

Name: [REDACTED]

RE: Comments to JMC 15-6 Investigation

OSC File Number: DI-21-000266

Date 10/07/2021

This entire report is extremely sugar coated and paints a rosier picture than what the truth really is. I am aware of several people who provided statements to the Investigating Official (IO) corroborating how bad safety things really are at Crane Army Ammunition Activity and their testimony has been thrown out and not included in the investigation report. These witnesses told me personally that they met with the IO and provided statements. Why were these statements omitted? What is also not mentioned is because of my actions to do the right thing I was fired from my position for bringing up too many safety problems internally and externally over many months. I was hired as Safety Chief for CAAA in October 2019, it was a lateral transfer. Up to this point, I had a successful 18 year career working for the Department of Defense in Industrial Hygiene/Safety career fields. I was doing the job of an intern as a GS-13 step 8 after I was removed from my supervisor position in March of 2020. This took place after I talked to EEO about my sleep apnea and about being cussed out by my supervisor that: "you don't know how f-ing easy it is to have you fired during your supervisor probation period". I was kicked out of my office and told to sit in the corner and not talk to anyone, I was constantly told by my supervisors that I bring up too many safety problems and just have to be right. I was banned from doing building inspections and that is a large part of my job. The Safety Manager before me was in the process of being removed from his job for bringing up too many issues. He found a new job on his own and left before he was removed from federal service. On October 18<sup>th</sup> 2020 I filed an OSHA complaint. On October 28<sup>th</sup> 2020 I was sent home within 1 hour of turning in my own OSHA investigation report. OSHA would not send any inspectors due to COVID restrictions. Plenty of proof of wrongdoing including pictures of multiple safety violations were deleted from my GOV computer and GOV cell phone after I was sent home on paid admin leave on and before I was officially fired for made up misconduct charges on Jan 5<sup>th</sup> 2021. My OSHA complaint was very specific on purpose and only included a few buildings. I did two reports, one for the OSHA investigation that was very specific to my complaint and only included a few buildings with a few problems and one inspection I did internally for the command that included all safety issues. The safety investigation report for the command was much worse. The new Safety Chief is not even qualified for his position per Army Regulation 385-10 (not Army CP-12 or a Certified Safety Professional). He is just a yes man for the Director of Activity Support. The Director of Activity Support over safety, environmental, and maintenance was removed from his position as Mechanical Engineering Director in 2013 after the explosion at Pyro that resulted in 36 OSHA violations and sent 5 CAAA employees to the hospital. Since he is a GS-14 step 10 and a retired O-6 from the Army Reserves he has just been moved around to different positions over the years. Here is a link to the 2013 OSHA report: <https://www.osha.gov/news/newsreleases/region5/10282013-0>

It is important to note that in the IO's evidence there is an internal army investigation that was conducted after the pyro explosion in 2013. This report mentions the improper or non-existent employee training, unrated electrical in explosive areas, lack of process safety management procedures, and the lack of proper lockout/tagout procedures were the root cause of the explosion that sent 5 people to the hospital and caused major damage to the facility. Here we are 8 years later and the same issues still exist command wide. One thing mentioned in the evidence about me is I was

in trouble for being absent without Leave (AWOL). What is not mentioned is that I was counted AWOL for following the same leave procedures I always had. I requested 4 hours off to mow the yard and get ready for my son's birthday party. I put the leave request in while working from home and went and mowed the yard. My leave was denied the next day and I was counted AWOL. Human resources changed my position description (PD) the same day without my knowledge to make me sound like a big shot and had me excluded from the union. I was never notified of this action until I received an automated message from an online database. When I brought this issue up to HR about there being changes made to my PD without my knowledge they covered it up and said it was due to an admin mistake or glitch. **The real reason in my opinion was they knew I would have had the AWOL charge thrown out for it being against the union agreement.** i.e. leave will not be denied for capricious reasons and changes to an employee's PD will not be made without their knowledge and input. I brought this issue up to the Army union representative when it happened and he blew me off like it was no big deal then avoided me and would not return my calls. After I was sent home I brought this issue up to the union president (a Navy employee). **He told me if I would have brought it up sooner he could have had the AWOL charge thrown out.** I did bring it up sooner just to the wrong union representative. The Army union representative in my opinion is in cahoots with management to set people up for failure. I tried to file a complaint with the union to investigate my allegations and they won't take it because I am not a dues paying member. **My Attorney told me I could have never been fired if this AWOL charge didn't stick.** I was given a letter of reprimand (LOR). **I did an Army internal grievance regarding this LOR with the agency's senior civilian and it was not officially denied until the same day I was sent home on paid administrative leave for two months October 2020-Jan 2021.** I hired an attorney to defend my "proposal to dismiss from federal government", we gave a response to the allegations. We had to wait many weeks for the agency evidence relied upon packet to be given to us. **Most of the evidence in the agency file is dated after my OSHA complaint and I believe was solicited by the agency after I was sent home. Most of the "misconduct" charges are completely fabricated out of thin air, the ones that are not fabricated are all over blown minor performance issues turned into misconduct.** My former supervisor mentions my lack of communications skills in his statement. This is opinion not fact. **I have been a good performer with the DOD as a civilian for almost 20 years and never had a bad performance review or any kind of discipline until coming to CAAA. I have also been in the military reserves for 21 years with good reviews as being a team player, etc. All of the sudden I am a dirt bag, I think not. I have gone from "letters of appreciation" everywhere else in my career with the Department of Defense to "letters of reprimand" at CAAA. People at CAAA don't like somebody telling them they have been broken for over a decade. I was just a "know it all" from the Navy who was set up for failure by bosses and teammates on a daily basis.**

