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Barrow, Miller Introduce Legislation to Help Prevent Dust Explosions After Imperial Sugar Disaster Claims 12 Lives

*House Education and Labor Committee to Hold March Hearing on Imperial
Sugar Refinery & Other Explosion Hazards*

WASHINGTON, D.C. – Congressmen John Barrow (D-GA) and George Miller (D-CA) today announced legislation to help prevent combustible dust explosions like the one earlier this month at the Imperial Sugar refinery in Port Wentworth, Georgia that killed 12 workers and critically injured 11 others. Miller, the chairman of the House Education and Labor Committee, also announced that he would convene a full committee hearing into the worksite risks of dust explosions on Wednesday, March 12.

The Miller-Barrow legislation would force the U.S. Occupational Safety and Health Administration to issue rules regulating combustible industrial dusts, like sugar dust, that can build up to hazardous levels and explode. The Occupational Safety and Health Administration already has the authority to issue such a rule without Congress passing new legislation, but OSHA has failed to act despite the fact that the dangers of combustible dust have been well known for years.

“The tragedy at Imperial Sugar shows that the threat of dust explosions is very real at industrial worksites across America and needs to be addressed immediately,” said Miller. “It’s unfortunate that it takes the Congress of the United States to tell OSHA how to do its job. The agency has known about these dangers for a long time and should have acted years ago to prevent explosions like this one. Workers cannot be asked to wait any longer for these basic protections.”

“The explosion at Imperial Sugar is a tragedy that we never want to see repeated in the 12th District, or anywhere else in the country,” said Barrow. “We owe it to the victims and their families to do everything we can to prevent this kind of disaster from ever happening again.”

When dust builds up to dangerous levels in industrial worksites, it can become fuel for fires and explosions. Combustible dust can come from many sources, such as sugar, flour, feed, plastics, wood, rubber, furniture, textiles, pesticides, pharmaceuticals, dyes,

coal, and metals, and therefore poses a hidden danger throughout the industrial economy.

The U.S. Chemical Safety Board, which has launched a major investigation of the Imperial Sugar explosion, has preliminarily concluded that the explosion was caused by combustible sugar dust. In 2006, following a series of fatal combustible dust explosions, the CSB conducted a major study of combustible dust hazards. It identified 281 combustible dust incidents between 1980 and 2005 that killed 119 workers, injured 718 others, and extensively damaged industrial facilities. Nearly a quarter of the explosions occurred in the food industry, including several at sugar plants.

The CSB study concluded that OSHA had no regulation that effectively controls the risk of industrial dust explosions. The Board recommended that OSHA issue rules to address the risks of dust explosions, but over a year later OSHA has given no indication that it is planning to issue any rules on combustible dust.

The National Fire Protection Association, a nonprofit, nongovernmental organization, has established voluntary guidelines to control combustible dust hazards and prevent dust explosions. Miller and Barrow said today that these voluntary standards, which are effective, feasible, and affordable, must be made mandatory.

“Without an OSHA standard, many employers aren’t even aware of the hazards of combustible dusts and control methods, and others have not taken advantage of voluntary standards,” the lawmakers said. Their legislation would force OSHA to issue emergency rules within 90 days that include measures to improve housekeeping, engineering controls, building design, explosion protection, and worker training, and to finalize those rules within 18 months.

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