

Jeff steel plant fined \$240,000 for violations found after worker died

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Steel Dynamics, the Jeffersonville steel processing plant, was fined \$240,000 Wednesday by the Indiana Department of Labor for safety violations found in an inspection after a worker died at the facility in August.

Shay Fanase Jr., 21, was overcome by nitrogen while working in a confined space in the plant on Aug. 5 and died three days later at University Hospital in Louisville.

Jeff Carter, deputy labor commissioner in charge of the Indiana Occupational Safety and Health Administration, said Fanase's death was caused by "a terrible design" that required the worker to open a furnace and put his head into it in order to pull parts through.

Carter said it's a "very, very dangerous prospect when you open this door."

"This is so high a level of nitrogen that putting your head in there and taking a good breath, you can say goodbye to consciousness immediately," he said. "You are talking about levels of inert gases that can be nearly immediately fatal to a human being."

"If they were in compliance with these rules beforehand they would not have had someone in that situation breathing those gases at that level and then you're rolling the dice on whether you're dead or you just end up in the hospital."

Steel Dynamics spokesman Fred Warner said the company would not comment because it had not seen the IOSHA report. "We'll review the findings when we get them ... and if necessary further discuss with Indiana OSHA," he said in a telephone message.

A second worker who tried to rescue Fanase also was overcome by the nitrogen fumes but recovered.

A subsequent inspection resulted in citations against Steel Dynamics for 15 safety violations. Nine were classified as "serious" and were fined at \$5,000 each; five were "repeat" violations resulting in fines of \$25,000 each; one was a "knowing violation" assessed at \$70,000.

The knowing violation said the company "did not establish and maintain conditions of work ... free from recognized hazards that were causing or likely to cause death or serious physical harm to employees." It said workers "were exposed to nitrogen causing injuries or illnesses including ... lightheadedness, mental confusion, convulsions, unconsciousness, and death."

Carter said Steel Dynamics was aware of the danger.

"This has happened before to them" in 2006, he said. "The last gentleman was much luckier. All he did was pass out and somebody pulled him out before he died."

Since then, Carter said, "There should have been a redesign of that entire operation."

The state report said the company did not evaluate confined spaces and identify hazards in them or provide workers with proper training for working in those spaces.

It also said Steel Dynamics designated the local fire department as its confined space rescue team, but "no local fire departments were trained to perform the duties of confined space rescue."

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