



U.S. Department of Transportation  
Research and Special Programs Administration

## Hazardous Materials Incident Report

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

### INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

### PART I - REPORT TYPE

1. Incident Id: E-2012080253  
2. This is to report: A

### PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident:  
05/27/2012
4. Time of Incident (use 24-hour time):  
16:45
5. Enter National Response Center Report Number (if applicable):  
1012808
6. If you submitted a report to another Federal DOT agency, enter the agency and report number:
7. Location of Incident:  
City: KEARNEY  
County: BUFFALO  
State: NE  
Zip Code: (if known): 68847  
Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:  
911 E 11th St
8. Mode of Transportation: Highway
9. Transportation Phase: In Transit Storage
10. Carrier/Reporter:  
Name: Brown Transfer Co  
Street: 911 E 11th St  
City: Kearney  
State: NE  
Zip Code: 68847  
Federal DOT Id Number: 54778  
Hazmat Registration Number: 060810002017SU
11. Shipper/Officer:  
Name: Birko Corp  
Street: 9152 Yosemite St  
City: Henderson  
State: CO  
Zip Code: 80640  
Waybill/Shipping Paper: 6959445  
Hazmat Registration Number:
12. Origin (if different from shipper address)  
Street:  
City:  
State:  
Zip Code:
13. Destination:  
Street: Tyson Fresh Meats  
City: Lexington  
State: NE  
Zip Code: 68850
14. Proper Shipping Name of Hazardous Material: CORROSIVE LIQUID, BASIC, INORGANIC, N.O.S.
15. Technical/Trade Name:
16. Hazardous Class/Division: Corrosive Material
17. Identification Number: (E.g. UN2764, NA 2020) UN3266

- 18. Packing Group:** (if applicable) II
- 19. Quantity Released:** (Include Measurement Units) 6820 Liquid - Pound
- 20. Was the material shipped as a hazardous waste?** False  
If yes, provide the EPA Manifest Number:
- 21. Is this a Toxic by Inhalation (TIH) material?** False  
If yes, provide the Hazard Zone:
- 22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate?** False  
If yes, provide the Exemption, Approval, or CA number:
- 23. Was this an undeclared hazardous materials shipment?** False

### PART III - PACKAGING INFORMATION

**24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type:**  
IBC

**25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident.**

Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI.

What Failed: - 140-Outer Frame  
How Failed: - 308-Leaked  
Causes of Failure: - Fire, Temperature, or Heat

**26a. Provide the packaging identification markings, if available.**

Identification Markings:

(Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)

**26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:**

| Single Package or Outer Packaging:                                                                                                                                                                                                                                                                                                                                                                                                                        | Single Package or Inner Packaging (if any):                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Packaging Type: IBC<br>Material of Construction: Plastic<br>Head Type (Drums only):                                                                                                                                                                                                                                                                                                                                                                       | Packaging Type: IBC<br>Material of Construction:                                 |
| <b>27. Describe the package capacity and the quantity:</b>                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                  |
| Package Capacity:<br>Amount in Package:<br>Number in Shipment:<br>Number Failed:                                                                                                                                                                                                                                                                                                                                                                          | Package Capacity:<br>Amount in Package:<br>Number in Shipment:<br>Number Failed: |
| <b>28. Provide packaging construction and test information, as appropriate:</b><br>Manufacturer:<br>Serial Number:<br>Material of Construction: (if Tank Car, CTMV, Portable Tank, or Cylinder)<br>Design Pressure: (if Tank Car, CTMV, Portable Tank)<br>Shell Thickness: (if Tank Car, CTMV, Portable Tank)<br>Head Thickness: (if Tank Car, CTMV)<br>Service Pressure: (if Cylinder)<br>If valve or device failed:<br>Type:<br>Model:<br>Manufacturer: |                                                                                  |
| <b>29. If the packaging is for Radioactive Materials, complete the following:</b><br>Packaging Category:<br>Packaging Certification:<br>Certification Number:<br>Nuclide(s) Present: Transport Index:<br>Activity:<br>Critical Safety Index:                                                                                                                                                                                                              |                                                                                  |

