Homeland Security
Daily Open Source Infrastructure Report for 2 September 2009

Top Stories

- According to the New York Daily News, a pair of security guards who were supposed to keep watch on the highly trafficked George Washington Bridge spanning the Hudson River were fired Monday after pictures of them repeatedly snoozing on the job were published on a Web site. The bridge is considered by law enforcement to be a key terror target. (See item 16)
- KMBC 9 Kansas City reports that state authorities have issued an emergency license suspension to Mi Ranchito restaurant in Lenexa, Kansas after nearly two dozen people became ill Sunday night while eating there. (See item 23)

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Energy Sector

Current Electricity Sector Threat Alert Levels: Physical: ELEVATED, Cyber: ELEVATED
Scale: LOW, GUARDED, ELEVATED, HIGH, SEVERE [Source: ISAC for the Electricity Sector (ES-ISAC) - http://www.esisac.com]

1. August 31, U.S. Environmental Protection Agency – (Arizona) EPA orders Chinle, Ariz. gas station to continue cleaning up fuel spill. The U.S. Environmental Protection Agency (EPA) ordered Pic N Run gas station in Chinle, Arizona, located on the Navajo Nation, to continue the clean up of approximately 15,000 gallons of
petroleum fuel accidentally released at the site. In spring 2005, a subcontractor working at the Pic N Run gas station, located on Route 7 near the entrance to Canyon de Chelly, punctured the underground fuel line leading to newly-installed above-ground storage tanks. In fall 2005, Pic N Run gas station operators discovered the release to the environment from the fuel line, which resulted in up to seven feet of free gasoline product in wells at the site.

Source: http://yosemite.epa.gov/opa/admpress.nsf/0/4F7C5D07C5769C44852576230062C594

2. August 30, Austin News.Net – (International) Oil facilities locked after Saudi assassination scare. Security around all oil facilities in Saudi Arabia has been tightened since a foiled suicide attack on one of the country’s top officials. The country’s deputy interior minister escaped with light injuries last Thursday in the first known assault on a member of the Saudi royal family. As the country’s counter-terrorism chief, the prince has ordered substantial security arrangements at facilities, including Abqaiq, the world’s biggest oil processing plant. Abqaiq was a Saudi oil target when al-Qaeda launched attacks aimed at toppling Saudi Arabia’s pro-Western monarchy. Militants disguised as employees of the oil facility made an attack in 2006, which was prevented by members of the Saudi government security forces. Al-Qaeda leaders have repeatedly called for attacks on oil facilities and Western interests in Saudi Arabia, to harm Western countries by blocking the flow of oil.

Source: http://www.austinnews.net/story/537029

3. August 25, Foreign Policy – (International) The new threat to oil supplies: Hackers. Earlier this year, a 28-year-old contractor in California was charged in federal court with sabotaging the computerized controls on an oil-rig sitting off the coast, allegedly out of spite for not being hired full time. Prosecutors say the contractor hacked into a shore-to-rig communications network that, among other functions, detected oil leaks. He caused thousands of dollars worth of damage, they charge, though, fortunately, no leaks. A research team from the SINTEF Group, an independent Norwegian think tank, recently warned oil companies worldwide that offshore oil rigs are making themselves particularly vulnerable to hacking as they shift to unmanned robot platforms where vital operations — everything from data transmission to drilling to sophisticated navigation systems that maintain the platform’s position over the wellhead — are controlled via wireless links to onshore facilities. The usual threat of a takeover of the massive oil platforms is in the form of seaborne raiders. But now, according to a SINTEF scientist, with the advent of robot-controlled platforms, a cyberattacker with a PC anywhere in the world can attempt to seize control of a rig, or a cluster of rigs, by hacking into the “integrated operations” that link onshore computer networks to offshore ones. “The worst-case scenario, of course, is that a hacker will break in and take over control of the whole platform,” he said. That has not happened yet, but computer viruses have caused personnel injuries and production losses on North Sea platforms, he noted.

Chemical Industry Sector

4. **August 31, Courthouse News Service –** (International) **Shipper claims it wasn’t warned of toxin.** Kemira Water Solutions and Fairyland Envitech Co. let toxic chemicals leak from a ship as it sailed from Taiwan to California, a Singaporean company claims in Federal Court. APL Co. says it was hired to ship goods that Kemira purchased from Fairyland, but neither company warned it that the cargo contained dangerous ferrous chloride. Fairyland failed to pack and secure the cargo properly aboard APL’s freighter, Hyundai Independence, and APL did not notice that the containers had leaked hazardous chemicals until the first shipment arrived in California, according to the complaint. APL demands more than $5 million to offset the cost of cleanup for violating the Comprehensive Environmental Response, Compensation and Liability Act.

5. **August 31, U.S. Department of Justice –** (Missouri) **Vice president of Missouri pesticide company pleads guilty to environmental crimes.** The vice president of a Missouri pesticide company, HPI Products Inc., pleaded guilty today in federal court in Kansas City, for violating a federal pesticides law designed to provide proper regulatory oversight and prevent improper storage of pesticides, the Justice Department announced. The man pleaded guilty to two criminal misdemeanor counts for violating sections of the Federal Insecticide, Fungicide and Rodenticide Act, also known as FIFRA. According to the charges, he did not notify the state or federal regulatory agencies of the illegal storage of pesticides and failed to maintain records of the storage. For more than twenty years, HPI Products stored pesticides and its wastes in various warehouses in St. Joseph, Missouri without notifying state and federal regulatory agencies. “This failure could have led to a potentially dangerous situation for first responders, who, in the event of an emergency, need proper information to assesses the hazards and determine the proper actions to contain leaks or fires.” HPI’s vice president faces up to 12 months in prison and a fine of up to the greater of $100,000 or twice the amount of either the gain realized by the defendant or the loss caused by the defendant. The plea is related to felony guilty pleas entered by HPI Products Inc., and its president. HPI’s president pleaded guilty to a felony violation of the Clean Water Act for disposing pesticide waste down the sewers of the city of St. Joseph. The company pleaded guilty to the same violation of the Clean Water Act as well as a felony violation of the hazardous waste storage laws.

6. **August 31, KTRE 9 Lufkin –** (Texas) **Rig cleanup shuts down Highway 59.** Cleanup crews have shut down all four lanes of Highway 59 between Timpson and Tenaha until
7 p.m. Monday as they clean up chemicals spilled in a rig wreck. The truck was transporting 3,000 gallons of aluminium sulfate, an acid used in water treatment. The immediate area has been evacuated. One lane will be closed until the cleanup is complete, which is expected to be around midnight. The driver has been transported to the hospital, where his condition is unknown.

