHWA (LPD-41), and was a valuable addition to the troop transport and support logistical capabilities of the Indian Navy. It will allow sealift capability for 900 to 1,000 troops to nearly any shore-side trouble spot. It was inducted into the Indian Navy last September, and was the first ship to transfer from the United States to India and marks a period of improving relationships between the two nations. The JALASHWA is the Indian Navy's second largest combat platform, after her aircraft carrier VIRRAT (R-22).

Four Killed at Indian Car Plant - Four persons died of asphyxiation after inhaling sewage gases - initially reported to be methane - during construction work at a sewage tank at the Hyundai car factory at Irrungatukottai, India, last December 8.

Three of the fatalities were engineers of Thermax, the company carrying out the construction work. The fourth person was a civil contract worker.

A fifth person, who took ill, was admitted to a private hospital in Chennai. The incident occurred while cleaning a sewage tank, which was used to store wastes of paints and other chemical materials, officials said.

Four Killed in Wisconsin Well Accident On Thursday, November 1, 2007, an accident in a well in Superior Wisconsin killed four workers who were apparently overcome by sewage gases. All died before rescuers could get to them, authorities said. Fire fighters summoned to the Lakehead Blacktop Demolition Landfill didn't know what the workers were doing in the well, which was estimated at about 15 feet deep. It was reported that after the first victim climbed down a ladder into the tank's three-foot-square opening, it appeared the others followed to rescue him but were immediately overcome. Two remaining workers did not enter the tank and called 911 at about 5:40 p.m. When rescue crews arrived they tested the air in the tank and found levels of 200 ppm hydrogen sulfide - twice the IDLH level. Firefighters with SCBA led the recovery effort, and site workers pumped water out to help. The four victims, ages 40 to 47, included two co-owners of the landfill.

An OSHA investigation was initiated, but the

OSHA area director said that there were no records of inspections at or OSHA violations against the company.

(The Following article was written November 10, 2007, By Scott Bowlen, Ketchikan Daily News Staff Writer)

First Woman Marine Chemist Visits Ketchikan

- Repairing ships can be dangerous work, especially in confined spaces that can contain hazardous fumes and materials. To help workers stay safe, the work spaces are inspected by highly trained marine chemists before the repairs can start. There are only about 100 certified marine chemists in the United States. Only one is female.

Her name is Amy Sly. And on Nov. 2, she was at the Ketchikan Shipyard to inspect work spaces aboard two Alaska Marine Highway System ferries. Sly, 26, is a graduate of the University of Washington and Seattle University. She completed the National Fire Protection Association's marine chemist certification process in October.

It's not a typical career path for someone who as a child wanted to work in retail fashion. "I never thought I was going to work in the shipyards," she said, "but I'm so glad to now be doing this."

Shipyard industry officials are equally pleased to see a young professional like Sly at work in the industry. The skilled workforce is aging, and the industry has launched a nationwide effort to recruit young people for careers that it portrays as challenging and rewarding, according to Doug Ward, project manager with Ketchikan-based Alaska Ship and Drydock Company that operates the Ketchikan Shipyard.

"It's a critical need in the shipbuilding/repair industry to have a new younger workforce come in and start helping out," Ward said. "They're not cubicle jobs. They're fun. They're exciting."

That's what got Sly's attention when she was studying undergraduate chemistry at Seattle University. "A lot of the people in the chemistry, biochemistry department, they were going to pharmacy school, or medical school, or going to work in a lab," Sly said. "And (those careers) actually seemed pretty boring to me." Her father, Don Sly, who's a certified marine chemist with Seattle-based Sound Testing Inc., suggested that she accompany him to some his job sites to see what the work entailed. She did, and became interested in the career.

"It started to grow on me," Amy Sly said, "So they (Sound Testing) gave me the opportunity to train with them."

She began training toward marine chemist certification through the NFPA, and completed a master's degree in industrial hygiene at the University of Washington to augment the training. The NFPA training itself is "very demanding," said NFPA Assistant Vice President Guy Colonna, who oversees the association's marine chemist program. The process requires a four-year academic degree that includes six specific chemistry courses; three years of work experience, at least one year of which is shipyard or marine-related, and at least one year in a laboratory work environment; completion of an 18-module NFPA training curriculum; and 300 hours of field inspection time with at least three other marine chemists.

Accompanying marine chemists to a variety of job sites helped solidify Sly's interest in the career. "You get to work with people, and you get to go to the job site, and every job that you go to is new -- and so you have you think," she said. "You never get bored at this job."