**Allegation 1:** CAAA failed to properly categorize, classify, or rate which locations or areas with powered or explosive processes are hazardous; consequently, these locations or areas lack properly rated corresponding electrical components, fixtures, or circuitry that can be used safely and without posing a fire hazard. CAAA has not maintained an accurate list of hazardous locations.

**Allegation 1 response by WB:** Even though this allegation was substantiated by the IO it is extremely white washed. The Army reports to the host Navy Command that all production operations are class 2 div 1 hazardous locations. I have never personally been in an Army production building that was in compliance with this statement other than a few specific operations within a building like the powder room at the 30mm demil line. Each building is a hodgepodge of rated and unrated electrical

components. I agree that some electrical components do not require a class 2 div 1 rating based on the absence of explosive powder in the air during normal operations. However, an Agency cannot enforce compliance if a qualified person has never evaluated the areas for what is proper and where. In my opinion most production areas are class 2 div 2, only explosive powder would be present in the air in abnormal situations like equipment failure.

**Allegation 2:** CAAA lacks a process safety management standard regarding the controlling and handling of hazardous substances.

**Allegation 2 response by WB:** Even though this allegation was substantiated by the IO it is extremely white washed. During the OSHA investigation in 2013 it was found that 25 of the violations regarded the lack of Process Safety Management. Whenever I brought the topic up when I was Safety Chief at CAAA I was told we didn't have to comply with this standard because we were "grandfathered", our buildings were too old to comply. No one could ever show me this is writing, because it didn't exist. This has been an "ongoing" project at JMC and the Army to fix for 8 years so far. Hopefully no one gets gravely injured before the Army figures out how to comply.

**Allegation 3:** CAAA lacks a complete, updated hazardous energy control (i.e., lockout/tagout) program to control or otherwise prevent the inadvertent release of stored energy from machinery or other mechanical systems pursuant to Army Regulation (AR) 385-10 and 29 CFR 1910.147.

**Allegation 3 response by WB:** Even though this allegation was partially substantiated by the IO it is extremely white washed. Yes in 2019 CAAA did publish a local regulation for LOTO. The problem is, it was never implemented and it is just a piece of paper. Training is not documented correctly or given to all who need it. Lock and tag procedures are all over the place and proper equipment i.e. locks are not always available to perform the task. A piece of paper that is not followed means nothing, however this practice is pretty common at CAAA.

**Allegation 4:** CAAA does not have an adequate fall protection program, including consistent employee training, pursuant to AR 385-10 and 29CFR1926.

**Allegation 4 response by WB:** Even though this allegation was substantiated by the IO it is extremely white washed. The Navy provides the training for CAAA employees. CAAA is on a Navy base, when I was chief I recommended just using the Navy fall protection program to be compliant. No one would listen. I even had emails from JMC safety saying this idea made sense. The Navy will train employees in their classes and say, in a scissor lift if you are a Navy employee you have to wear a safety harness and lanyard but if you are a CAAA employee you don't. The safety chief in his statement talks about just being able to tie off to the guardrail on a scissor lift if employees want to. This is not accurate, on a Navy base only approved anchor points are to be used per Navy safety regulations.

**Allegation 5:** CAAA lacks current inspection tags and/or certifications for weight bearing apparatuses (i.e. chain or web slings used over production lines) and material handling equipment, including pallet trucks and portable ladders, pursuant to Federal regulations and agency policies.

