

## Dangerous bridge led to OSHA official's resignation

WASHINGTON -- It's been nearly five years since Bill Alcarese drove across the Kent Narrows Bridge and spotted the hazard that led to his rancorous departure from the Occupational Safety and Health Administration.

Alcarese and his family were on the way home to Baltimore from an all-day outing on Maryland's Eastern Shore. It was Martin Luther King Day -- Jan. 15, 1990.

Crossing the narrows, Alcarese, then a safety compliance officer in OSHA's Baltimore area office, saw what he believed to be an "imminent danger" situation on a bridge under construction nearby: workers were standing atop 65-foot, concrete "pier caps" without fall protection and were jumping to and from crane-suspended platforms.

Alcarese was so disturbed that he called then-area director Larry Liberatore at home that evening.

Liberatore "said he would take care of it," Alcarese said in a recent interview, but refused to let him inspect the site. Liberatore, now director of maritime safety standards in OSHA's national office in Washington, said he promptly dispatched another inspector, Dave Miller, who found no hazards.

But on Jan. 26, 1990, 30-year-old Paul Schneck, an employee of McLean Contracting Co. of Glen Burnie, Md., died from a fall under the very circumstances Alcarese had noted on his family trip: Schneck was trying to get onto a platform from an unguarded pier cap and plunged to the ground.

Schneck's death, and what Alcarese viewed as OSHA's failure to address an unsafe condition either before or after the accident, moved Alcarese to leave the agency in September 1990. "I took my job seriously," he said. "When I left OSHA, I left out of disgust."

Alcarese, now a safety specialist for the U.S. Department of Defense, agreed to discuss the bridge death with the Houston Chronicle and supply previously undisclosed documents about it,

including a June 1991 OSHA investigative report that concluded: "It would appear that the system broke down. Unfortunately, had this breakdown not occurred, a death may have been avoided."

Alcarese said he believes Schneck's death and its aftermath are symptomatic of two bigger, agencywide problems: OSHA's failure to listen to its own inspectors, and its inability or unwillingness to discipline its own managers.

These lapses hurt morale and discourage OSHA employees from coming forward with concerns or allegations, Alcarese said. "It makes people want to run the other way."

Six months before Schneck's death, a McLean crane operator had lodged a formal imminent danger complaint with the Baltimore Area Office. The subjects: lack of fall protection and misuse of cranes to hoist workers. No citations were issued as a result of the complaint.

Liberatore defended his performance prior to Schneck's death, saying that on the day inspector Miller visited the bridge job there was no obvious breach of safety.

"Conditions can change on construction sites," Liberatore said. "I think we were responsive to the report of unsafe conditions."

Alcarese finally was assigned to inspect McLean on Jan. 27, 1990, the day after Schneck died. Alcarese and a compliance officer with Maryland Occupational Safety and Health conducted a joint inspection that continued, off and on, for about six weeks. During the inspection, Alcarese said, the same fall hazard that led to Schneck's death was in plain sight and even captured on videotape. "OSHA still took no action," Alcarese said.

Ultimately, McLean was cited for the death, but Alcarese was dismayed that the company settled with OSHA for 20 percent of the proposed fine.

Alcarese was still fuming when he left the agency in September 1990. He spoke at length with OSHA's Rich Weitzman, who conducted a whistleblower investigation out of the agency's Pittsburgh office.

Alcarese told OSHA and congressional investigators that he believed Liberatore had a "special relationship" with the contractor. Indeed, a month after Schneck was killed, a Baltimore Sun feature article on McLean paraphrased Liberatore as saying that the contractor had "built an effective relationship with safety regulators" and had a "strong, though not perfect, record for safety."

Weitzman concluded in his final report that there was "no evidence of a special relationship" between Liberatore and McLean but that the OSHA system had failed.

Weitzman wrote that one of his duties was "to determine if the response to the imminent danger was appropriate. Clearly it was not. There was no response. Nobody, including Alcarese, followed up on his allegations of imminent danger" by filling out the appropriate forms.

Alcarese acknowledged that he never put his warnings in writing, but said it was not office policy to do so. He said he badgered Liberatore about the bridge hazard in the days prior to Schneck's death.

Alcarese, 40, was characterized in some OSHA documents as holding a vendetta against McLean, but he said he was simply an aggressive inspector who wanted to save lives.

"All I did in this (McLean) case was my job," Alcarese said. "This big failure was a product of a lot of little failures you could see occurring day to day in the OSHA system."