

# Getting the Facts Straight

By Ann Rey

Despite what Associated Press (AP) reporters may think, another layer of paperwork won't prevent accidents. Granted, AP reporters have little time to actually gather the facts and little practical knowledge about most subjects they cover, but the news agency's coverage of an early December accident in Milwaukee left readers wondering if the actions of an Oklahoma senator could have led to a gas leak and explosion that killed three men.

Was Sen. James Inhofe (R-Okla.), as the AP story implies, somehow persuaded by the \$3398 donation made by the National Propane Gas Association's (NPGA) PAC to kill off legislation that could have or may have prevented the gas leak? The AP reporter notes the senator helped the industry obtain relief from complying with a federal risk management program (RMP) requirement, and follows that statement with one about the donation Inhofe received during the 1999-2000 election cycle.

What does a \$3998 campaign donation have to do with what happened at the Falk Corp. facility in Milwaukee? Would propane's inclusion in RMP requirements have prevented the gas leak or accident? Even more puzzling about the story are the headline and statement that there are no nationwide regulations or guidelines regulating the propane industry—when in fact the industry has been heavily regulated for decades.

Of course, what is overlooked is that each state prefers to have its own set of rules and regulations and every municipality, county, fire marshal, etc. also has its own requirements. Wisconsin has at least two agencies with oversight. The majority of the rules in place are based on codes developed by the National Fire Protection Association (NFPA) and other organizations. These local requirements are in addition to a large number of federal regulations.

Had the Falk propane system been inspected? Yes, that's what the employees were doing when they discovered the leak. The company conducted annual inspections of the system, which was used as a back-up for its natural gas supply.

Would an RMP have required government inspections? No, it would have only added another layer of paperwork that was, for the most part, already required under other federal regulations. At least the reporter cited an Environmental Protection Agency representative, Jim Belke, who acknowledged this. Interestingly, as the RMP debate over exempting certain propane installations came to a close in the late 1990s, Belke accepted an invitation to join the NFPA 58 committee.

Was the reporter trying to make the tragic accident a political issue? Was there some wrong that needed to be corrected? Does it matter if the industry responds and tries to get the facts straight?

To the reporter's credit, she did call NPGA and NFPA for comments. However, what was left out of the AP article was that, about 10 hours prior to the Falk employees' discovery of the leak,

a police officer in the area smelled what he thought was natural gas. According to Wheeler News Service, a local news service, the officer called the local natural gas utility, WE Energies. A crew was sent out to investigate, and it believed the odor might be coming from a diesel-fueled train engine idling nearby.

WE Energies is Falk's natural gas utility. The propane stored at Falk was for its back-up gas system. Falk had six 30,000-gal. propane tanks on site. The tanks and gas system were owned, operated, and maintained by Falk. Employees were inspecting the system, as they did annually, when they smelled gas and found it bubbling up through a crack in the asphalt. Parts of the plant were evacuated.

What exactly caused the leak and subsequent explosion is being investigated by the state, the city, and local police.

The accident may lead to some positive changes, said Randy Knapp, state director for the Wisconsin Propane Gas Association (WPGA), which has been trying to interest state lawmakers in sponsoring legislation that would require licensing of marketers, mandatory training, and a minimum level of liability insurance. WPGA also has been trying to get limited liability legislation, which would require customers to notify their gas company if they alter their gas system. Some Wisconsin legislators are now interested in working with WPGA on these issues. Let's hope any legislation passed actually does something to improve safety, and isn't just another exercise in paperwork.