



Advocate staff photo by Bill Feig

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computers

matic designs for additions to Acadian Middle School and Ossun Elementary School. Both projects are being funded by a \$60 million bond issue. The project at Ossun Elementary requires replacing more than 20 portable buildings with 26 permanent classrooms, an increase from 37,000 square feet to 52,000 square feet. The total cost is \$5.4 million. The addition will be integrated into the existing building, with the aim to make the old and new indistinguishable, said architect Lynn Guidry.

Prairieville man wins judgment from Taft plant

By VICKI FERSTEL
Suburban writer

A state judge awarded \$1.2 million in actual damages and \$1 million in punitive damages to a Prairieville draftsman suffering lung, brain, sinus and eye injuries after being exposed to amine vapors leaking at the Union Carbide chemical plant in Taft.

The trial on the lawsuit for damages filed by Donald J. Oubre, 49, against Union Carbide was held during October 1997 before 23rd Judicial District Judge Ralph Tureau.

In a judgment filed Monday, Tureau wrote that the "significant, highly unreasonable risks of injury and harm" that existed at the plant "continue to exist today because of the indifference exhibited by Union Carbide and its employees."

In July 1994, Oubre was employed by Jacobs Engineering Inc. to draft as-built drawings of equipment at the Union Carbide plant.

He was working in an evaporation area housing a pressurized process device called a "Two-to-One Bird Centrifuge" through which amines are heated.

Amines are chemical compounds derived from ammonia.

The centrifuge had a history of frequent amine leaks that caused Union Carbide to permanently reassign affected workers, Tureau noted of the company officials' testimony.

Exposure to amines may cause long term lung damage, liver damage, kidney damage, and in some cases, cancer. While working on the centrifuge platform, Oubre leaned over a piece of equipment attached to the centrifuge and suddenly inhaled the leaking vapors.

He immediately left the site and sought medical attention.

Oubre returned to the job two days later, but became increasingly ill. After a series of surgeries and other medical treatments, Oubre remains limited in the type of work

he can pursue, according to the settlement.

Union Carbide, the judge ruled, failed to warn Oubre about the potential risks, failed to furnish him protective equipment, and failed to prevent him from returning to the unit where ambient amine vapors further aggravated his medical symptoms. Attorneys for Union Carbide had argued that Oubre was not exposed to the amine vapors and his medical symptoms predated his work at the plant — an argument Tureau did not buy.

Leonard Cardenas III of Baton Rouge, the attorney who represented Oubre, issued a statement

Wednesday saying the \$1 million punitive damage award "reflects the recklessness with which Union Carbide operates its chemical facility in Taft, presenting a significant health hazard to those working in and around the plant."

John D. Person of New Orleans, one of the attorneys for Union Carbide, was not available for comment Wednesday.

Punitive damages are extra money awarded to wronged parties, above and beyond actual damages they've suffered, solely to punish the offending parties.

Louisiana now limits civil-case punitive awards to damages caused by drunken drivers or sexual predators.

The Union Carbide incident pre-dates that tort reform.

Tureau's \$1 million punitive damage judgment against Union Carbide pales by comparison to some of the more flagrant punitive awards by civil court juries in Louisiana.

In November 1997, a jury in Iberville Parish issued a \$15 million in punitive damage judgment against a pipeline company. The case is now being appealed.

In October 1997, the Louisiana Supreme Court overturned a \$3.4 billion punitive damages award issued by another jury for residents of a New Orleans neighborhood evacuated because of a rail car fire.

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