

ETHYL GASOLINE CORPORATION

CHRYSLER BUILDING
405 LEXINGTON AVENUE

SAFETY COMMITTEE

O. B. LEWIS
CHAIRMAN

NEW YORK August 9, 1937

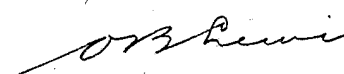
MEMORANDUM TO - Dr. R. A. Kehoe ✓
Dr. G. Edgar
Mr. H. W. Kaley
Mr. John Schaefer

Gentlemen:

For your information I am attaching the following correspondence received in connection with the recent accident which occurred during the cleaning of a tank at Gulf's plant at Cleveland, Ohio.

Mr. W. M. McEldowney's letter of August 3rd together with the various correspondence mentioned therein.

Mr. H. A. Mack's letter of August 5th giving a complete report of the entire incident.


O. B. LEWIS

gcl
Enclosure

GULF OIL CORPORATION

Pittsburgh, Pennsylvania

August 3, 1937

Mr. J. C. Taylor
Ethyl Gasoline Corporation
Chrysler Building
New York, N. Y.

Dear Mr. Taylor:

Since Mr. McEldowney's telephone conversation with you on July 29, we have received the enclosed reports from our Toledo office dealing with this particular accident.

We believe you will be interested in reviewing them and just as soon as additional communications are received, we will forward them to you.

Very truly yours,

W. M. McEldowney

Per: C. R. Milne

KE 0017614

N21120.01

From R. R. Johnston at Toledo, Ohio
To H. C. Meyer at Pittsburgh, Pa.

7/29/37

Subject Accident - Cleveland Terminal

There will go forward to you in the regular way today detailed reports covering the death, apparently due to lead poisoning of [REDACTED] pump and tank mechanic at the Cleveland Terminal.

On July 15th and 16th we had three of our men clean tank #209 which had contained Texas Fire Chief, or Ethylized Gasoline. Before cleaning, one of the Ethyl men from Dayton, Ohio, inspected the tank and gave instructions as to what should be done in the way of keeping the bottom wet, etc. We used a vapor machine and the men wore dust masks on instructions of the Ethyl man. It is reported that after they got out of the tank, two of the men were nervous and were sent to Dr. Castle who handles our compensation work. They did not return to work the next day and, in fact, were off sick. The third man, however, did return to work and kept on working. I understand further that Mr. [REDACTED] went to a neighborhood doctor and then was taken violently ill. He was admitted to the hospital on Monday, July 26th, and died Tuesday night, July 27th.

I sent our Mr. Wager who handles accidents, over to Cleveland yesterday and he secured all possible information which will be forwarded to you, as stated above, in the regular way. Also, he had the other two men examined by our doctor and they are now in the Huron Road Hospital for twenty four hour observation and laboratory test.

At an autopsy made on Mr. [REDACTED] by a pathologist at the Huron Road Hospital the verbal statement was made that there was no question but that it was lead poisoning. However, we will secure a written report.

The Ethyl Gasoline at Dayton have been advised of this death but I am assuming there are certain reports you may have to make to them.

We, of course, are quite exercised regarding this and hope the other two men will come out all right. We will keep you informed.

KE 0017615

N21120.02

From G. A. Grants at Toledo
To H. C. Meyer at Pittsburgh

7/29/37

Subject Personal Injuries - [REDACTED] Deceased.

On July 16th we finished cleaning Texas storage tank #209 at the Cleveland terminal. On July 26th I received a preliminary accident report from Cleveland on [REDACTED] also a letter from Mr. Auerbach in which he explained that [REDACTED] and [REDACTED] were ill from the effects of their work in the tank and were therefore not on duty. In his correspondence he minimized their illness stating that he thought most of their condition was brought about by heavy eating and drinking of beer after leaving work.

On Tuesday Mr. Auerbach phoned me stating that [REDACTED] was quite ill and that he was very irrational.