Sly finished the NFPA certification process on Oct. 25 with a final round-table interview with representatives of the NFPA, U.S. Navy, federal Occupation Safety and Health Administration, and Marine Chemist Association as well as shipyards, tankship operators and the marine insurance industry. Colonna said the interview went very well. Sly was certified effective Nov. 1. She's probably first female to actually work as a marine chemist in the history of the NFPA program, which dates back to 1922, he said.

"It's a remarkable ... thing that she has done," Colonna said.

Sly is quick to credit the people who helped train and supported her during the certification process. "I really am lucky that I had so many people helping me out," she said. "I'm really the product of several people's efforts." So it was on Friday, her second day as a certified marine chemist, the woman who once considered a fashion career was wearing white coveralls and a wood-grain hard hat to inspect work spaces aboard the state ferries Fairweather and Matanuska.

"I went in before they started their repairs to make sure that there wouldn't be any fire or explosions; that they could perform their repairs safely," she said. Sly checks a space's atmosphere for hazards such as carbon monoxide, hydrogen sulfide, combustible gases, or biological actions that can create combustible gases. She also checks oxygen levels. Oxygen shortages in confined spaces have been the number-one cause of fatalities in ship building and repair, she said.

In addition to the atmosphere, Sly checks for dangerous materials or products in the work space.

"This job requires that you think ahead to what the repairs are going to be, and what kind of dangerous situations can come from the repairs themselves," she said. In a sense, the function of a marine chemist is similar to that of the proverbial canary in a coal mine. In fact, a lot of the technology that marine chemists use originated from mine work, she said. "(The mines) saw the same types of hazards -- the confined spaces, lack of oxygen and also combustible gases," she said. "That's why ... the technology that they had developed for the mines became so applicable in the shipyards, because it was a confined space, just in another setting."

Once a marine chemist gives the OK for repairs to begin, a shipyard worker called the "shipyard competent person" maintains the safety of the space. ASD's Dave McCord fills that job description at the Ketchikan Shipyard. It entails a lot of work -- clearing voids early in the morning, checking equipment and making sure all the proper protections are in place, he said. "Around here, we take our safety seriously," McCord said. "We always double check."

Sly said marine chemists rely heavily on shipyards' safety programs, and she's "very impressed" by the safety program employed by ASD. "It's nice to see when companies are taking all the proper precautions for their workers," she said.

She's also interested in being part of the industry's effort to attract a new generation of skilled workers. "Our manufacturing industries are really shrinking in the United States, and I see it very frequently in Seattle and the shipyards -- there's a lot of work and they don't have enough skilled workers to perform all of these repairs," Sly said. "So I think it's important for young people to realize that there really are so many options out there." Non-traditional careers, -- "jobs that you never expected to be doing when you were little" -- can be very rewarding, she said. "I never thought I'd be climbing double bottoms (ship hulls) for a living," Sly said, "but it's remarkably satisfying."

Minutes, MCA Executive Committee Chicago Hilton O'Hare Airport Hotel Chicago, IL, Sunday, 14 October 2007

- **Call to Order: 08:02**
- **Expected Roll Call:** Don Sly/chairman, Donald Raffo/chairman-elect, John Bell/past-chair, Jim Chandler/Atlantic Section, (Substituting for David Capen-

April, 08), Stephen Gronda/Atlantic Section (April '09), Philip Dovich (Substituting for John Fernandez/Pacific Section-April, '09) Brian Axelrad/Gulf-Inland Section (April '08), Johnny Phillippi/Gulf-Inland Section (April '09,) Larry Russell/NFPA, Ed Willwerth/secretary-treasurer, Les Blaize/assistant-secretary. Note: (Henry Sorenson/Pacific Section (April, '08) could not make it/work conflict.)

- **MCA Program Orientation/Ed - Expense reimbursement procedures and general guidelines regarding the service objectives of the MCA ExCom as a working committee were reviewed.**
- **Agenda Revision - The program will be modified to accommodate a presentation from Maria Izquierdo-Willwerth**
- **Minutes of Last Meeting/Comments, Changes & Approval**
- **Committee Reports:**
 - **NFPA/Larry:** 306 ROC meeting ballots will be out soon.
 - **MCQB/ Larry:** (Postponed) - MCQB will be meeting 25-26 October in Cincinnati: two trainees Amy Sly and Mat Kemmerer will be interviewed. Board discussed issues they would like considered: "isolated" chemists appear to be running into problems with keeping current standards and guidance.
 - **MFSC/MGHCP/Larry & Ed:** (Postponed) - Motion: The MCA will submit a copy of its annual audit to the MGHCP with its budget before its annual meeting with the MFSAC. (Seconded & approved unanimously)
Larry: New member from Shipbuilding Council of America: Ian Bennett is a new member for MFSAC. SFLHW & "How Clean is Clean?" - Requirements are not being met. Accidents are happening. John reminded the meeting that the 306 committee at one time defined the welding rod and the cutting torch as the fire, and "to prevent the spread of fire" means that it will not leave that welding or burning site. During the July meeting the MCQB discussed need for updating FCLC endorsements. Need to maintain current understanding of evolving technology.

