



NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Norfolk Southern Railway general merchandise freight train 32N
derailment with subsequent hazardous material release and fires,
in East Palestine, Ohio, on February 3, 2023

GROUP	D
EXHIBIT	
15	

Agency / Organization

Oxy Vinyls, LP

Title

**Oxy Vinyls Sample Collection Protocol for PVC-like
Material, February 14, 2023**

From: [Smith, Steve M. \(Mgr Technical LaPorte\)](#)
To: [Stancil Paul](#); [Wood, Robert C.](#); [Payan Ruben](#); [Dougherty Marc](#)
Cc: [Allen Benjamin](#)
Subject: RE: OxyVinyl"s sample collection of any PVC like material
Date: Tuesday, February 14, 2023 12:57:21 PM
Attachments: [image001.png](#)

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Paul,

Regarding the information you requested, our response is in red:

1. Purpose for collecting and testing samples: **The purpose for collecting the samples is to determine if the sample contains PVC (polyvinyl chloride) that may have been formed during the derailment.**
2. Protocol for collecting samples – sample containers, preservation measures (if necessary), chain of custody, parameters to be examined, standard methods for tests to be performed, and laboratory to be used: **Food grade zipper bags will be used to contain the samples. If possible, the samples in the zipper bags will also be placed in glass jars with a lid for transportation. There will not be any preservation measures. Chain of custody (COC) will consist of the Oxy Vinyls representative as the first line entry on the COC with identification of the railcar from which the sample was received. The custody will be transferred to an OxyChem representative at our Technical Center in Avon Lake, Ohio. The sample(s) will be analyzed for PVC. The methods to be used are (1) FTIR (Fourier Transform Infrared) spectroscopy to obtain the spectral fingerprint of the chemical molecules and (2) SEM/EDS (Scanning Electron Microscopy with Energy Dispersive Spectroscopy) to obtain microscopic photographs of the residue with elemental analysis. These analysis will be conducted at the OxyChem Technology Center in Avon Lake, Ohio.**
3. Acknowledgement that documentation of the sample collection, including photographs, chain of custody, and results of testing will be provided to NTSB, and that such data will be protected as investigative information as outlined in 49 CFR Part 831.13.: **We acknowledge that documentation of the sample collection, including photographs, chain of custody, and results of testing will be provided to NTSB, and that such data will be protected as investigative information as outlined in 49 CFR Part 831.13.**

If you have any questions or need further information please let me know.

Thank you,

Steve Smith
Technical Manager – La Porte VCM Plant
Office: [REDACTED]
Mobile: [REDACTED]

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From: Stancil Paul <[REDACTED]>
Sent: Sunday, February 12, 2023 7:42 PM
To: Smith, Steve M. (Mgr Technical LaPorte) <[REDACTED]>; Wood, Robert C. <[REDACTED]>; Payan Ruben <[REDACTED]>; Dougherty Marc <[REDACTED]>
Cc: Allen Benjamin <[REDACTED]>
Subject: [EXTERNAL] RE: OxyVinyl's sample collection of any PVC like material

WARNING - This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Steve,

Since Oxy Vinyls has declined the NTSB offer of party status to this investigation, before we can approve your collection of samples from the VCM tank cars we first need to ensure that Oxy Vinyls will agree to abide by NTSB regulations regarding the use and dissemination of investigative information as outlined in the guidance I provided you by email on February 9. Essentially, this means that Oxy must agree to provide the results of such testing to the NTSB, as well as agree to not disclose such data to third parties without the approval of the NTSB investigator-in-charge.

If your organization has any questions about this, you may have your corporate counsel contact NTSB's general counsel Ben Allen (copied on this message).

To facilitate your request, please provide us the following:

1. Purpose for collecting and testing samples
2. Protocol for collecting samples – sample containers, preservation measures (if necessary), chain of custody, parameters to be examined, standard methods for tests to be performed, and laboratory to be used
3. Acknowledgement that documentation of the sample collection, including photographs, chain of custody, and results of testing will be provided to NTSB, and that such data will be protected as investigative information as outlined in 49 CFR Part 831.13.

I am available for a call tomorrow before 11:00 or after 3:00 eastern time should you need to discuss.

Thank you,

Paul L. Stancil, CHMM
Senior Hazardous Materials Accident Investigator

National Transportation Safety Board

Phone: [REDACTED] Mobile: [REDACTED]
490 L'Enfant Plaza East, SW, Washington DC 20594

Web: www.nts.gov

Email: [REDACTED]



NTSB

From: Smith, Steve M. (Mgr Technical LaPorte) [REDACTED] >

Sent: Sunday, February 12, 2023 9:48 AM

To: Stancil Paul <[REDACTED]>; [robert.wood](mailto:robert.wood@[REDACTED]) [REDACTED]

Subject: OxyVinyl's sample collection of any PVC like material

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Paul and Robert,

In our discussions with Scott Deutsch with Norfolk Southern last Thursday, prior to our departure, we were informed that Norfolk Southern would not allow our collection of any samples unless it was approved by the NTSB. I'm writing this email to verify if NTSB and NS will allow the collection of samples (if any) when the pressure plates are removed from the railcars, which is anticipated to be this week. Though I have received approval from NTSB previously, if that can approval can be reaffirmed through this email it can provide NS with confirmation that sample collection by OxyVinyls is acceptable. After that, if NS can provide approval for sample collection, then we can proceed with collecting samples (if any) at the time the pressure plates are removed.

Thank you,

Steve Smith

Technical Manager – La Porte VCM Plant

Office: [REDACTED]

Mobile: [REDACTED]

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