For another story, see item 20

**Nuclear Reactors, Materials and Waste Sector**

7. *September 1, Reuters* – (Florida) **FPL Fla. Saint Lucie 1 reactor slips to 85 pct power.** FPL Group Inc’s (FPL.N) 839-megawatt Saint Lucie 1 nuclear power reactor in Florida slipped to 85 percent power as of early Tuesday, the U.S. Nuclear Regulatory Commission said in its daily power reactor status report. Early Monday, the unit, on Hutchinson Island in Saint Lucie County, about 120 miles north of Miami, was operating at 100 percent of capacity. The adjacent 839-MW Unit 2 continued to run at full power on Tuesday, according to the NRC report.

8. *September 1, Lower Hudson Journal* – (New York) **Panel tosses NRC’s Indian Pt. waiver case.** A federal appeals court has dismissed an Indian Point case arguing that regulators improperly allowed the nuclear plant’s owners to loosen a fire safety equipment standard at the Buchanan site. “This case tests the limits of our jurisdiction ... to review orders of the U.S. Nuclear Regulatory Commission,” A Judge of the 2nd Circuit Court of Appeals wrote in the 20-page decision. “Petitioners challenge only that exemption in this appeal,” the Judge wrote. “Because we lack jurisdiction ... we must dismiss the petition.” A state assemblyman, a Democrat from Greenburgh, brought the case and said August 31 that he would decide his next move soon. At issue is the quality of a fire barrier material called Hemyc, which is supposed to protect wiring that is critical to shutting down a reactor. Hemyc, used at 16 of the nation’s 104 reactors, failed to meet a one-hour standard that the NRC put in place to ensure firefighters would have 60 minutes to get a blaze under control. The NRC gave Indian Point 3 a waiver on its Hemyc protection, basically agreeing with the plant’s owners that 24 minutes is adequate time to extinguish any blaze despite requiring all but one other site to protect similar cables for the full hour. The assemblyman led a coalition of Indian Point opponents that argued that the NRC shouldn’t have granted Indian Point the exemption, but rather should have called for a license amendment.
Source: http://www.lohud.com/article/20090901/NEWS02/909010347/-1/SPORTS

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9. *September 1, Los Angeles Times* – (National) **Toyota concealed evidence in rollover cases, ex-attorney alleges.** Toyota spent years concealing evidence from victims of hundreds of rollover accidents that resulted in death and injury, a former top lawyer for the automaker says. The accusation, spelled out in a lawsuit filed in federal court, has the potential to reopen cases that Toyota Motor Corp. won or settled for two decades, legal experts said. The former managing counsel for Toyota Motor Sales USA Inc. said in the suit that the company repeatedly forced him to illegally withhold information from opposing lawyers and made him resign in September 2007. Toyota released a statement calling his allegations “inaccurate and misleading.” In court documents, the company called him a disgruntled employee looking to retaliate for having to resign his position. In the July 24 lawsuit filed in federal court in Los Angeles, the attorney accused the world’s largest automaker of destroying data in more than 300 accidents that proved vehicle roofs were substandard. Also in the lawsuit, he alleges the company illegally withheld e-mails and other computer-stored information from victims’ attorneys. The man worked for Torrance-based Toyota Motor Sales from 2003 to 2007, he said. In his position, he was involved in defending the company in cases in which sport utility vehicles and trucks were in rollover accidents. Toyota maintained that it did not act outside the law. 


10. *August 27, Aviation Week* – (National) **FAA plans to simplify VLJ certification.** The Federal Aviation Administration (FAA) issued a Notice of Proposed Rulemaking (NPRM) that would amend FAR Part 23 certification standards for light jet aircraft to standardize and codify the myriad one-off special conditions, exemptions and equivalent levels of safety (ELOS) currently needed to issue type certificates for this burgeoning class of aircraft. FAA also said that the current system of one-off exemptions leads to inconsistencies and “misinterpretations,” implying that various aircraft certification offices don’t have sufficient regulatory guidance to achieve uniform certification standards. One-off type certifications of Part 23 turbofan aircraft were practical when manufacturers were attempting to certify only a few models under the regulation. However, the current system is creating an onerous workload for FAA, now that several manufacturers are seeking or intend to seek FAR Part 23 approval for their turbofan aircraft. FAA believes it is time to streamline the certification rules for those models to expedite the approval process. The proposed rule essentially requires turbofan-powered aircraft to meet the design, performance and certification standards of piston- and turboprop-powered aircraft in the next higher weight class. Thus very light jets (VLJs) with maximum takeoff weights (MTOW) under 6,000 lb would have to meet the performance requirements for piston twins weighing 6,000 lb to 12,499 lb. Light jets between 6,000 lb and 12,499 lb would have to meet most of the requirements of FAR Part 23 Commuter Category aircraft with MTOWs between 12,500 lb and 19,000 lb, currently the upper limit for Part 23 aircraft. The changes will bring multiengine FAR Part 23 turbofan aircraft into closer alignment with the heavier FAR Part 25 jets. The proposed changes to FAR Part 23 will specify new structural integrity and stability standards in light of the high-altitude, high-Mach performance capabilities.
of many new light jets. 
Source: 

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Defense Industrial Base Sector

11. September 1, Associated Press – (International) **Man pleads to violating laws in Army ammo sale.** A man accused of a scheme to illegally ship nearly $300 million in Chinese-made ammunition to the Afghan military has entered a plea agreement that recommends he serve just two years of probation. The deal with the 23-year-old man of Miami Beach drops 84 counts of wrongdoing in exchange for his guilty plea to a conspiracy charge. In addition to probation, he will also be fined $500,000. His company AEY Inc. was awarded a $298 million Army contract to provide the ammunition to Afghanistan. The contract forbade exporting Chinese ammunition, but prosecutors say the company did that anyway, saying the rounds were from Albania. Sentencing is scheduled for November 10. 

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Banking and Finance Sector

12. September 1, Tempo Interactive – (International) **Bank Rakyat Indonesia receives bomb threat.** A branch office of Bank Rakyat Indonesia in Bengkulu province, Sumatra, received a bomb threat on September 1, the second threat made in less than six month and after the Jakarta Hotel bombings. A staff with the bank received the threat at 7:55 a.m. through a phone call, stating a bomb would explode at 10 a.m., a spokesman for the bank’s office said. He said customers were not immediately evacuated to prevent panic. Bengkulu Resort Police were sent to search the bank and found no suspicious objects at the end of the search at 9:30 a.m. The seat of Bengkulu province had previously received a bomb threat on July 26 after the twin suicide bombings at JW Marriott and the Ritz Carlton which killed nine people. A string of threats preceded and followed the twin suicide bombings. 

