

# Local 2 Investigates Interviews Plant Explosion Attorney Rob Ammons About Deadly Explosions

**By Robert Arnold**

**Wednesday, November 10, 2010 HOUSTON --** When Local 2 Investigates began checking into a series of [explosions](#) in and around Houston we discovered a common thread: pressure vessels.

[Click here to watch the pressure vessels news clip](#)

According to the Chemical Safety Board pressure vessels are metal containers that house pressurized liquids and gases. Pressure vessels can be found everywhere from large chemical plants and refineries down to filling stations. We also discovered the city was warned years ago to tighten up regulations surrounding pressure vessels.

Four years before the blast at the Goodyear plant another pressure vessel exploded at the Marcus Oil plant in the middle of a Southwest Houston neighborhood in December of 2004. No one was killed, but several people reported getting hurt when debris was sent flying through the neighborhood. OSHA also levied fines against the company.

Local 2 also found other pressure vessel accidents. In 2005 a huge metal lid blew off a pressure vessel at a plant next to the busy Highway 225. The lid flew into a neighboring plant and no one was hurt. In 2007 a worker was killed when vessel filled with compressed air exploded at a company near downtown Houston. In 2008 another worker was killed when a metal lid flew off a pressure vessel at a plant in Texas City.

"This was simply a fact of companies not adhering to standard, prudent, recognized practice," said safety expert Mike Sawyer. For the past two decades Sawyer has help develop safety programs and investigate industrial accidents on behalf of private attorneys, the federal government and industry. Sawyer was used as an expert witness by [attorney Rob Ammons](#) in lawsuits filed against Goodyear for the 2008 blast. Hernandez is also a client of Ammons. Her case has since been settled out of court.

McInnis is also suing Goodyear over his wife's death. The case is scheduled for trial in February of next year.

Explosions like the ones at Goodyear and Marcus prompted the Chemical Safety Board to issue a safety message regarding the dangers of pressure vessels. In the recorded message posted on the CSB's website last November, former Chairman John Bresland specifically called on Houston to adopt the American Society of Mechanical Engineers' code regarding pressure vessels and boilers. The ASME code sets out strict procedures for manufacturing, operating and testing pressure vessels.

"In 2006 the Chemical Safety Board called on the City of Houston to adopt this code to better protect it's citizens and its industrial facilities. Unfortunately, Houston has yet to act on this safety recommendation," Bresland said in the video.

When Local 2 spoke with CSB Investigations Supervisor John Vorderbrueggen he told us, "There's no logical argument for not adopting this code."

Vorderbrueggen said the CSB singled out Houston because of it's large industrial complex. Vorderbrueggen added the CSB hoped if Houston adopted this code it would spur Texas to adopt the code statewide. Texas is one of only ten states that does not require companies to follow ASME code.

"Texas is one of the stragglers," said Vorderbrueggen who added he believes following ASME code could have prevented the explosions at Goodyear and Marcus Oil.

When Local 2 asked the city why it did not act on the CSB's recommendation we received this email from Public Works and Engineering spokesperson, Alvin Wright.

"There is extensive training and licensing process for this effort and since we haven't had any events that warrant the measure the CIC opted not to pursue it. The background on the Marcus Oil explosion is that it occurred because the company chose to ignore existing laws, much less any new laws we could enact. We checked and the only ones using these regulations are on chemical plant property.

Pasadena, which has plenty of pressure vessels, doesn't have the code," Wright stated in an email to Local 2 Investigates. That prompted this email response from Vorderbrueggen.

"Very disappointing to hear they are taking no action. All too often I have heard the excuse "we haven't had any problem, therefore what

we are doing (or not doing) is perfectly reasonable." It is narrow minded to suggest adopting these respected and globally accepted industrial safety practices (ASME Pressure Vessel Code and NB-23) will be ineffective in Houston because owners will ignore the regulations and laws as they allege Marcus Oil did," Vorderbrueggen wrote in an email to Local 2.

When we checked with the Occupational Safety and Health Administration we were told OSHA does check to make sure ASME code is being followed at large plants and refineries. A spokesperson for Goodyear also told Local 2 the plant follows ASME code. Sawyer disagrees that OSHA is checking to make sure companies are following this code.

"In the accidents you investigated have you found that (pressure vessels) are routinely or regularly inspected," asked investigative reporter, Robert Arnold.

"By OSHA, no, not at all," Sawyer answered.

"This needlessly endangers not just the workers at the plants but potentially anyone that's around that," said Ammons.

Rob Ammons is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, in addition to being Board Certified in Civil Law by the National Board of Trial Advocacy. Rob Ammons' law practice, [The Ammons Law Firm](http://www.ammonslaw.com), is located in Houston, Texas. The Ammons Law Firm practice is exclusively personal injury law, handling such cases as: tire defects, oil rig explosions, truck accidents, plant explosions, refinery accidents, wrongful death, post-collision fires, seat belt defects, airbag defects, SUV rollovers and workplace negligence.

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