I immediately dispatched Mr. Wager, our accident insurance man to Cleveland to personally investigate the situation, inasmuch as it seemed very unusual to me that they should display this serious illness so long after completing the work. I am attaching hereto Mr. Wager's report.

From all the facts that I am able to gather together it appears that our men at Cleveland handled the job in accordance with instructions and directly under the supervision of the Ethyl Gasoline Corporation representative, Mr. Siebenthaler.

We will of course forward to you immediately complete accident reports as soon as received in this office.

KE 0017616

N21120.03

M. A. Wager

Office

G. A. Grants

Office

7/29/37

PERSONAL INJURIES

[REDACTED] Deceased

In accordance with your instructions I went to Cleveland yesterday and in connection with my investigation surrounding the circumstances causing the seemingly slight illness of [REDACTED], serious illness of [REDACTED] and fatal illness of [REDACTED] arising out of the cleaning of storage tank #209 for the Texas Company which had previously contained Fire Chief Ethylized gasoline the following is to the best of my knowledge the true facts of the case insofar as it could be determined at that time.

The three above employees under the supervision of A. A. Kotz, Terminal Superintendent, and foremanship of [REDACTED], both of whom have had previous experience in the cleaning of storage tanks, were delegated to descale and clean generally the #209 storage tank which, as above mentioned, had previously contained ethylized gasoline. This tank had been open with all manhole covers off for a period of from two to three months and was thoroughly aired at the time of cleaning. A sample test of the scale in the tank by the Ethyl man from Dayton, a Mr. Siebenthaler I believe, indicated there was absolutely no danger from lead fumes and his instructions were to go ahead with the cleaning following the usual instructions. I was informed by Foreman [REDACTED] who was working on this job that the Ethyl man had said no gas masks were necessary but that dust masks should be worn at all times when within the tank. These instructions I am informed were definitely carried out.

Instructions were that the bottom of the tank was to be kept damp at all times and these instructions were also alleged to have been carried out.

A vapor test of the air within the tank before and after wetting indicated between 3% and 4% solution which I understand is a negligible amount.

On the particular day the illnesses were incurred it was exceedingly hot and, of course, the humidity within the tank probably was very high.

The manifold within the tank was, so I understand, tightly closed and there was no escape of fumes from this source.

The wet scalings were bucketed out and buried in accordance with the usual instructions.

[REDACTED] the deceased, worked in the tank the first day for a period of between four and five hours but at no time was in the tank longer than three quarters of an hour to an hour at a stretch. He claimed of slight illness (nausea) and was immediately taken from the job and told to remain in the sunshine and rest for the remainder of the day.

KE 0017617

N21120.04

██████████ then helped ██████████ complete the job and both were subsequently ill (nausea). I am informed that all three men after quitting work drank considerable milk in an attempt to throw off the nausea.

It is my further understanding that after work ██████████ and ██████████ ate hearty meals and drank some beer. Later on ██████████ ate several slices of cucumber and vinegar and then drank more milk. On the supposition that possibly this might have had some effect on his condition we brought this to the attention of the attending physician who, however, advised that this would have no particular effect other than the possibility of temporary discomfort. ██████████ seemed to be all right with the exception of a slight nausea at various times.

All three men felt that it was nothing serious at the time but when Anna and ██████████ spent a rather sleepless night Dr. Castle's Clinic, who handles the majority of our industrial cases, was called and asked to contact both men which, I understand was done, and ██████████ went into the Clinic the following day.

As the men became more ill Drs. Castle & Associates were called several times and I understand made several other calls due to the fact that the men were becoming more or less violent, having hallucinations, yelling and screaming, etc. It was brought out that another doctor or two from the neighborhood were called in who prescribed in the same manner as Drs. Castle & Associates (bromides).

Both ██████████ and ██████████ were becoming more and more violent and hysterical accompanied by extreme nausea and hallucinations and on Sunday, the 25th, ██████████ I understand, was locked up apart from his family for a period of time and on Monday, the 26th, was taken to the Huron Road Hospital, Cleveland, Ohio, where he was placed in a straight jacket.

