

Metro

THE ORANGE COUNTY REGISTER, THURSDAY, SEPT. 12, 1996

Sewer agency settles lawsuits over fatal fire

GOVERNMENT: Sanitation districts' payments to families will total \$5 million to \$10 million, attorney says.

By CHRIS KNAP
The Orange County Register

The county's public sewer agency has agreed to pay more than \$5 million to settle wrongful-death claims by the families of two construction workers burned to death in a Huntington Beach sewage plant in 1994.

Claremont attorney Cynthia Hafif said Lacey Miller, who was 11 when her father, Robin Miller, was killed, will receive a \$2.5 million annuity that will pay her an estimated \$25 million over her lifetime.

Hafif said the Orange County Sanitation Districts also has agreed to settle with Andy Charles Patterson and Jackie J. Venezio, the father and mother of victim Charles J. Patterson, and with Dorothy Holm, the wife of Richard Holm, who was also burned in the accident and died of cancer several months later.

Hafif said the settlements will cost the sewer agency between \$5 million and \$10 million.

Donald McIntyre, the agency's general manager, confirmed Tuesday that its board of directors has approved a settlement but declined to discuss details.

"I recommended the settlement. I thought it was more certain than a jury decision," McIntyre said.

Miller and Patterson were killed, and Holm was badly burned, when a flash fire engulfed a sewage channel where they were replacing a valve. According to a 1994 report by the state Division of Occupational Safety and Health, operators failed to shut down an oxygen plant that had filled the channel with explosive gases.

State officials cited the sanitation agency for four serious violations of worker safety.

"The main thing the (families) had to live with is: 'Why did they let this happen?'" Hafif said. "Two employees had measured the oxygen atmosphere at 6 a.m. They knew it was 97 percent oxygen, but they still allowed them to go down there."