13. August 27, Brattleboro Reformer – (Vermont) **Bank evacuated during fire.** About 150 people were evacuated from the Chittenden Bank Operation Center on Putney Road in Brattleboro on August 27, after a smoky fire set off alarms in the building. A rack of backup batteries overheated and melted, filling the steel maintenance room behind the offices with smoke, the Brattleboro fire chief said at the scene. The chief said the fire was relatively easy to contain, but cutting off power to the building was challenging because of the large amount of machinery and technology in the building. He also said
the backup generators had to be disconnected to make sure they did not kick in when the power was cut. The Putney Road office processes data from Chittenden Banks throughout New England, and the chief said his firefighters were working closely with bank officials throughout the afternoon. A spokeswoman for People’s United Bank, which owns Chittenden Bank, said the company was able to maintain business through the afternoon. The Putney Road security manager said the batteries that burned were fairly new and had been updated within the past 10 years and inspected. He did not know why the fire started.

Source: http://www.reformer.com/localnews/ci_13219937

**Transportation Sector**

14. *September 1, Cape Cod Times* – (Massachusetts) **Cape Air plane damaged when landing.** A Cape Air plane scraped the runway upon landing at Nantucket Airport shortly before noon today. Neither of the two people on board was injured, said the administrative assistant to the Nantucket Airport manager. Both individuals on board were pilots, she said. The Cessna 402 can hold nine people plus a pilot, but there were no passengers on board at the time of the incident. A spokeswoman said the cause of the accident was not a landing gear collapse, but she didn’t know what caused the damage to the plane.


15. *September 1, Lacrosse Tribune* – (Kentucky) **Human error caused Dresbach train crash.** Investigators said human error was the cause of the December freight train collision near Dresbach, Minneapolis that derailed 26 cars, sent a locomotive into the Mississippi River and caused more than $1.5 million in damage, according to a Federal Railroad Administration report. A Canadian Pacific train of two locomotive engines and 15 loaded freight cars failed to comply with an automatic block or interlocking signal telling it to stop at 4:48 a.m. December 17, the accident/incident report states. It slammed into a larger Canadian Pacific train of three locomotives and 100 cars at nearly 47 mph. Drug and alcohol tests for each train’s conductor and engineer came back negative, the report states. The recently released incident report gives a fuller account of the events leading up to the crash. The larger train was positioned on a siding — a stretch of tracks flanking the main line that allow one train to pass another — when it received a clear signal. The train started merging onto the main line and was traveling west at about 20 mph when the smaller train struck it. The impact sent one of the smaller train’s locomotives into the Mississippi River and left tracks strewn with the wreckage of mangled railroad cars. It also ruptured a 1,000-gallon propane tank used to heat a switchbox and prompted the evacuation of the nearby veterans home. The crash caused more than $940,000 in damage to the trains and nearly $600,000 in damage to that portion of the tracks, the report states. The conductor and engineer in the locomotive that plunged into the river had minor injuries and were taken to a local
hospital, where they were released later that day.

16. **September 1, New York Daily News** – (New York) **George Washington Bridge security guards fired after being photographed sleeping on the job.** A pair of security guards who were supposed to keep watch on the highly trafficked George Washington Bridge were fired Monday after pictures of them repeatedly snoozing on the job were published on the Web site Cliffviewpilot.com. The slumbering guards worked for FJC Security Services. The Manhattan-based company is contracted by the Port Authority of New York and New Jersey, which controls the bridge — considered by law enforcement to be a key terror target. “The two guards have been fired by the security contractor,” the Port Authority said in a statement Monday. A commuter caught one of the guards catnapping inside a security booth twice Monday morning. The commuter told Cliffviewpilot he was fed up because he had spotted a different guard sleeping on August 5 and that it was the third time he had seen a guard napping. The guards, whose names were not released, were part of what one Port Authority official called “a comprehensive and overlapping” strategy to secure the famous Hudson River crossing.

17. **August 31, WFOR 4 Miami** – (Florida) **Tamiami airport gets $4.2M for runway expansion.** The Miami-Dade Aviation Department received a check Monday for more than $4-million to help build a runway extension at Kendall-Tamiami Executive Airport. The $4.2 million will provide 95-percent of the funding to extend the airport’s primary runway. The funds are part of the Federal Aviation Administration’s Airport Improvement Program. The remaining funding for the project will come from the Florida Department of Transportation and the Miami-Dade Aviation Dept. The extension, scheduled for completion in 2010, will allow more advanced private aircraft to increase fuel and cargo before they fly to destinations in Central and South America and the Caribbean.

18. **August 31, Columbia Tribune** – (Missouri) **Woman fires gun at airport.** A Fulton woman was arrested Saturday after firing a shot and threatening to shoot down a plane that, she said, flew too close to her house. At about 7:42 p.m., Fulton police were dispatched to the Fulton Municipal Airport, where a woman had charged onto the runway brandishing a loaded .22-caliber handgun. Police said the woman was angered by repeated flyovers by an ultralight aircraft and had entered the terminal of the airport saying that she had a gun and planned to “shoot down the plane.” She then went onto the runway where a small plane was attempting to land and fired the handgun, police said. It is unknown, police said, whether she fired the handgun at the plane or into the ground. Fulton police said the shot forced a pilot to abort his landing and circle back around before landing safely, but an airport administrator said no landing was aborted. He said the pilot landed as planned but stayed by the aircraft to avoid a confrontation
with the woman. The administrator said a little-used grass runway was being used that
day by an instructor doing training for novice pilots. The pilots took off and made a
rectangular pattern around the area, likely flying at a low altitude above the woman’s
house.
airport/

For more stories, see items 4, 6, and 32

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Postal and Shipping Sector

Nothing to report

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Agriculture and Food Sector

19. September 1, Associated Press – (South Dakota) Half dozen South Dakota counties
decclare hopper disaster. A state official says at least a half dozen South Dakota
counties already have passed resolutions seeking disaster declarations because of
damage caused by grasshoppers. The state Agricultural Department says county
commissions have passed disaster declarations in Bennett, Custer, Fall River, Meade,
Mellette and Jackson counties. A few more counties also are considering such
resolutions. The department says to qualify for a federal disaster declaration, a county
would have to show a 30 percent loss from normal production of a crop such as hay and
that the most likely kind of assistance would be low-interest loans for farmers and
ranchers hurt by grasshoppers.
Source: http://www.cattlenetwork.com/Half-Dozen-South-Dakota-Counties-Decclare-
Hopper-Disaster/2009-09-01/Article.aspx?oid=831997&fid=CN-LATEST_NEWS_

