

Multi-million dollar settlement in chemical injury in the workplace

While at work, a building maintenance contract employee was adding bromine tablets to a brominator when there was a severe chemical reaction. The brominator was part of a water treatment system, which had changes made to its piping system. It was located in the chemical feed injection area of a generator room. The contents of the brominator violently released chemicals when a reaction occurred due to the presence of an incompatible substance in the brominator. The chemicals splashed into the man's eyes and all over his body. The man, blinded and burned by the chemicals, attempted to make his way to an emergency shower which was in an adjacent building. He stumbled and fell over several obstacles before he finally reached the shower.

Robson Forensic was asked to determine if the sole emergency shower and eyewash was improperly located in a manner that contributed to the severity of the man's injuries. We were also asked to determine if the actions of the chemical supplier were reasonable.

We showed that the building owner knew or should have known of the importance of emergency showers and eyewashes in work areas where hazardous chemicals are stored, handled, or used. Further, they also knew or should have known of the importance of providing an unobstructed path of travel to the emergency shower and eyewash. We showed that the combination of hazard and exposure made the placement of this emergency shower and eyewash unreasonably dangerous. The building owner deprived the man of prompt emergency first aid treatment for his exposure to the hazard of injurious chemicals. Furthermore, a prompt drenching of the man's eyes and body using a properly functioning and located emergency shower and eyewash would have eliminated or mitigated his injury. The failure of the facility to properly locate an emergency shower contributed to the severity of the man's injuries.

With regards to the chemical supplier, we showed that they had knowledge of changes that had been made to the chemical piping system and that those changes were improper and could cause mixing of incompatible chemicals. However, the chemical supplier never informed anyone of the need to correct the piping configuration and eliminate the hazard. By having had knowledge of the hazard and failing to inform the building owner and the contractor employee of the hazard and to correct the piping configuration, the supplier created an unreasonably dangerous situation that was a causative factor in the man's injuries.

This case settled favorably for our client prior to trial.

To email the experts involved with this case: [Ronald D. Schaible, C.I.H., C.S.P.](#) with [Workplace > Safety](#)