



United States of America  
**OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**  
1120 20th Street, N.W., Ninth Floor  
Washington, DC 20036-3457

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**SECRETARY OF LABOR,** :

**Complainant,** :

**v** : **OSHRC DOCKET NO. 08-1104**

:

**IMPERIAL SUGAR COMPANY and** :

**IMPERIAL-SAVANNAH, L.P.,** :

**Respondents.** :

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**ORDER DENYING PETITION FOR LEAVE TO INTERVENE**

This matter comes before the undersigned on two Petitions for Leave to Intervene filed pursuant Commission Rule 21, 29 C.F.R. §2200.21<sup>1</sup>, by persons who were either injured as a result of the Port Wentworth, Georgia sugar refinery explosion or surviving representatives of persons killed as a result of the Port Wentworth, Georgia sugary refinery explosion. Respondents have filed an opposition to said petitions. Complainant has filed no response. Upon consideration of the arguments presented by the parties, I find that the petitioners have not demonstrated a sufficient interest in these proceedings under the Occupational Safety and Health Act, 29 U.S.C. §§651-678, and that their participation in these proceedings will not assist the undersigned in her

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<sup>1</sup> 29 C.F.R. §2200.21, **Intervention, Appearance by non-parties.**

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(b) *Requirements of petition.* The petition shall set forth the interest of the petitioner in the proceeding and show that the participation of the petitioner will assist in the determination of the issues in question, and that the intervention will not unduly delay the proceeding.

determination of the issues in question (e.g., no demonstration of expertise or knowledge with regard to the cited standards or alleged hazards). Additionally, petitioners have not shown that their intervention will not unnecessarily delay the proceedings.

Accordingly, the two Petitions for Leave to Intervene are DENIED.

SO ORDERED this 5<sup>th</sup> day of May, 2009.

  
COVETTE ROONEY  
U.S. OSHRC JUDGE

**CERTIFICATE OF SERVICE**

I certify that all parties have consented that all papers required to be served may be served and filed electronically. I further certify that a copy of the Order Denying Petition For Leave to Intervene was electronically served on May 5, 2009 on the following parties:

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I further certify that a copy of the Order Denying Petition for Leave to Intervene was served via facsimile and by first class mail on May 5, 2009 on the following parties:

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