20. September 1, Associated Press – (North Dakota) Fire reported at potato plant. Fire
broke out Monday at the Cavendish Farms potato plant east of Jamestown, North
Dakota. An emergency official said no one was hurt but about 10 homes north of the
plant were evacuated briefly as a precaution. Jamestown Fire Chief said the cause of
the blaze was not immediately known. It was reported about 1:30 p.m., when black
smoke was seen coming out of the huge plant. The chief said the fire was under control
about five hours later, but crews would watch it all night. He said the homes were
evacuated because officials worried that anhydrous ammonia, a chemical used for
refrigeration at the plant, might leak. Officials said the chemical was under control.
Cavendish Farms, a food-processing company based in New Brunswick, Canada,
contracts with potato farmers in the region. The plant has about 250 workers with about
100 of them working at the time of the fire.
Source: http://www.grandforksherald.com/event/apArticle/id/D9AE7OP82/
21. **August 31, Star Press – (Indiana)** **State instructs farmers to keep weed killer out of water.** Indiana corn growers apparently are heeding concerns that the popular weed-killer, atrazine, turns male frogs into females — and potentially threatens human health. The Natural Resources Defense Council (NRDC) recently issued a report reminding Indianans that many of their watersheds and much of their drinking water are contaminated with atrazine, and recommending the use of home water filters. The environmental action group is also calling on the U.S. Environmental Protection Agency to phase out the use of atrazine, an endocrine disrupter that has been known to turn male frogs into females and that also has been tied to poor sperm quality in humans. As a result of concern that corn growers were not following label requirements, the state chemist’s office several years ago launched outreach programs that reached more than 20,000 Indiana pesticide applicators who use atrazine or might use it to control weeds in corn crops. A water quality specialist in the pesticide section of the state chemist’s office said, “One of the messages we were working on really hard was that atrazine behaves one way when applied to the soil and a different way when it makes its way into a water body.”

Source: [http://www.thestarpress.com/article/20090831/NEWS01/908310318/1002](http://www.thestarpress.com/article/20090831/NEWS01/908310318/1002)
See item 27

22. **August 31, KSBW 8 Monterey – (National)** **Salinas company recalls Iceless Green Onions.** A Salinas, California produce company has issued a voluntary recall of iceless green onions after a positive result for salmonella was found. Steinbeck Country Produce issued the recall for products shipped between August 4 and 22 after the USDA found the positive salmonella result during routine testing. As of Monday, no illnesses have been caused by the iceless green onions, which were farmed and packed by a grower in Mexicali, Mexico. The onions were distributed in California, Massachusetts, Texas, Indiana, New York, Michigan, Missouri, Kansas and Arizona. The recalled product had lot code numbers of 96CPGO07 or 9CPO937.


23. **August 31, KMBC 9 Kansas City – (Kansas)** **Soda machine blamed in illness at restaurant.** A Lenexa restaurant has been slapped with an emergency license suspension by state authorities. Nearly two dozen people became ill Sunday night while eating at the Mi Ranchito at Interstate 35 and 95th Street in Lenexa. It was not the first time diners at this restaurant had gotten sick, officials said. About half of those who fell ill went to area hospitals as a precaution, but no one was admitted. Managers of the restaurant told KMBC that carbonated drinks were the cause of the most recent illness. They blame the soda machine, which they said had backflow problems. That means carbonated water was coming into contact with copper lines, poisoning customers with copper. One problem with that theory is that not everyone who got sick drank sodas. Inspectors are also sampling chips and salsa. The inspectors do say that people with food poisoning do not fall ill as quickly as happened in this case. Health inspectors have not completed their investigation and the restaurant is currently closed.

24. September 1, Palm Springs Desert Sun – (California) **Plant’s generator runs straight through outage.** Officials at Mission Springs Water District (MSWD) report that the Horton Wastewater Treatment Plant “performed without a glitch” despite a 12-hour Southern California Edison power outage on Sunday. The outage, which started at 4:50 a.m. and was caused by a faulty underground cable, initially affected 1,400 customers, according to an Edison spokesman. Service was restored by 7:01 a.m. to all customers except the water district, he said. A 21,000-pound backup generator, installed at the plant in 2002, kept the facility running without interruption, according to an MSWD release. This is the longest the generator has had to run since it was installed, with prior outages having lasted only a few hours, the release stated. Source: http://www.mydesert.com/article/20090901/NEWS01/909010309/Plant+s+generator+runs+straight+through+outage

25. September 1, Coloradoan – (Colorado) **Gallons of asphalt removed from Poudre River.** Crews have removed about 3,500 gallons of asphalt of the 5,000 that poured into the Cache la Poudre River in Colorado last week, according to the Environmental Protection Agency. The spill occurred Wednesday morning when a man lost control of the tanker he was driving and careened into the Poudre River just north of Fort Collins, according to the Colorado State Patrol. Using axes, hooks and cranes, workers have hauled out the goopy mess at a steady pace. On Monday, crews ripped hefty pieces of the congealed asphalt off boulders, chopped them up and hauled the mess away in plastic bags. While the river remains closed to recreational activity from mile marker 113 to mile marker 117, the Environmental Protection Agency (EPA) said results from water samples showed no threat to drinking water. Still, the city of Fort Collins plans to wait until the cleanup is complete and its own tests conducted before it draws from the Poudre once again. Also in the water Monday was a group from the Colorado Division of Wildlife. They, too, were taking samples. The tanker operator has been charged with careless driving. Federal charges are still pending. Source: http://www.coloradoan.com/article/20090901/NEWS01/909010326

26. September 1, Des Moines Register – (Iowa) **Leak near Burlington dumps sewage in Mississippi.** Excavation crews will use a barge to reach a remote spot along the Mississippi River near Burlington, Iowa where an estimated 4 million gallons of raw sewage have leaked into the water over the past two weeks. But heavy rain and flooding along the river have delayed attempts to repair the leak, which was spotted by people fishing about two weeks ago. Until water levels fall, the raw sewage will continue to flow into the Mississippi. State regulators and water officials downstream say there is no threat to drinking water posed by the untreated sewage. Water quality has been among Iowa’s most pressing environmental issues in recent decades. Part of the problem has been attributed to aging municipal sewage treatment plants in Iowa, which could cost up to $1 billion to repair or replace. The state last year awarded Burlington a $4 million low-interest loan to improve its sewage treatment plant. About $3 million has been allocated so far, and work continues. The state has been monitoring
bacteria and found that the Mississippi has diluted the dirty water. It will not be a problem downstream for Keokuk and Fort Madison, both of which draw drinking water from the river, regulators say. Officials first thought that between 300 and 1,500 gallons of sewage per minute were escaping, but city workers have since scaled back the estimate to about 200 gallons per minute.