Board recommends MCA devote training to support this at a minimum of every five years. This would require FCLC inspections of equivalent training (i.e., MITAGS program).

- **SSRAC Committee/Jim** - No report/no new items.
- **NFPA 306/John, Les, Ed, Don Sly:** Schedule, results ROC Meeting, D.C. meeting. Communication by/with MCA Subcommittee during final phases. Larry: Internal matters are settled with NFPA standards council and the changes are being incorporated and being made ready for balloting by 306 members.
Les discussed history of MCA's actions in support of 306 process. He noted that during the final phases of the process communication can be difficult, but the MCA 306 committee listens to all comments submitted. John & Ed agreed to switch principal/alternate positions, as perviously voted on and approved.
- **MACOSH/Don Raffo** - Meetings, issues and general direction, scheduled week after Thanksgiving at US DoL building where recommendations covering spray painting & hot work (potentially very important to CMCs). Subpart F (LO/TO "Isolation of Hazardous Energy) went to OMB on 23 August '07 (with no deadline) and from there to Notice of Proposed Rule Making (NPRM).
- **Education Committee/Don Raffo, Don Sly, Les & Larry:** Dates & possible subjects,

2008 Sectional Seminars/All

Gulf-Inland: Houston/Hobby, TX,
Saturday, 15 March 2008
(ExCom Mtg.: Sunday, 16 March)
Atlantic: Norfolk, VA, **Sunday**, 6 April
2008
Pacific: Reno, NV, Saturday, 29 March
2008

Possible Subjects for 2008 Sectional Seminars:

- Review outcome of proposed (and as yet unapproved) NFPA 306 changes, and NITMAM process.
(Larry/Les/John)

- Toxicity Responsibilities & Resources regarding CMCs & toxicity inspections
 - Hexavalent chrome - exposure Venessa Runion (Washington State) is collecting data on exposure (AnSem?) Field Research & Consultation Group, Univ. Washington IH Group))Philip shall pursue getting Ms. Runion for possibly Sectional and Annual Seminars).
 - GFCI/Subpart-S Instruction (AnSem?) (OSHA is osrting through it. Don Raffo
 - Petrogen Cutting Torch System - Presentation (Oxygen/Liquid Gasoline Cutting)
 - BAE Shipyard Contractor Sept. 15 '07 & Curaceau DD Accidents.
 - Subpart P & Specific SCP & CMC Concerns
 - **Nominations Committee/John** - No Nominations yet - too early.
 - **Ethics Committee/John** - No Issues.
 - **Insurance MC Fund Report/Ed** - MCF has reinsured with ITIC - in good and improving financial shape.
 - **By Laws Committee Report/Ed** - No Report
 - **Secretary's Report/Ed** - Given, Seconded & accepted.
Membership: John Philippi & Lynn Jones Certificates.
- **Old Business**
- Liability Issues regarding training MC candidates/Presentation by Maria Izquierdo: Trainees are not employees and are therefore not covered by Workers' Compensation. The trainee might have cause if the training MC is at fault. In an auto accident, the personal umbrella clause the training is important here. If the trainee is sent to train by their employer, they should have insurance through the employer. Of concern should be whether the trainee has health insurance. An unemployed/independant trainee might be of special concern. (PWALSH test: Is the worker **paid**? Works for the **injured**? Who **supervises** the injured? Who **hired** the injured? etc.)
 - Liability Issues regarding CMCs & shipyard contractual requirements - Letter from Derek Jenkins: Demands for Higher

Liability Insurance Limits from chemist by clients./All

- OSHA's Subpart F - General Conditions & LO/TO - Progress? - Not known but expected as NPRM "soon".
- ChemCert Program: Progress (?)/Ed & Larry - No news yet from NFPA/Guy regarding recommendations and poll regarding electronic certificate program.
- Newsletter - request for articles from EXCOM & members.
Article ideas:
Oxygen sensor information.
- Transportation Worker Identification Credential (TWIC) & CMCs - No news.

• **New Business**

- OSHA's New Marine Safety Training Program: (29CFR1915, 29CFR1917, 29CFR1918: Initial "Train-the-Trainer" program given in Mobile by OSHA and Alliance between Sept 24-28: Initial industry course to be given in November. Could be important to CMCs as trainers and training opportunities with their client shipyards.
- Locations for Annual Seminars, 2008/Les - The Renaissance Hotel in Seattle was selected as Seminar Site for 2008. Costs: \$220.00/night plus \$2K/day (Les has a very attractive rate from the Royal Sonnesta on Bourbon Street, New Orleans, LA, for 2009: \$139.00/night).

