

Good morning Senator Lautenberg, Ranking Member Vitter, and the rest of the Subcommittee. I want to thank you for this opportunity to testify.

I would like to introduce myself, I am Linda Hunnings. My husband, Jim Hunnings, was killed March 23, 2005 at British Petroleum in Texas City, TX.

I would like to give you a little background on my husband. He was employed with Fluor Corporation, an engineering construction firm, for almost 30 years . He had worked in the petrochemical industry for approximately twenty-five years. At the time of his death he was a Quality Control Inspector. I, too, worked in the petrochemical industry for approximately twenty years. Since my husbands death I have come to learn a lot about this industry of which I was not aware before he was killed.

Everyday I live with the fact that my husband and fourteen others did not have to die. It angers me to know that the almighty dollar was more important to BP than human lives. Their gross negligence and lack of concern for their process safety overwhelms me. I wonder why the government has organizations like OSHA and EPA. How does it happen that a plant that had so many safety violations could continue to operate? OSHA had been to the plant several times, but BP always got a slap on the wrist and fine, a fine that never stood at the original assessment, but was negotiated down to a small amount compared to their profits. BP needs to be held accountable for the lives they took and the many people injured in this horrible explosion, which was preventable. Why didn't the EPA get involved when BP refused to change out archaic equipment such as the blowdown drums being used instead of flare stacks, which most of the industry had already implemented. This had been recommended to BP, but to no avail. If the EPA had forced them to change out the blowdown drum, this explosion could have been prevented. Entities like OSHA and the EPA need to either use their existing authority to protect

Testimony of Linda D. Hunnings

the public or they need to be given more authority. They should be able to go in and shut these plants down if they have violations that are dangerous not only to the people that work there, but surrounding communities. I am so tired of hearing about recommendations. The recommendations from OSHA and the CSB need to be **ENFORCED**. BP should not have a choice.

That is the problem now - they choose what they want to do; no one forces them to do anything. There has to be reform, new laws need to be passed or laws that are on the books need to be enforced, and if it means criminal prosecution, then so be it. I am an advocate for bills that Congressman Al Green and Congressman Gene Green have introduced. Congressman Al Green's bill H.R. 2435, Equal Protection for All Workers, would amend the Occupational Safety and Health Act to provide for criminal liability for willful safety standard violations resulting in the death of a contract employee. Congressman Gene Green has introduced a bill H.R. 141, that would require employers to report to OSHA contract workers' injuries/deaths the same as their own employees. I pray that both these bills are passed. I will do whatever is necessary to advocate change in the petrochemical industry. Things have to change or there will be more incidents and deaths. Companies should do all they can do to ensure the safety of their employees. What happened at the BP plant in Texas City was criminal. The people killed that day were all contractors. This plant seems to think they are expendable. Contractors are not included in a plants safety record and prosecution under some federal laws cannot happen because they were contractors. My husband was a human being, not just a contractor.

Personal safety is important-- hard hats, safety glasses, proper shoes and gloves, etc., but without proper, up- to- date process safety, the personal safety doesn't really mean anything. BP's safety concern prior to the explosion regarded people talking on cell phones while operating a company vehicle, need I say more?

Testimony of Linda Hunnings

They need to get their priorities in order and if they cannot, then the federal government needs to step in.

I do want to commend the Chemical Safety Board with their investigation of the BP explosion. I attended their meeting in Texas City when they revealed their final findings. Their recommendations and findings were right on the money. But like I have said before, they are only recommendations. I would like to see them enforced. I don't want BP to pick and choose which recommendation they want to follow. I also feel that the CSB should have clear authority to gather information from OSHA and the EPA, especially regarding a catastrophe such as the one that happened in Texas City.

My life will never be the same. I expected my husband to come home, not be killed in an explosion, I lost not only my husband that day, I lost my best friend, lover and the man with whom I wanted to grow old with. Not a day goes by that I do not think of him. I think I do not have any more tears to cry, but I look at his picture, hear one of "our" songs and they start to flow. I miss him so much and I would give anything to have him back. Jim was a good husband, father and papaw. We have two children who miss their dad desperately. We have five grandchildren, two of whom will never know him except through pictures and what my children and I tell them about him. My days are long and lonely. My husband and I had just started enjoying "our time" together- no kids, just the two of us. He traveled a lot in his job, and I would go see him wherever he might be at the time. We did everything together. We loved to travel, especially wherever there was water. He loved to spend time with our children and our grandchildren. He loved to cook for me and was very romantic. We were married for twenty-seven years and together for thirty years. He was taken from me much too soon.

Testimony of Linda Hunnings

Jim had hoped he would never have to work at the BP Texas plant, but Fluor needed an inspector with his qualifications during BP's shutdown for maintenance. I can remember that when his supervisor called to ask him to go to Texas City he was sure he was going to ask him to go to Iraq as he had many times before. Jim made the statement "Iraq, BP- what a choice"

When we would pass the plant on our way to Galveston, he would always say, "That place is an accident waiting to happen." But Jim was loyal to Fluor, so he went to Texas City. He was only to be there a few months and then be transferred to another location with a promotion that he had been awaiting. That all ended on March 23, 2005. Since that day, I have no expectations and I take one day at a time, walking with God and praying for His guidance. I feel the plan He has for me is to do all I can to make things better. My children support me in whatever I do. I am only one person, but I will do all I can to fight for reform and better safety in these plants.

I no longer work in the petrochemical industry; it was just too hard, and that was a part of my life that I shared with my husband. Even though I do not work in the petrochemical industry, I have several friends who still do. That is why it is so important for me to fight for reform and better laws. I don't want my husband's death or the fourteen others to be in vain. I know something good can come out of this horrible tragedy.