██████████ at the same time was suffering somewhat the same disorders although not as serious.

At the time ██████████ was placed in the hospital a Dr. Bryson, attending physician at the time of death, was called in and he informed me he immediately started a laboratory test on ██████████ for lead poisoning. Indications were present but it was too late to successfully administer treatment and ██████████ succumbed between 10:00 and 10:30 PM Tuesday, July 27th.

██████████ was being treated by Dr. Bryson at the same time although no laboratory test had been made on him. ██████████ had, of course, stated with Drs. Castle & Associates for treatment.

Immediately upon ascertaining that neither ██████████ or ██████████ had been subjected to a laboratory test I ordered them into the Huron Road Hospital for a 24 hour observation with a laboratory test. This will necessitate an expense of approximately \$35.00 total, which I guaranteed in the name of the company after my phone conversation with you. The results of the tests will be forwarded to this office.

In my conversation with the doctors handling these cases I inquired regarding their conclusion for ██████████ being more susceptible to the fumes than the other two and was informed that undoubtedly it was due to the chemical composition of the body which made one more susceptible to certain drugs, gases, etc. than the other and this seems to me to be a plausible explanation though not conclusive.

RE 0017618

I found that an autopsy was under progress and decided to await the findings. I was verbally informed that the autopsy as conducted by the Pathologist at the Huron Road Hospital reached a definite conclusion that the injury causing the death was lead poisoning and that certain deposits of same were found in the urine and feces substantiating the above statement. A written report of the autopsy will be forwarded to this office.

The conclusions I reached in this case are as follows: There seems to be no particular negligence attached to this company although, of course, this will not discharge any obligation we may have by reason of our insurance coverage with the Industrial Commission of Ohio.

Incidental remarks are as follows: The Ethyl Corporation, Dayton, Ohio has been notified of the death of the employee and I understand they are now following the case through for whatever responsibility they may have in connection with same.

There are as yet no completed papers, affidavits or statements in connection with this case, however, same will be properly and promptly handled immediately upon receipt.

I understand that Mrs. [REDACTED] wife of the deceased, has already retained an attorney to handle this case. The dependency involved in this case is the wife and a two year old son.

KE 0017619

Dayton, Ohio August 5, 1937

Re Cleaning Tank 209
Gulf Refining Co.
Cleveland, Ohio

Mr. J. C. Taylor

Attention: Mr. O. B. Lewis

Dear Coard,

On July 29th, at 10:57 am, we received the following telegram from Gulf Refining Company at Toledo, Ohio:

"Re Cleaning storage tank number 209 Cleveland which previously contained Ethylized Gasoline our records indicate your Mr. Siebenthaler oked test your instructions followed one employee died autopsy shows lead poisoning wire your instructions to cover handling of case. (signed) Gulf Refining Co."

From the above wire it would indicate that tank #209 was cleaned in accordance with the instructions which Mr. Siebenthaler had given them on a number of occasions. Naturally I was surprised upon receiving this telegram to learn of this unfortunate incident and knowing that Mr. Siebenthaler was contacting the various refineries in the Cleveland territory I was able to locate him at the Gulf Refining Company's Bulk Plant at 11:20 am, just about 25 minutes after I received the above wire. I am calling this to your attention to let you know that Mr. Siebenthaler had in mind that Gulf intended to clean this time most any time for during previous visit at this plant he was given information that the tank would probably be cleaned in the near future but no definite date was given to him. When I located Mr. Siebenthaler on the morning of July 29th, he was still unaware of what had happened at this plant. The reason for following up on the cleaning of tanks at this particular point is because we have always felt it advisable to keep in close touch with a bulk plant of this type which has a small blending plant, due to the fact that, in our own minds, we have felt they do not keep the safety measures in mind nearly as strenuously as our refinery points.