27. August 31, Water Technology Online – (Illinois) **Water districts sue atrazine makers.** An attorney representing water districts throughout Illinois has filed a class action lawsuit in the Third Judicial Circuit of Illinois against the manufacturers of the herbicide atrazine, the Journal Star reported August 22. According to the Web site for plaintiffs’ attorney, the lawsuit contends atrazine in drinking water is unsafe at any level, even at levels well below the U.S. Environmental Protection Agency requirement. The suit has been filed on behalf of the rural Holiday Shores Sanitary District near Edwardsville and other water districts throughout Illinois. It names atrazine manufacturer Syngenta Crop Protection Inc., with headquarters in Switzerland, and Growmark Inc., with principal offices in Bloomington, as defendants. The lawsuit asks Syngenta to compensate water districts for the cost they incur in removing atrazine, a cost that could run over $1 billion nationwide on an annual basis, the Star Journal reported. Atrazine is banned in a number of European countries, including Switzerland, because of the potential for groundwater contamination, but it is widely used in the United States on corn, according to the Star Journal.


See item 21

28. August 31, KGNS 8 Laredo – (Texas) **Jefferson water plant remodeling to cost $36 million.** Officials at the utilities department are estimating 15-thousand people were without water on Saturday. They say old pipes are to blame. The problem started two weeks ago. Crews had been temporarily fixing a leak in this pipe that had a piece coming lose. And throughout that period, the director for the utilities department says the leaking got worse. “It moved so much we were getting as much as 4 to 5,000 gallons a minute. We had 3 or 4 pumps pumping out of the hole, we had water all over the place, men were in water up to their chest working with saws. We did cut and unfortunately something went wrong.” For now the pipe has been temporarily fixed. The pipes were installed in 1953. The director says there are plans to remodel the plant at a cost of $36 million dollars. Remodeling is expected to begin next year in October.


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**Public Health and Healthcare Sector**

29. September 1, Lake County News-Sun – (Illinois) **State probes dialysis center.** A state inspection of a Milwaukee Avenue dialysis center in Libertyville, Illinois, this summer reportedly discovered “deficient conditions,” including such things as employees
failing to wash hands before and after handling equipment. Warren Township’s supervisor, who issued a press release Monday calling attention to the situation, said constituent complaints prompted her and officials with the Lake County Health Department to request an inspection of Lake County Dialysis Center by the Illinois Department of Public Health. Other deficiencies cited include patient care technicians leaving a treatment area without washing hands as required; a lack of a hand-washing station in an area that requires one; and a technician performing treatments without required training. A spokesman for DaVita, the Colorado-based company that owns Lake County Dialysis, said the facility is “heavily regulated” by both state and federal agencies, and any deficiencies found are quickly remedied.

Source: 
http://www.suburbanchicagonews.com/newssun/news/1745800,5_1_WA01_CLINIC_S1-090901.article

30. August 31, Associated Press – (Maine) Maine investigating hepatitis A outbreak on island. The Maine Center for Disease Control and Prevention says one person has died and at least five others have been sickened by an outbreak of hepatitis A on Swan’s Island. All of six victims as well as four others suspected of contracting the disease stayed in the same island home, though not necessarily at the same time. The victims are all from the Midwest and Middle Atlantic states. The source of hepatitis A is unclear. The home had a problem with its septic system and nearby clam flats were shut down as a precaution.


31. August 30, Associated Press – (Nebraska) Makeshift bomb thrown at Neb. abortion clinic. Lincoln, Nebraska police say someone attempted to throw a Molotov cocktail at the local Planned Parenthood clinic, but missed. Instead, police say, the makeshift explosive fell just short of the building and burned pavement in the parking lot. It was reported about 11:20 p.m. Thursday. The incident is under investigation. Police are not sure whether it’s linked to a recent string of crimes involving Molotov cocktails. The Planned Parenthood fire came on the eve of a 2-day abortion protest at a clinic in Bellevue, which is about 45 miles northeast of Lincoln.


Government Facilities Sector

32. August 31, KMGH 7 Denver – (Colorado) Emergency drill: Truck collides with train carrying nuclear waste. Local, state and federal authorities gathered at the railroad tracks in Denver on Saturday to prepare for a train accident involving nuclear waste. The drill was a first of its kind in Colorado, a state that sees three to four shipments of naval spent nuclear fuel cross its borders every year. Officials acted out the scenario of a truck colliding with a nuclear fuel shipping container, injuring one person and knocking the train off the tracks. Two federal officers, who manned the train’s caboose,
checked the truck driver and the cargo then triggered a chain of phone calls to about a dozen different agencies. “It’s bringing folks together to communicate effectively,” said a spokesperson for the Naval Nuclear Propulsion Program. While treating injuries was the first order of business, checking the load was a close second. The Navy said the nuclear shipments are extremely safe. The containers are nearly indestructible. They’re made of 350,000 pounds of stainless steel. Fourteen inch thick walls surround the radioactive material. Participants in the exercise also included the Colorado State Patrol, Denver Police Department, Denver Department of Environmental Health, Denver Sheriff’s Department, Denver Paramedic Division, Union Pacific Railroad, and Denver Office of Emergency Management and Homeland Security.


33. August 31, Central Michigan Life – (Michigan) **Central Alert system in full use during Dow Science Complex chemical spill.** The monthly Central Alert system phone calls finally paid off for a few hundred students with classes Friday in the Dow Science Complex. The university closed the building because of chemical exposure on the third floor. The emergency notification system, which has 8,471 registered users, sent out text messages, phone calls and e-mails, as well as alerted students over loudspeakers and sirens across Central Michigan University’s campus. Three alerts were sent out within two hours. “I was in a meeting and watched everybody’s phones go off,” said the dean of students. “Everyone was notified. I was impressed how well the phone contact and text messaging went. It was very quick and efficient. By far, it was very effective.” Students were alerted after a faculty member, whose name has not been released, dropped a beaker filled with about three liters of a liquid base, seeping through the instructor’s shoe. The faculty member was treated and released at Central Michigan Community Hospital on Friday, but the building was closed the rest of the day. The chemical spill contained a mixture of 80 percent methanol and 20 percent ethylenediamine, a corrosive and flammable chemical.


