



PRESS RELEASE

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Federal Court to Hear Arguments on Toxic Vapor Protections

“Workers have suffered irreparable harm due to Defendants’ failure to mandate respiratory protection and such harm is likely to recur unless the Court grants the requested injunction.”

Seattle: A federal court will hear arguments on **Wednesday, October 12, 2016 at 9:45 am at the Thomas S. Foley U.S. Courthouse in Spokane**, Washington in a high-stakes case to consider two separate motions ([AG](#) and [Citizen Plaintiffs](#)) related to the Hanford nuclear site’s toxic vapor program. The proceedings are open to the public.

“At stake is whether Hanford will be allowed to remove protective measures and once again put Hanford workers in harm’s way, despite the scores of workers who have suffered horribly from toxic vapor exposures,” said Tom Carpenter, Director of Hanford Challenge.

[Lawsuits](#) were filed against the Hanford nuclear site owner DOE and its contractor WRPS in federal court in September 2015, after numerous workers reported symptoms and illnesses from toxic vapor exposures resulting from working on Hanford’s underground nuclear waste tanks. Hanford is a former plutonium production facility in southeastern Washington State, undergoing a massive cleanup effort.

Over 170 tanks, each containing up to one million gallons of high-level nuclear waste, continuously and episodically release unfiltered toxic vapors into the breathing zone of Hanford workers, many of whom were not required to use respiratory protection until recently.

The plaintiffs include the WA Attorney General, Hanford Challenge and UA Local 598 (pipefitters). The defendants are the Department of Energy (DOE) and a Hanford contractor, Washington River Protection Solutions (WRPS).

Plaintiffs have requested the federal court to issue an order, called a preliminary injunction, that would impose immediate requirements on the defendants to:

- **require the use of supplied air (SCBA)** for all workers inside the fences at the Hanford tank farms;
- **post a 200-foot vapor control zone** requiring supplied air use during **waste-disturbing activities**; and
- **install and deploy monitoring** and alarming technologies on tanks.

If the court grants the motion for a preliminary injunction in whole or in part, the requested relief would stay in effect until the trial, which is currently set for September 2017.

“We believe, and history confirms, that the absence of injunctive relief would result in additional harm to workers before the Court is able to fully adjudicate the matter at trial,” said Meredith Crafton, an attorney with Smith & Lowney representing Hanford Challenge and Local 598. “Hanford’s own data show that when workers are wearing supplied air, the exposures stop,” she added.

From April to June of this year alone, over 50 Hanford tank farm workers sought medical attention following exposure to toxic vapors released from Hanford’s underground storage tanks. Workers suffered nosebleeds, chest and lung pain, headaches, coughing, sore throats, irritated eyes, and difficulty breathing. These injuries occurred shortly after defendant WRPS reduced safety protections at the site, including reductions in the use of supplied air.

The Plaintiffs submitted evidence to the court of both acute and long-term illnesses and injuries resulting from toxic vapor exposures, including lung diseases such as Reactive Airways Dysfunction Syndrome, pneumonitis, neurological disease such as toxic encephalopathy, and more.

The Defendants have also stated that providing supplied air to workers at the Hanford tank farms would cost hundreds of millions of dollars more, and slow down the work. The response of Washington Attorney General Bob Ferguson to these statements: “Using the safety of workers as an excuse for missing more deadlines is pathetic,” he said.

An order from the federal court either supporting or denying the issuing of an injunction does not mean the case is over, but simply would either grant or deny temporary relief until a full trial can be held.

Plaintiffs [Hanford Challenge](#) and [UA Local 598](#) are represented by [Smith & Lowney](#), LLC, (Seattle), [Public Justice](#) (Washington, DC) and [Terrell Marshall Law Group](#), PLLC (Seattle).

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For more information, including copies of the Complaints, Motions and background materials, visit:

- [Hanford Challenge Website](#)
- [Attorney General’s Website](#)