In making our investigation we found that they had cleaned tank #209 on Friday, July 16th, and Saturday morning, July 17th. The men that were involved in the cleaning of this tank were Messrs. [REDACTED] and [REDACTED] these two men doing the actual cleaning of the storage tank. The third man, Mr. [REDACTED] was put in charge of the operation of the cleaning of this tank. Mr. [REDACTED] as you know passed away at 10:30 pm July 27th and Mr. [REDACTED] is still in the hospital but it is Dr. Machle's belief that he will be out of the hospital and ready to go to work in about a week. Mr. [REDACTED] was in the hospital for about a week but he was released last Saturday and is now doing light work at the Gulf Bulk Plant.

On October 3, 1936, if you will refer to your files, Mr. Siebenthaler submitted the following report to this office regarding his contact with Mr. O. A. Kotz, Superintendent of the Gulf Plant at Cleveland:

KE 0017620

N21120.05

Gulf Refining Co.
Cleveland, Ohio

Mr. O. A. Kotz, Supt.

"Dear Harry,

This is a 1,000 gallon installation at the bulk plant of Gulf Refining Company and no knock testing or laboratory work is done.

The rules for mixing Ethyl fluid are posted and the men are familiar with the rules and follow them.

Mr. Kotz was not familiar with our rules for cleaning leaded gasoline storage tanks so I discussed this with him at length and left with him several copies of the rules.

They contemplate cleaning several tanks this fall and I asked that I be notified in order to be present at the time this work is started.

They have no safety committee at this plant as it is a small bulk plant, Mr. Kotz being responsible for safety matters.

October 3, 1936

N.D. Siebenthaler"

I am quoting the above report for you can see that Mr. Siebenthaler states definitely that Mr. Kotz was not familiar with our rules regarding the cleaning of storage tanks so he discussed the proper procedure for the cleaning of the tanks at length with him and left several copies of our rules and regulations which they must follow. You can see from the date on this report that it was made shortly after the forming of the Safety Committee.

On November 19, 1936 your records will show that Mr. Siebenthaler contacted Mr. Kotz and made out forms on tank cleaning and secured the necessary information on tanks used for blending and the storage of leaded gasolines. On these forms you can see that Mr. Siebenthaler again discussed the cleaning of storage tanks in order to obtain the information needed on these forms. Mr. Siebenthaler's weekly letter dated December 19, 1936, will show that he contacted Mr. Kotz again to see if the proper plate was placed on the manhole of the blending tank and he found it to be in the proper position. During that visit our general rules and regulations in regards to blending and cleaning of storage tanks was again discussed. On June 5, 1937 Mr. Siebenthaler in company with Dr. Schradin contacted this bulk plant in order to have the proper examination made of the blender and Mr. Siebenthaler discussed the blending plant operations and tank cleaning with Mr. Frank Byers, who is assistant to Mr. Kotz, the Superintendent. On this particular visit Mr. Byers stated that they anticipated cleaning the storage tank very shortly and as their airline mask was equipped with only 50 feet of hose and since the storage tank to be cleaned was 105 feet in diameter, he asked where he could secure additional hose. Mr. Siebenthaler advised Mr. Byers to contact Mr. Metz, Superintendent of the Standard Oil Company of Ohio as they were fully equipped for this type of work and no doubt would be glad to loan Gulf an additional length of hose or if necessary an additional, complete airline mask. At this time Mr. Byers asked Mr. Siebenthaler for complete information regarding the necessary equipment to clean storage tanks and Mr. Siebenthaler advised him that rubber boots, rubber globes and necessary clothing, as well as a mask were necessary and as far as we can determine they wrote Mr. Grants at Toledo, who is in charge of operation, for

KE 0017621

necessary equipment other than the airline mask which they had. You will so note from the records in your office that blending reports on the 1000 gallon installation at this point were made on January 6th, April 1st, May 12th and July 2nd. In making these contacts the cleaning of storage tanks was always discussed with Mr. Byers. In Mr. Siebenthaler's weekly letter of July 12th, you can see that he again contacted Mr. Byers and at that time Mr. Byers gave him a sample of water and sludge which had been secured by reaching in the open man-head and scraping this from the bottom of tank #209. This tank, the day this sample was obtained had several feet of water in it and all three manhole covers including the top manhole cover were off the tank in order to have all the gas fumes escape before cleaning. At that time they still would not state a definite time as to when this tank would be cleaned. Mr. Byers did notify Mr. Siebenthaler that the Toledo office had sent him an instrument to test this tank for gas which he had done and had found that the gas content in the tank was a non explosive mixture and met their regulations in regard to gas-free tests.