34. August 31, WPRI 12 Providence – (Rhode Islands) **Suspicious object investigated at Cranston school playground.** Police and Firefighters were called to investigate a suspicious object at the George J. Peters School on Mayberry Street Sunday night. The object was found at the school’s playground around 8 p.m. It appeared to be a plastic bottle with something inside it. Police would not release many details Sunday night, but said the contents in the bottle were not hazardous.

Source: http://www.wpri.com/dpp/news/local_news/local_wpri_cranston_suspicious_object_investigated_at_school_playground20090831_tro

35. August 31, Amador Ledger Dispatch – (California) **Jackson shut down by bomb scare.** Jackson’s downtown district was brought to a standstill this afternoon, as law enforcement converged on a suspicious bag in front of City Hall that officers feared might be a bomb. While it was unclear who left the suspicious bag, a young Calaveras man’s threat to blow up Jackson City Hall a month before left officials taking no
chances. At 2:45 p.m. the package was destroyed by the Calaveras County Bomb Squad with explosives. Emergency responders, including Jackson City Fire Department and CAL FIRE, first converged on the scene in front of City Hall around 1:30 p.m. at the behest of the Jackson Police Department — whose headquarters are part of the building. The discovery of a strange-looking pack stuffed in the bushes directly between the two main flag poles had caused alarm, particularly in light of a prior threat recently made against the building. According to a Jackson Police captain just weeks before, a young man had been suspected by Calaveras County law enforcement of possibly having plans to bomb Jackson City Hall. “Evidently he had maps and schematics of the building and things indicating he wanted to blow it up,” the police captain said of the young suspect, not long before the package was detonated. He said that individual had been arrested in Calaveras County, but that his threats, coupled with the manner and placement of the unknown pack, left her department in a position where they could not take chances with the public’s safety.


36. September 1, WXIA 11 Atlanta – (Georgia) Truck theft suspect steals police car. A manhunt was underway Monday night for a person accused of stealing a police car in Gwinnett County. The whole thing started when an officer pulled the man over for driving a stolen U-Haul. The police car was ditched near Memorial Drive at South Howard Street in DeKalb County. Officers returned the car to Duluth Monday evening. They said the suspect was still on the loose. Investigators said the suspect was put into a police cruiser at about 4:45 p.m. Monday after being picked up for driving a stolen vehicle. Police said they also believed the suspect to be under the influence of alcohol. He was handcuffed and placed in the back of the police car with his seat belt on, and closed in the cruiser. While the arresting officer returned to the U-Haul, the suspect somehow got his hands in front of him, crawled through the window to the front seat, and stole the police car.


37. August 31, Dallas Morning News - Dallas City Hall Blog – (Texas) Dallas Police property room improving but work remains, audit says. Operation of the Dallas Police Department’s (DPD) property room has been a source of significant criticism and serious charges that evidence has been mishandled because of disorganization. According to an audit follow-up just released by the city’s auditor, the DPD has taken strides to improve things. DPD has implemented 7 of 14 recommendations to improve operations and is working on the other 7, the audit report states. That does not mean the problem is solved. The report says that as of July, there was a backlog of 261,000 invoices and 439,000 associated articles that had yet to be logged into the property room’s new tracking system.

38. **August 30, Lower Hudson Journal News** – (New York) 2nd probe opened of amateur fire brigade. Eight months after Hillcrest, New York firefighters reported an untrained fire brigade operating illegally in New Square, state labor officials have yet to take any action but have opened a second investigation, according to letters and interviews with officials. The lack of progress frustrates the trained Hillcrest volunteers, who fear that amateurs fighting fires can injure themselves, get others hurt and fail to protect property. The New Square issue has strained already tense relations between volunteer firefighters and the Hasidic Jewish community, even as Moleston Fire District and county fire officials meet again with New Square officials to find common ground. Labor Department officials said inspectors investigated the fire brigade after a January 21 complaint from Moleston. Source: [http://www.lohud.com/article/2009908300348](http://www.lohud.com/article/2009908300348)

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**Information Technology Sector**

39. **September 1, eWeek** – (International) **PowerPoint: New PowerPoint attacks hit old flaw.** Researchers are tracking the emergence of a new set of malware attacks loaded into Microsoft PowerPoint documents that take aim at a long-patched vulnerability in the application. Highlighting the success that many attackers still have in launching threats that prey on vulnerabilities that should have been fixed long ago, the new PowerPoint attacks seek to exploit the issue identified by Microsoft as MS06-028, first patched in June 2006. Even those who remain unpatched could avoid the attack by avoiding unsolicited .PPT attachments, so clearly the threat is aimed at less savvy individuals, or those living in countries such as China where the popularity of pirated Microsoft software allows for old flaws to remain available targets. Among the researchers logging new waves of the .PPT campaigns was Sophos, which said it has seen a sharp increase in the attacks over the last several business days. For those who should be patched, the usability of the attacks shows how even a recent spate of .PPT-related zero day threats sometimes fails to motivate people to ensure their computers are completely up to date, experts with the company noted in a blog post. The attacks drops a Trojan, identified by the researchers as Troj/Protux-Gen, onto affected machines. A screen flicker is triggered by the involved shellcode, which also downloads and runs another executable, Troj/ReopnPPT-A, that shuts down any open PowerPoint processes, removes the shellcode from the malicious .PPT and re-opens PowerPoint with the newly disinfected presentation, Sophos reported. Source: [http://securitywatch.eweek.com/powerpoint/new_powerpoint_attacks_hit_old_flaw.html](http://securitywatch.eweek.com/powerpoint/new_powerpoint_attacks_hit_old_flaw.html)

40. **August 31, PC World** – (International) **Unpatched flaw could take down Microsoft’s IIS server.** A hacker has posted code that could be used to take over a system running Microsoft IIS (Internet Information Services) server. The software, which was posted to the Milw0rm web site on August 31, could be a big problem for some webmasters, however the attack appears to work only on older versions of Microsoft’s products. It
was not immediately clear how many versions of Microsoft’s products are vulnerable to the attack, and Microsoft did not immediately respond to requests for more information on the issue. The flaw lies in the File Transfer Protocol (FTP) software used by IIS to move large files around the Internet, so the victim would have to have FTP enabled in order to be vulnerable to the attack. According to the Milw0rm post, an attacker could use this code to install unauthorized software on the server. According to the Milw0rm poster, the code works on Microsoft’s decade-old Windows 2000 operating system, while running the older IIS 5.0 server. For the attack to work, the hacker would also need to be able to create a directory on the server, security experts say. Other versions of IIS are also at risk, according to an independent researcher who has studied the issue. However, newer versions of Microsoft’s operating systems have features that make it less serious, he added via instant message.

