The cost of doing business in America

Pennsylvania firm fined only $44,000 for factory explosion that killed seven workers

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R.M. Palmer Co. violated numerous safety rules in an explosion earlier this year that killed seven workers at its facility in West Reading, Pennsylvania, according to an October 5 statement from the Occupational Safety and Health Administration (OSHA).

The federal agency is imposing fines against the chocolate manufacturing company totaling just $44,483. This comes out to $6,355 per dead worker, a tiny fraction of the company's $250 million operating revenue in 2022.

Around 5 p.m. on March 24, a violent explosion erupted within the facility in West Reading. The blast shattered windows blocks away, shook buildings and apartments, and essentially demolished the R.M. Palmer factory.

The workers killed were Diana M. Cedeño, 44, Amy S. Sandoe, 49, Judith Lopez-Moran, 55, Domingo Cruz, 60, Michael D. Breedy, 62, Susan H. Halvonik, 63, and Xiorky D. Nuñez, 30. Eleven other workers were seriously injured and three neighborhood families were displaced.

In the days after the disaster, workers at the factory, as well as family members of those killed, reported to the media that despite multiple workers reporting smelling a gas leak, no evacuation occurred. Instead, workers were ordered to stay on the job. The family of one of the seven killed, Judith Lopez-Moran, filed a lawsuit over the same accusation.

These reports from survivors, denied by the company from the outset, have now been backed up by OSHA.

"Seven workers will never return home because the R.M. Palmer Co. did not evacuate the facility after being told of a suspected gas leak," said OSHA official Kevin T. Chambers in a news release earlier this month. "Ensuring the safety of a workplace is expected of employers and required by law. … The company could have prevented this horrific tragedy by following required safety procedures."

OSHA cited a host of other company violations that contributed to the deaths and injuries, including its not clearly marking emergency exit signs, not splicing electric cords in a correct manner and committing record-keeping violations.

The investigation found that the explosion was a result of two gas lines built decades apart. One gas line, built in 1982, was found to have been fractured and was around two feet from a steam line, condensate line and other pipelines that produce great heat.

The gas line, moreover, was built with materials known for being prone to cracks and fractures. The National Transportation and Safety Board ruled back in 2007 that fittings for gas lines built in 1982 were not stable and too brittle for modern standards and thereby urged that lines built that year be replaced. Despite the warning, it took R.M. Palmer 14 years to start construction of a new line.

R.M. Palmer issued a statement disputing OSHA's findings, declaring the company intends to "vigorously contest OSHA's citations, which it believes are legally and factually unsupported." The statement insists that R.M. Palmer "always put[s] the safety of our employees and community first."

Whatever the immediate outcome of this case, the paltry fines from OSHA make clear that the death of workers in the pursuit of profit is just the "cost of doing business" for American capitalism. R.M. Palmer has received a slap on the wrist for killing seven workers. Little wonder that companies and corporations have so little regard for worker safety.

That this is standard operating procedure became evident in 2020 with the rush of the government and companies to force workers back to their jobs despite the raging onset of the COVID-19 pandemic. As *New York Times* columnist and multimillionaire Thomas Freidman phrased it, the costs of the measures to protect human life during the pandemic could not be “worse than the disease.”

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