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Former Imperial exec says Imperial quit shutting down local plant for annual upkeep

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Imperial Sugar Co. quit shutting down its local plant for annual upkeep because it cost too much, a former Imperial executive says.
Graham Graham testified this summer in connection with a federal investigation of the deadly Feb. 7, 2008, inferno at Imperial's Port Wentworth refinery.
Maintenance and housekeeping are key issues in legal battles stemming from the disaster, which killed 14 people and hurt many more.
Since July 2008, Graham has leveled many accusations against Imperial, which in turn has waged a campaign aimed at discrediting him.
"Like many of his other remarks about the company, Mr. Graham's testimony regarding plant shutdowns is inaccurate," Imperial spokesman Steve Behm said Friday.
Go to savannahnow.com/news/explosion to read more about the Imperial Sugar Co. explosion.
Also Friday, the company posted on its Web site a lengthy Aug. 18 press release, entitled in part "Whistleblower changes story."
That was a reference to previous claims by Graham, not his statements about annual maintenance shutdowns.
Graham discussed the shutdowns in a July 11 sworn statement to lawyers for the U.S. Occupational Safety and Health Administration.
He said the company used to have a "top-to-bottom extended shutdown" at Port Wentworth and other plants for up to 10 days a year.
But Graham said Imperial stopped doing so because "it took too much time out of the production schedule and cost too much money."
"I'm not going to do the additions in my head," he said, "but it's a substantial amount."
Graham said he learned of the shutdowns from Oscar Brannen, former interim manager at Imperial's refinery in Gramercy, La.
Graham said he "may have" talked about the matter with Charlie Rogers, another manager at Gramercy.
Brannen, who no longer is with the company, did not return two calls made to seek comment.
Rogers declined to discuss the matter.
"I can't tell you a thing," he said. "You have to go to the lawyers."
Graham said he didn't know when the practice was discontinued, but believed it was "a number of years" before he joined Imperial in late 2007.
His attorney, Philip Hilder, said last week the most recent extended shutdown probably was "three or four years" earlier.
Brian Harrison, who preceded Graham as Imperial's vice president of operations, failed to return two calls made to seek comment.
Graham acknowledged that plants sometimes were shut down for "limited periods." But he said that was mostly for "capital-type jobs" such as installing new equipment.
He said he told President and CEO John Sheptor the company should work toward rescheduling annual shutdowns.
Graham said he also discussed the matter with Sheila Turner, a master scheduler at the company's headquarters in Sugar Land, Texas.
Sheptor did not return two calls made to seek comment.
Turner refused to confirm or deny whether she discussed the matter with Graham.
"You're going to have to talk to someone else about that," she said.

Lawyers see vindication
Lawyers for victims of the disaster and their families said Graham's contention vindicates their position.
"We've always said Imperial is more interested in increasing dividends for ... shareholders than maintaining ... worker safety," said Mark Tate.
OSHA has proposed to fine the company $8.8 million for alleged safety violations at Port Wentworth and Gramercy, La. Imperial is appealing.
Graham became a whistle-blower witness after the catastrophe.
He testified at a 2008 U.S. Senate hearing that Imperial hindered his efforts to make the

Port Wentworth plant safer, a claim the company denies.
He said the facility was so dangerous he was surprised no one already had been killed there.
Graham, who left the company in January, also is a witness in lawsuits by catastrophe victims and their families.
Hilder said Graham has returned to his native Scotland. Attempts to reach him last week were unsuccessful.

Company slams Graham
Enlisting help from U.S. Sen. Saxby Chambliss, R-Ga., Imperial long has tried to undermine Graham's credibility.
Coached by Imperial, Chambliss badgered Graham at the Senate hearing.
The company also accused him of faking a warning he said he sent Sheptor or former Imperial President and CEO Robert Peiser about dangers at the plant.
Graham responded that Imperial fabricated its evidence by tampering with his laptop computer.
In the Aug. 14 news release, Imperial cited what it said were contradictions in Graham's testimony in various proceedings.
The statements the company zeroed in on do appear to have inconsistencies.
Imperial also cited statements by others at the company that contradict Graham's accounts of events and conversations.
Moreover, the document cited e-mails it said showed Sheptor and others worked with Graham to root out hazards at the plant. It also excerpted e-mail exchanges it said showed Graham was reporting "positive results."
But Hilder rejected the company's claims.
"Imperial has plucked a handful of statements out Mr. Graham's 1,400-plus pages of testimony and woven them into a quilt that has no relationship to the truth," he said.
He said Imperial has withheld documents - such as e-mails Graham exchanged with Sheptor - that would verify some of his claims.
Behm declined a request by the Morning News to release all the e-mails.
"I believe you have those mentioned in the release - shared with you around the same time Mr. Graham made public remarks about his exchange with Mr. Sheptor," Behm said Aug. 18.
Graham's claims supported
The lawyer also noted the U.S. Chemical Safety Board's recent report confirmed many of Graham's charges.
Like Graham, the board, which investigates chemical industrial accidents, cited poor maintenance and housekeeping.
That, the board found, led to widespread build-ups of combustible sugar dust, which investigators say fueled the conflagration.
The watchdog panel also found - as Graham said - the Port Wentworth plant lacked a working fire alarm system and there were no fire drills.
In addition, the board - like Graham - said the plant's electrical equipment and wiring often was poorly maintained, unsafe and covered with sugar dust.
Imperial has not disputed the board's findings.
Many of OSHA's allegations against the company focus on similar issues.
Imperial gains little by trying to discredit Graham, especially in light of the board's findings, said Tom Bordeaux, a lawyer for a victim of the incident.
"If the best they can do is to insist that their own vice president was lying," Bordeaux said, "they're in pretty sorry shape."