Source:
http://www.pcworld.com/businesscenter/article/171151/unpatched_flaw_could_take_down_microsofts_iis_server.html

41. August 31, The Register – (International) **Microsoft says U.S. is top malware target.** Windows users based in the United States are the most likely to benefit from Microsoft’s malicious software removal tool, which has removed malware from nearly 2.2 million U.S. machines, more than the other nine top countries combined. Over the same period, the MSRT has disinfected 383,378 machines in China, 282,152 in Brazil, 278,207 in the U.K., and 262,539 in Korea, according to statistics Microsoft published here. In all, 2.18 million U.S.-based machines were cleaned, compared with 1.87 million machines based in the other countries contained on the top-10 list. “The US is at the top of this list as it is by default the top target for most of the malicious code out there,” two members of the Microsoft Malware Protection Center wrote. “China and Brazil are actually a totally different story. While China is a top target for online games password stealers and the black market associated with it, Brazil is a prime goal for another breed of password stealers: those targeting bank accounts. Given these locations, it should come as no surprise that the top prevalent threats are what they are.” In August, Microsoft added a new trojan called Win32/FakeRean to its malware hit list. In the first two weeks the rogue anti-virus program was targeted, it was removed from 162,328 machines. A family of worms known as Win32/Taterf ranked No. 1, with 463,000 PCs cleaned. The worms spread over mapped drives in order to steal login and account details for popular online games. Win32/Reenos, another rogue anti-virus program, and a data-stealing trojan known Win32/Alureon, ranked third and fourth, with 228,973 and 211,441 machines purged respectively.

Source: http://www.theregister.co.uk/2009/08/31/us_pcs_most_targeted/

Internet Alert Dashboard

To report cyber infrastructure incidents or to request information, please contact US-CERT at sos@us-cert.gov or visit their Website: http://www.us-cert.gov.

Information on IT information sharing and analysis can be found at the IT ISAC (Information Sharing and Analysis Center) Website: https://www.it-isac.org/
Communications Sector

42. *August 31, Web Host Industry Review* – (Virginia) **ServerBeach goes offline after outage.** Many customers of ServerBeach, a dedicated hosting subsidiary of PEER 1, experienced downtime on August 28 after the company’s Herndon, Virginia data center suffered a power outage, according to a report by Data Center Knowledge. Despite ServerBeach restoring the building’s power within an hour of the outage at 5:30 p.m. EST, some customers said that they were still experiencing issues well into August 29. ServerBeach posted a report on its customer forum addressing the incident on Saturday: “On August 28th, at approximately 17:39 PDT there was a power failure in our Virginia data center. Local staff confirmed with the building engineers that all of the Liebert UPS modules were offline. The building’s electrical service company MC Dean was on site doing a non-intrusive infrared scan of all of the critical electrical equipment during a scheduled maintenance tonight. They reached a point in the maintenance that required the system to be put into maintenance bypass. When they transferred to bypass one of the feeders behind a static transfer switch shorted to ground causing the UPS system to go offline. After identifying the problem the cable was repaired and the system was re-energized at 18:28PM PST.” Some customers contacted the web host, their servers would not restart properly, and ServerBeach continued to work on customer support requests on August 29. Source: [http://www.thewhir.com/web-hosting-news/083109_ServerBeach_Goes_Offline_After_Outage](http://www.thewhir.com/web-hosting-news/083109_ServerBeach_Goes_Offline_After_Outage)

Commercial Facilities Sector

43. *September 1, WXII 12 Winston-Salem* – (North Carolina) **Bomb squad dismantles explosive device found in apartment.** The Winston-Salem Police Department Bomb Squad dismantled an explosive device found in an apartment on Woods Road Monday afternoon. Police did not say how the device was put into the apartment or if they were searching for a culprit. A police department news release did not indicate that any arrests had been made. No injuries were reported. Source: [http://www.wxii12.com/news/20665252/detail.html](http://www.wxii12.com/news/20665252/detail.html)

National Monuments and Icons Sector

44. *September 1, All Headline News* – (California) **Fire in Angeles National Forest grows to over 100,000 acres.** The fire near Acton in the Angeles National Forest that killed two firefighters on Sunday has grown to 105,296 acres and is threatening 12,000 homes. Mandatory evacuation has been implemented in 4,300 structures near the blaze, which is located in extremely difficult terrain that authorities estimate it will take two more weeks to extinguish. About 3,655 personnel are working control the blaze,
dubbed the Station Fire because it began a mile above Angeles Crest Fire Station on the afternoon of August 26. Thirteen helicopters, 399 engines, 48 bulldozers and 43 water tenders are being used, as well as eight air tankers that each hold 12,000 gallons of water or fire retardant. The fire has so far destroyed 53 structures and two communication sites. It is also threatening the Mount Wilson Communication Facility and Observatory. Containment remains at five percent, and firefighters are trying to complete 75 more miles of fire line. The blaze is spreading east and north with flame lengths reaching 80 feet. Full containment is estimated to occur on September 15. Source: http://www.gantdaily.com/news/35/ARTICLE/60306/2009-09-01.html

45. August 31, CNN – (National) Federal government to buy land for Flight 93 memorial. Pennsylvania landowners around the September 11, 2001, crash site of Flight 93 have reached an agreement with the federal government allowing construction of a permanent memorial there, the government announced Monday. The U.S. Interior Secretary said the National Park Service has “reached agreements with all the landowners needed” to establish the permanent memorial for the 40 people killed in the terrorist hijacking nearly eight years ago. He said the government will pay the landowners approximately $9.5 million. A National Park Service Web site says the permanent memorial will honor “the 40 passengers and crew members whose actions thwarted an attack on our nation’s capital” as they fought to regain control of the hijacked jetliner. Architects have already sketched out the design, whose features will be situated to take advantage of a natural basin in the terrain. A Park Service official expects construction to begin in November. Source: http://www.cnn.com/2009/US/08/31/pennsylvania.memorial/

