



## PRESS RELEASE

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### **Court Denies Preliminary Relief, Agrees that Vapors Cause Harm**

#### **Judge finds workers have been harmed by vapors, denies Preliminary Injunction because workers currently on supplied air**

*Seattle, WA:* U.S. District Court Judge Thomas O. Rice issued a ruling denying Hanford Challenge, UA Local 598, and the State of Washington's motion for Preliminary Injunction in the RCRA Vapor Lawsuit on the basis that workers are currently protected through use of supplied air. The decision noted that: "The Court does not deny that vapor exposures have occurred or that employees have experienced serious vapor-related illnesses. Defendants' arguments debunking and minimizing Hanford employees' health related claims are unpersuasive and belied by the record." (p. 11)

Tom Carpenter, Executive Director of Hanford Challenge, commented: "The Judge agreed with our arguments that workers are harmed by vapors and are protected when they are on supplied air. They would not be on supplied air, if not for our lawsuit."

Carpenter said: "Bigger issues are at play here. This decision validates the need for permanent requirements that end the cycle of voluntary protective measures that have no enforceability and could end at any time." The court cites that mandatory use of supplied air will continue under the Memorandum of Agreement, yet Hanford Challenge notes that this agreement is voluntary and can be changed by the company and/or the Hanford Atomic Metal Trades Council at any time.

Hanford Challenge, UA Local 598, and the State of Washington requested injunctive relief in July 2016 to protect workers through mandatory use of supplied air in the tank farms and within a 200-foot boundary of the tank farms. They also asked the court to require the Department of Energy (DOE) and contractor Washington River Protection Solutions (WRPS) to install and use additional monitoring and alarming equipment during waste-disturbing activities, including optical gas imaging cameras, optical spectrometers, optical stack monitors, and vapor monitoring and detection integration software.

The trial is set for September 22, 2017.

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Click [here](#) for a copy of the Court's decision