Chemical group refuses Guste's request for aid

By SONNY ALBARADO

The Louisiana Chemical Association on Thursday rebuffed attempts by Attorney General William J. Guste Jr. to enlist the group's aid in finding the source of an Aug. 9 chlorine gas release that sent 15 people to a hospital for treatment.

Guste sent letters to the LCA and the top officers of Exxon Company USA, Ethyl Corp., and Formosa Plastics Co., asking the organization and companies to assist the investigation into the leak.

"We don't like the tone of the letter," said Richard Kleinert, the LCA's legal counsel. "We think it implies that the chemical industry caused the leak and that we are withholding information, which we are not."

SOURCES other than chemicals - such as barges or other transport vehicles - have been considered and are being checked, the LCA spokesman said.

"We can't understand why he insists on injecting himself into this investigation," Kleinert said of Guste. "The proper enforcement authorities are the Department of Environmental Quality and the State Police Hazardous Materials Unit, the chemical industry spokesman said.

"We've been working with the proper investigative authorities since Aug. 9... and we think they're doing a good job," Kleinert said.

Guste is prejudging us," Kleinert added.

Lt. Al Goudeau of the State Police Hazardous Materials Unit confirmed Thursday that chemical companies along the river have been cooperative with the continuing investigation.

"Exxon has invited us in to talk with their employees," Goudeau said.

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Goudeau said he thinks Guste's letters will help the investigation.

In the letter to LCA Executive Vice President Fred Loy, the attorney general asked the organization to make "every effort to provide environmental and law enforcement officials with any information which you may have regarding the spill, and to encourage your member companies to come forward with information which may be available to them."

The failure of the responsible party to come forward or to provide adequate notice to emergency personnel "is a problem which seriously undermines the public's confidence in the ability of industry and public officials to provide for the safety of citizens," Guste said in the introductory paragraph of the letter.

"I am sure you would agree it is in all of our interests to resolve this problem at the earliest possible time, and the assistance of the Louisiana Chemical Association would be a tremendous step forward," Guste said.

The attorney general's letter concludes by saying that failure to notify public safety officials of poison gas leaks cannot be tolerated. He then says any help the LCA can provide will be appreciated.

In his letters to Exxon, Ethyl and Formosa, Guste says the hospitalization of 15 people and the evacuation of 250 West Baton Rouge Parish residents "could have been minimized had timely notice been provided by the responsible party to public officials and emergency personnel."

It is in everyone's interest to resolve the questions raised by the Aug. 9 leak, he says.

"For that reason, I would appreciate your investigating on your own initiative the circumstances of the events of Aug. 9 with a view toward identifying the facility from which the leak emanated, and advising public officials of any information you are able to acquire," Guste says.

The proximity of the plants to the areas affected by the leak indicates that some of the plant employees "may have information which would be helpful," he adds.

Two days after the leak, Guste sent letters to the district attorneys of East and West Baton Rouge parishes asking criminal investigations into the release. It is a criminal violation of state law not to notify environmental officials and emergency personnel of major releases of hazardous materials, Guste said then.

Chlorine was only one of the chemicals involved, according to Goudeau. Ammonia and other chemicals also were present.