

Criminal probe in Connecticut power plant explosion

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Authorities have launched a criminal probe into the February 7 Connecticut power plant explosion that killed five workers and injured dozens more. Investigators are seeking to determine whether employer negligence was involved in the blast.

The explosion last Sunday morning tore apart much of the 620-megawatt Kleen Energy Power plant, which was under construction in Middletown, Connecticut, on the Connecticut River. The force of the blast blew out windows and shattered the foundations of nearby houses, while the explosion was heard miles away.

“There’s a point where negligence rises to the level of criminal conduct, and that’s what we’re investigating,” Middletown Mayor Sebastian Giuliano said of the ongoing probe.

The plant, which was one of the largest to be built in New England in recent years, was nearing completion and set to go online as early as June of this year. It was designed to burn natural gas and could also be powered by low-sulfur oil.

Employees of Kleen Energy and O&G Industries, the main contractor on the project, were using natural gas to purge the system’s pipes when the explosion took place. The procedure is designed to remove any air, which when mixed with gas, can cause explosions.

This procedure has been blamed for at least seven major explosions involving multiple injuries and deaths since 1997, the *Christian Science Monitor* reported, citing federal documents.

The five workers killed in Sunday’s blast included three pipefitters from Connecticut—Peter Chepulis, 48; Raymond Dobratz, 58; and Ronald Crabb, 42—Chris Walters, 48, a safety engineer from Missouri, and Roy Rushton, 36, a pipefitter from Hamilton, Ontario.

Chris Walters’ wife Fran told the Connecticut daily *Hartford Courant* that her husband had taken the out-of-

state job after being laid off by another construction company last November.

“While he was laid off, the family fell behind on mortgage payments, and the bank threatened foreclosure,” she told the newspaper. Fran Walters said that the youngest of their three children still did not fully understand that his father had died. “I just hope we don’t lose the house,” she added. “Take anything from me. Just don’t do it to my kids.”

As the investigation into the cause of the blast continues, workers reported that they had expressed concern about smelling gas at the plant an hour before the explosion and were told to open doors to increase ventilation. There were also unconfirmed reports of a welder’s torch being lit during the purging operation.

Erik Dobratz, the son of one of the workers killed in the blast, said that his father Ray had told him that he and other workers were putting in 12- and 13-hour days, seven days a week, at the construction site. He said that the company was pushing the workers to finish the project.

“He was 58 years old; he was exhausted,” Erik Dobratz told the *New Haven Register*. “He’d come home, stay up for an hour with my mom, and then go to bed and get up and do it all over again the next day.”

The son suggested that the grueling hours could have been a cause of the disaster. “If something comes out that someone forgot to do something, could it be because they were really tired and thought they did do it and didn’t do it?”

Neither O&G Industries, the general contractor, nor the union, Plumbers and Pipefitters Local 777, would comment on the long hours.

Behind the drive to speed up the plant’s completion lay the profit interests of Energy Investors Funds, the Boston-based private equity firm which owned the

plant and stood to deliver handsome profits to its wealthy investors. The underwriter for the approximately \$1 billion in loans for the project was Goldman Sachs. In the wake of the blast, Fitch Ratings has threatened to downgrade the company's loans to junk status based on projected delays and increased costs.

Just three days before the fatal blast in Connecticut, the US Chemical Safety Board (CSB) issued an urgent recommendation for tougher safety codes governing the practice. It criticized current codes for strongly recommending, but not requiring, that gas lines being purged be vented outside. Nor do they explicitly require the evacuation of all non-essential personnel during the process or the use of gas detectors.

The fuel gas codes have been developed based upon a "consensus" between the industry and regulatory bodies.

The CSB came under sharp criticism last October when it completed its investigation into an explosion at ConAgra Foods' Slim Jim plant in North Carolina in June of last year in which three workers were killed during a gas purging operation. The agency issued a safety bulletin urging companies to follow the recommended procedures, including outdoor venting, but made no call for new safety regulations, despite its own investigators urging the board to do so.

At the time, Jackie Newell, the occupational safety and health director for the United Food and Commercial Workers union, condemned the board for not demanding new enforceable safety rules. "By not recommending urgent standards on fuel gas purging, they leave the lives of thousands of workers at risk," said Newell.

Then, the Thursday before the Connecticut explosion, the board made such a recommendation. "The board is very concerned that companies across the country continue to purge pipes indoors," said CSB Chairman John Bresland.

Since the Connecticut blast, CSB has been in a bitter dispute with local and state authorities, which have refused the federal agency's investigators access to the site on the grounds that it is a "crime scene." The 10-person investigative team sent by the board has also been denied the ability to interview witnesses or examine any evidence.

"We are in the vicinity, but we have no significant

access to witnesses or evidence which is being seized by the state police," said Daniel Horowitz, a spokesman for the safety board. "The CSB investigation has been marginalized at the site. In effect, the experts in these types of accidents have been kept out of the investigation."

The *Hartford Courant* quoted an unnamed source who had visited the site: "It seems strange that while federal regulators like OSHA and CSB are escorted around the perimeter of the site, there are employees of the company that supposedly would be a possible target of any criminal investigation walking around the alleged crime scene unfettered."

The reference was to employees of O&G Industries, the general contractor. The firm gained widespread notoriety in Connecticut for its connections to a corruption scandal that forced the resignation and subsequent jailing of the state's former Republican governor, John Rowland. After repeated denials, Rowland was forced to admit that the company had done no-cost work on his weekend cottage while working on state contracts.

Approval for the Kleen Energy plant was granted under the Rowland administration. In addition to being the general contractor, O&G is a part owner of the project.



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