46. August 31, KCTV 5 Lawrence – (Missouri) Old bazooka rounds found near state park. The U.S. Army Corps of Engineers is investigating a former firing range where four unexploded bazooka rounds were found near Knob Noster State Park. The anti-tank rockets were safely disposed of by military personnel. But the Army Corps plans to scour heavily traveled areas of the former Sedalia Army Air Field Rifle Range for any additional unexploded ordinance. The firing range operated from 1943 to 1947. Most of the land now is privately owned, though a small portion is located on Knob Noster State Park. Source: http://www.kctv5.com/news/20646739/detail.html

Dams Sector

47. September 1, Gloucester County Times – (New Jersey) Monroe dam safety evaluated. The dams of Lower Victory Lakes are being further evaluated by the New Jersey Department of Environmental Protection (NJDEP) to see if safety criteria are met. A councilman said that the NJDEP stepped up its safety standards after some dam breaches occurred in nearby South Jersey towns. “Several lake owners in Monroe Township were sited for dams that did not conform with current NJDEP safety standards,” he said. However, the Lower Victory Lakes Property Owners Association
(LVLPOA), who owns Lower Victory Lakes, does not own the dam, he said. The lakes’ dam is located under a Monroe road and the spillway structure is part of a county-owned bridge. Regardless of ownership, the study is continuing to be conducted for safety reasons. The hydrologic and hydraulic state-mandated study evaluates the dam and its need to be replaced, if any. It also looks at stress and load and what would happen in case of dam failure. A preliminary study was prepared and a supplementary study will be conducted to provide additional details about the dams.


48. *September 1, Boston Telegram and Gazette* – (Massachusetts) **Seepage forces Westville Lake to stay low.** Until engineers determine the source of a seepage problem at the Westville, Massachusetts Lake flood control dam and design a permanent repair, the reservoir will be maintained well below the record high-water mark of 50-1/2 feet in June 1984. Currently, the lake level is 11 feet at the gatehouse, and the park manager said the reservoir would have a 20-foot limit during flood control operations for the immediate future, relying on the East Brimfield dam upstream on the Quinebaug River for flood control. The Army Corps of Engineers said there is no danger of a failure of the dam, which was built in 1962. The Westville Lake project will receive $958,000 in federal stimulus funds this year, of which $536,000 will be spent to complete seepage testing, including subsurface investigation at the dam. The project manager in the Corps of Engineers Engineering/Planning Division, said test borings will be made through the dam into the bedrock foundation to pinpoint the source or sources of the seepage. He said as an interim measure to stem the flow from the base of the dam, a quick-setting grout will be pumped down wells drilled from the crest of the dam to the foundation. The engineer said boring would begin next week through the dam into fractured bedrock and pervious foundation material discovered in test borings a year ago. He said the subsurface investigation would determine where the seepage is coming from to allow engineers to design a suitable interim repair with quick-setting grout along with the permanent concrete cutoff wall. He said the exploratory work should take a couple of months to complete and should have on temporary impact on flood control operations, if needed during that period.


49. *August 31, Mid Columbia Tri-City Herald* – (Washington) **Seepage shuts down KID canal, 4,700 customers to be affected.** The Kennewick Irrigation District’s Division IV Canal was shut down around 8:30 a.m. Monday after a seepage problem was found in Zintel Canyon in Canyon Lakes Golf Course. The Division IV Canal begins at the Amon Wasteway and runs east to Finley. About 4,700 customers will be affected. A release from KID said it would take four to five hours to drain the canal and siphon. KID plans to inspect the siphon and determine what repairs are required. The Zintel Canyon Siphon begins at the ninth tee and ends along the east side of the second fairway. Water that would normally run down the Division IV canal is being diverted down the Amon Wasteway above Five Corners.

50. **August 31, Sacramento Bee** – (California) **Delta levee projects must now prepare for rising sea level.** Levee projects in the Sacramento-San Joaquin Delta, in California, will have to account for rising sea levels under a new federal policy aimed at shoring up the region’s main line of defense against climate change. It is the first comprehensive policy by the U.S. Army Corps of Engineers to require that projects under its jurisdiction be designed with higher sea levels in mind. Many low-lying areas on the edges of the Delta would be under water given the higher seawater levels predicted by the end of this century. Fragile Delta levees also could be overtopped, especially when high tides and storm surges are added into the mix. One of the oldest sea level monitors on the West Coast, at the Golden Gate Bridge, has recorded a sea level increase of about two centimeters per decade during the 1900s. This rate is expected to continue due to human consumption of fossil fuels, which scientists believe is gradually warming the Earth’s climate. Failure to consider this increase in new levees and coastal structures — such as buildings, water intakes and wastewater outfalls — could mean these investments are jeopardized later, or that people are put at risk. The new policy is a stand-alone document that describes how engineers should design for sea level rise. The authors included scientists from the National Oceanic and Atmospheric Administration and U.S. Geological Survey. The policy does not specify a water depth. It lays out a procedure engineers must follow to estimate low, medium and high sea level projections for their area. Officials will use those estimates to decide how to build the project.


51. **August 31, Insurance Journal** – (Colorado) **Colorado electricity dam fire results in indictment.** Xcel Energy, Inc., Public Service Company of Colorado, RPI Coating, Inc., and two men were indicted by a federal grand jury in Denver late Friday on charges that the defendants violated workplace safety and health rules and regulations that resulted in the death of five men at the Cabin Creek Hydro Plant, near Georgetown, Colo. The indictment was announced by a U.S. attorney and Occupational Safety and Health Administration (OSHA). The defendants will receive summons in U.S. District Court in Denver on September 22, 2009. According to the indictment, on October 2, 2007, five men employed by RPI Coating, Inc., died at the Cabin Creek Hydro Plant, near Georgetown, Colo., in Clear Creek County, during a fire. Xcel Energy and Public Service Company of Colorado operate the hydro-electric plant. The deceased men were working inside a large, drained water pipe called a penstock, when the fire erupted. Their escape from the penstock was blocked by the fire. They survived inside the penstock for about one hour before dying from asphyxiation due to inhalation of carbon monoxide produced by the fire. The deaths were caused by violations of the Occupational Safety and Health Administration’s workplace safety and health regulations, which resulted in the fire and the failure to rescue the men. Xcel Energy, Inc., Public Service Company of Colorado, and RPI Coating, Inc. are each charged with five counts of violating OSHA Regulation and Causing Death, which is punishable by a fine of not more than $500,000 per count. The two men are also both charged with five counts of violating OSHA Regulation and Causing Death. If convicted, they each face not more than 6 months in prison, and a fine of up to
$250,000 for each count.