I have cited the above contacts made by Mr. Siebenthaler at the Gulf Bulk Plant for one reason - to point out to you that through these contacts they had proper instructions as to how they should clean the storage tanks and I feel that this accident occurred through lack of proper equipment and total disinterest by those in absolute charge in seeing that the instructions given by Mr. Siebenthaler regarding the cleaning of tanks were carried out properly. There are a number of conflicting statements, however, principally by Messrs. Kotz, Johnston and Anna but after it is all boiled down the fact remains that they only wore rubber boots while cleaning this storage tank while the airline mask which they had on hand and which could have been used remained in the boiler house. When there we inspected this mask and found it to be in A-1 shape. I was greatly surprised to learn of the buck passing that was going on among the various officials at the Gulf Bulk Plant in regards to them stating that they did not receive proper instructions for cleaning storage tanks from Mr. Siebenthaler, for we even learned that they made one statement that Mr. Siebenthaler had advised them that they didn't need a mask on while cleaning the tank. In my final contact with Mr. L. S. Auerbach, Division Manager for Gulf, however, he finally stated that the men admitted that they had received instructions from Mr. Siebenthaler to wear masks and the necessary equipment but that the type of mask had not been specified by him. Therefore, you can see this is a very weak alibi for Mr. Siebenthaler only discusses two type of masks - the airline and cannister types. In checking with Dr. Machle he feels that these men did receive the proper instructions from Mr. Siebenthaler as to the type of equipment necessary to use in cleaning storage tanks.

Thinking that you might have in mind that a spike or blend had been made in tank #209, I want to report the following. First of all, the blending setup is such that they can only blend in tank #211 and that is Firechief Ethyl for the Texas Company. We did, however, make a blend for the Gulf Refining Company on August 16, 1933 of ten drums of fluid - with a total of 1,741,877 gallons. This blend was put in tanks #201, #202, and #205 for I have a sketch on hand made out by Vince Keenan which bears out these statements. We also checked this report of Mr. Keenan's the other day and found out that it is absolutely correct and that there can absolutely be no spiking made in tank #209 for this 10 drums of fluid was placed in the above mentioned tanks through the Gulf pump house in which the lines run to tanks #201, #202, #203, #205, and #206 which are the full tankage at this particular Bulk Plant for Gulf. Tanks #209, #208, #211, and #213 are separate and distinct lines connected directly with the Texas Company's pump house.

ght also say that these are two distinct units of tanks and pump houses. There is one thing you might check - I believe Dr. Machle is planning to check further too, and that is they received their first barge of Firechief Leaded Regular Gasoline (SS Maine) on August 31, 1933 at 9:45 AM and this barge was emptied through the Texas pump house into tank #209. This shipment consisted of 695,589 gallons and a sample of it was taken from this barge and sent back to Lockport. Now I am wondering if you can check to see if there was any over-blending done in this barge.

We feel, therefore, from the check we made that we can absolutely state that tank #209 had nothing but Firechief Leaded Regular Gasoline in it since 1933 (the date this tank was completed) and that no spiking has been done in this tank by us, also, if the rules and regulations set down by Mr. Siebenthaler with the different officials of the Gulf Bulk Plant had been carried out this incident would never have occurred. Dr. Machle feels the same way for he made a thorough investigation in checking through on the contacts we have made.

I might also add that so far we have been successful in having no publicity appear in the newspapers, and direct your attention to the lapse of nine days before Gulf notified us of this occurrence.

Very truly yours,

(S) N. D. Siebenthaler

(S) H. A. Mack

KE 0017623