**Allegation 5 response by WB:** This allegation was only partially substantiated. If the IO interviewed the multiple witnesses I provided they would have corroborated this allegation. I have been in buildings that were handling items including ordnance that were expired by as much as 8 years. The supervisor of preventative maintenance knew the program was messed up and told me so. Before I was sent home

a Command memo was signed to have NAVFAC provide some services they had not in the past i.e. help certify bomb lines and manipulators. I have personally seen dozens of out of date chain slings being used to handle live 155mm rounds on the bomb lines. When I brought this up to the supervisor at C1FMIC I was chewed out by my boss the director of Activity Support for "stopping production". I did not stop the production, the supervisor made that call and did the right thing in my opinion. The supervisor of the machine shop could corroborate a situation where I found 1 sling a few years out of compliance when conducting a specific machine guarding inspection in his areas. He ended up in the safety chief's office asking what he was supposed to do with it. I got called in and chewed out that I didn't know what I was talking about and where did it say you had to do annual inspections on slings, etc. I provided about 200 pages of multiple regulations to my boss for reference. I told my boss and the machine shop supervisor he needed to take the sling to B56 to get it certified. The Navy will do it but you have to take it to them. He called me a few days later and thanked me for figuring this all out. He said they took an entire pickup truck load of slings over to B56 to have certified that were out of compliance. As a matter of fact I see the machine shop's supervisors name on the witness list, however I see no statements from him are in the IO's package. **This command also uses bomb lines that have never been evaluated and certified.** They only care about what is "below the hook". Even then, I have seen many weight handling chains and slings on multiple occasions in multiple buildings handling items including ordnance that were many years out of compliance with multiple standards. Perhaps the IO just did not see any the day of his inspection because CAAA knew he was coming and all the chains and slings that were out of compliance were put "out of use". Also, CAAA says they follow the Navy guidance for pallet trucks in their SOP's yet I have never seen one in use that was stenciled for use with ordnance. There are no records I am aware of that indicate ladder inspections have been conducted for at least 5 years.

**Allegation 6:** CAAA lacks proper inspections and related documentation for buildings pursuant to AR 385-10.

**Allegation 6 response by WB:** This allegation was found unsubstantiated however it was totally covered up and **should be substantiated**. Annual Safety inspections were not performed and no documentation exists from 2011-2019 for production buildings. Some inspections were conducted in 2020. Some of the people who did the inspections in 2020 are not even CP-12 certified by the Army to be considered properly trained Safety staff. The "yes men" who conducted some of the inspections are seasoned veterans at CAAA and know not to bring up too many problems or they will be fired. The OIP visits by JMC mentioned in the IO's file are broad brush stroke one-time inspections performed when the commanders change every 2-3 years.

**Allegation 7:** CAAA has not bolted to the floor pallet racks that store equipment, boxes, and spare parts.

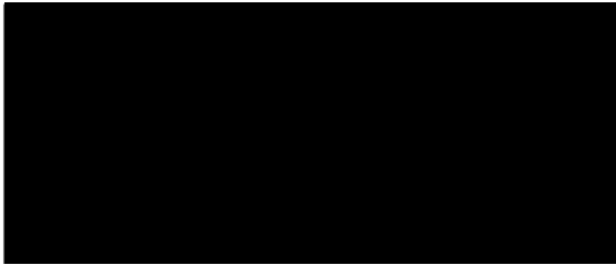
**Allegation 7 response by WB:** This allegation was found to be unsubstantiated by the IO. Perhaps this is one of the items command wide that was fixed in between the time I made my complaints to the commander and JMC about the lack of safety at CAAA in October 2020 and the IO doing his investigation in March 2021. I had emailed the Commanding Officer of CAAA the week before I was sent home and before I filed an OSHA complaint. He ignored me and would not give me 5 minutes on his calendar to discuss. Before I was sent home, I had never seen a pallet rack in any CAAA building that was bolted to the floor. Whenever I talked to supervision about it they always told me to stop bringing up safety problems we have bigger issues to worry about.

**Allegation 8:** CAAA has posted outdated or obsolete safety information.

**Allegation 8 response by WB:** IO found this allegation unsubstantiated. This is another deficiency I assume was corrected between the time I made my complaints in October 2020 and the IO did his inspection in March 2021. Before I was sent home there was not a bulletin board in any CAAA space I had ever been in that was compliant.

I swear that all of my responses are truthful to my knowledge.

Thank you for your time and consideration to these matters.



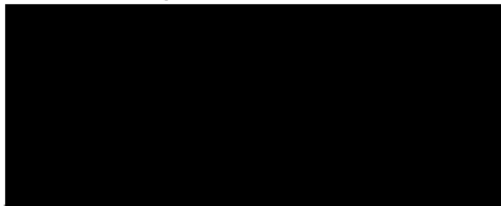
Subject: Whistleblower comments for OSC in regards to new provided U.S. Army 15-6 documents.

Date: 4/13/2022

From: 

The only comments to the additional documents provided are as follows. I find it interesting still that everyone that told me they told the investigator how bad things really were have no written witness statements in this report. The only written statements are from people who made statements to fit the Army narrative. Several people who know the truth also signed non-disclosure agreements. People including managers and commanders need to be held accountable for discounting worker safety handling explosives. This report mentions the hiring of a PSM Engineer. Last I heard that job has not even been filled yet over a year later. Hopefully nobody dies before someone in the government takes these safety deficiencies seriously. I certify all statements made are true to my belief and knowledge.

Sincerely



Former CAAA Safety Manager