## PART IV – CONSEQUENCES

### 30. Result of Incident (check all that apply):

- |                           |       |                                          |       |
|---------------------------|-------|------------------------------------------|-------|
| - Spillage:               | True  | - Fire:                                  | True  |
| - Explosion:              | False | - Material Entered Waterway/Storm Sewer: | False |
| - Vapor (Gas) Dispersion: | False | - Environmental Damage:                  | False |
| - No Release:             | False |                                          |       |

### 31. Emergency Response: The following entities responded to the incident: (Check all that apply)

- Fire/EMS Report #: True 12-140  
Police Report #: False  
In-house cleanup: False  
Other Cleanup: True

### 32. Damages Was the total damage cost more than \$500?

True

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 35,300.00  
Carrier Damage: \$ 0.00  
Property Damage: \$ 4,722.00  
Response Cost: \$ 0.00  
Remediation/Cleanup Cost: \$ 42,832.00  
(See damage definitions in the instructions)

### 33a. Did the hazardous material cause or contribute to a human fatality?

False

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0  
Responders: 0  
General Public: 0

### 33b. Were there human fatalities that did not result from the hazardous material?

False

If yes, how many? 0

### 34. Did the hazardous material cause or contribute to personal injury?

False

If yes, enter the number of injuries resulting from the hazardous material:

#### Hospitalized (Admitted Only):

Employees: 0  
Responders: 0  
General Public: 0

#### Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0  
Responders: 0  
General Public: 0

### 35. Did the hazardous material cause or contribute to an evacuation?

False

If yes, provide the following information:

Total number of general public evacuated: 0  
Total number of employees evacuated: 0  
Total evacuated: 0  
Duration of the evacuation: 0

### 36. Was a major transportation artery or facility closed?

False

If yes, how many? 0

### 37. Was the material involved in a crash or derailment?

False

If yes, provide the following information:

Estimated speed (mph): 0  
Weather conditions:  
Vehicle overturned?  
Vehicle left roadway/track?

## PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)

### 38. Was the shipment on a passenger aircraft?

If yes, was it tendered as cargo, or as passenger baggage?

### 39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?

### 40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)

- |                                          |                                                  |
|------------------------------------------|--------------------------------------------------|
| - Shipment had not been transported      | - Transported by air (first flight)              |
| - Transport by air (subsequent flights)  | - Initial transport by highway to cargo facility |
| - Transfer at sort center/cargo facility |                                                  |

## PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

### Describe:

A loaded trailer filled with mixed freight was left at a dock door at our terminal over the long Memorial Day weekend. Our terminal is closed on weekends and holidays. The weather was hot and, though we still don't have a report from the State fire marshal, we suspect spontaneous combustion in an open tote of oily rags. There was no package failure, as far as we know.

The fire suppression activities lasted about 3 hours. The hazardous substance mixed with water from fire suppression and flowed into an adjacent vacant lot. Dirt was diked near a storm drain to prevent entry into the water stream.

Contaminated soil, as well as the burned contents of the trailer, were disposed of by the contractor.

## PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

### Describe:

We've declined to accept any further shipments from the shipper of the used rags.

## PART VIII - CONTACT INFORMATION

|                             |                                                     |
|-----------------------------|-----------------------------------------------------|
| Contact's Name:             | Kim Herald                                          |
| Contact's Title:            | Safety Director                                     |
| Business Name and Address:  | Brown Transfer Co<br>911 E 11th St Kearney NE 68847 |
| E-mail Address:             | kherald@browntransfer.com                           |
| Telephone Number:           | 308-237-2244                                        |
| Fax Number:                 | 308-234-1587                                        |
| Hazmat Registration Number: |                                                     |
| Date:                       | 08/13/2012                                          |
| Preparer is:                | Carrier                                             |