Motion made to hold 2008 Annual Seminar in Seattle, WA at the Renaissance. Seconded/Passed unanimously.

- City Technologies' Oxygen Cells: Fail/Unsafe Controversy: Les experienced a difficulty in calibrating his BW meter. He reviewed communications with manufacturers and users of the City Technologies O2 cells. They will **fail** a "bump" test, but will **pass** an instrument manufacturer's formal calibration test (!) International Safety Equipment Organization will be meeting in November. Affected sensor dates: ~ March 2004 - April 2005
- Next Meeting: Sunday, 16 March 2008, Houston-Hobby Airport.
- Adjournment: 14:32

PHILSOPHY: - Why Did The Chicken Cross The Road? (From an anonymous e-source.)

DR. PHIL: The problem we have here is that this chicken won't realize that he must first deal with the problem on THIS side of the road before it goes after the problem on the OTHER SIDE of the road. What we need to do is help him realize how stupid he's acting by not taking on his CURRENT problems before adding NEW problems.

OPRAH: Well, I understand that the chicken is having problems, which is why he wants to cross this road so bad. So instead of having the chicken learn from his mistakes and take falls, which is a part of life, I'm going to give this chicken a car so that he can just drive across the road and not live his life like the rest of the chickens.

NANCY POLOSI: We don't really care why the chicken crossed the road. We just want to know if the chicken is on our side of the road, or not. The chicken is either against us, or for us. There is no middle ground here.

COLIN POWELL: Now to the left of the screen, you can clearly see the satellite image of the chicken crossing the road. It's not possible to see for sure from this shot if it is armed or not.

ANDERSON COOPER : We have reason to believe there is a chicken, but we have not yet been allowed to have access to the other side of the road.

JOHN KERRY: Although I voted to let the chicken cross the road, I am now against it! It was the wrong road to cross, and I was misled about the chicken's intentions. I am not for it now, and will remain against it.

NANCY GRACE: That chicken crossed the road because he's GUILTY! You can see it in his eyes and the way he walks.

MARTHA STEWART: No one called me to warn me which way that chicken was going. I had a standing order at the Farmer's Market to sell my eggs when the price dropped to a certain level. No little bird gave me any insider information.

DR SEUSS: Did the chicken cross the road? Did he cross it with a toad? Yes, the chicken crossed the road, but why it crossed I've not been told.

ERNEST HEMINGWAY: To die in the rain. Alone.

GRANDPA: In my day we didn't ask why the chicken crossed the road. Somebody told us the chicken crossed the road, and that was good enough.

BARBARA WALTERS: Isn't that inter-westing? In a few moments, we will be listening to the

chicken tell, for the first time, the heart warming stowry of how it experienced a sewious case of mowlting, and went on to accomplish its wife wong dweam of ccrossing the woad.

JOHN LENNON: Imagine all the chickens in the world crossing roads together, in peace.

ARISTOTLE: It is the nature of chickens to cross the road.

BILL GATES: I have just released e-Chicken2005, which will not only cross roads, but will lay eggs, file your important documents, and balance your checkbook. Internet Explorer is an integral part of e-Chicken. This new platform is much more stable and will never cra..#@&^(C \ Reboot.

ALBERT EINSTEIN: Did the chicken really cross the road, or did the road move beneath the chicken?

BILL CLINTON: I did not cross the road with that chicken. What is your definition of chicken?

SENATOR OBAMA: Because it badly needed change.

SENATOR CLINTON: The lack of adequate health care and terrible local economic conditions DROVE the chicken, at its great personal peril, to cross the road to seek a new life on the other side!

JERRY FALWELL: Because the chicken was gay! Can't you people see the plain truth in front of your face? The chicken was going to the "other side." That's why they call it the "other side." Yes, my friends, that chicken is gay. And if you eat that chicken, you will become gay too. I say we boycott all chickens until we sort out this abomination that the liberal media whitewashes with seemingly harmless phrases like "the other side." That chicken should not be crossing the road. It's as plain and as simple as that!

PAT BUCHANAN: To steal the job of a decent, hardworking American chicken!

COLONEL SANDERS: Did I miss one?



News from Cattlettsburg - Samantha Ann rests after her birth to Yolanda and Tom Govey, Feb.2.



News from Seattle - Angeline & Benjamin hold their new brother Issac as Amy and Philip Dovich, CMC 667, celebrate the arrival of their third child.