



PIMA COUNTY BOARD OF SUPERVISORS
 DISTRICT 1
 130 WEST CONGRESS STREET, 11TH FLOOR
 TUCSON, AZ 85701-1317
 (520)724-2738
 district1@pima.gov
 www.district1.pima.gov

ALLY MILLER
 SUPERVISOR

MEMORANDUM

To: Julie Castaneda, Clerk of the Board
 Date: **January 12, 2018** *AM*
 From: Ally Miller, District 1 Supervisor
 Pima County Board of Supervisors
 Re: **Agenda Item for February 6, 2018 Board of Supervisor's Meeting**

Please place the following item on the **February 6, 2018** Board of Supervisors
Agenda:

**Discussion and possible action related to Agenda Item: Discussion and Vote
 World View Explosion**

- A. Discussion and Vote: To Initiate Investigation of Hydrogen Balloon explosion which occurred at the Pima County Taxpayer owned Space Port operated by World View on December 19, 2017.**
- B. Action requested on the attached list of concerns related to this incident include but are not limited to:**

The Pima County Board of Supervisors entered into this agreement with World View in January 19, 2016 per the recommendation of the County Administrator. We must ensure taxpayer interests and residents of this community are protected. It is especially disturbing that the Board of Supervisors has not received any communication from World View regarding this explosion. Had the Arizona Daily Independent not published a video of the explosion, it may have been completely downplayed as a minor incident. It is a miracle that no one was seriously injured or killed by this violent explosion. It could have been far worse. The residents of this community deserve answers and it is incumbent upon the Board of Supervisors to provide these answers.

JAN 12 18 PM 04:31 PC CLK OF BD *AM*

I request that Pima County Board of Supervisor's require World View to conduct a full Investigation, at their expense, to determine the cause as well as a report of corrective actions identified to prevent any future incidents.

Following is a list of concerns that has been identified for discussion, action and vote.

- 1. Is an outside agency required to lead this investigation to ensure full transparency to the taxpayers?***
- 2. Require World View to provide a listing of all damages including costs to repair any damage on Pima County owned property or on any and all neighboring property.***
- 3. Require World View to provide reports of any injuries that resulted from this explosion.***
- 4. Evaluation as to whether Federal and/or State statutes violated in the handling of hazardous materials or in the operations at World View, including the use of hydrogen, as well as any other explosive or regulated hazardous materials. The following regulations and Statutes should be reviewed by an appropriate agency/subject matter expert to ensure compliance in reference to this incident as outlined per the terms of the Contract:***
 - 40 USC 260 (RCRA)***
 - 42 USC 7401 (Clean Air)***
 - ARS Title 49 Chapter 3***
 - ARS Title 49 Chapter 4***
 - 49 CFR 172.01 DOT HAZMAT Table***
 - 40 CFR Part 302 EPA***
- 5. According to this Contract (Section 7.3.1), Pima County must provide express written consent for hazardous materials being used or stored on this property. Did Pima County issue written consent for any hazardous materials including but not limited to hydrogen?***
- 6. According to this contract, World View is to maintain compliance with all laws and regulations, as well as coordinate activities with the Tucson Airport Authority. Was this test coordinated with the Tucson Airport Authority? World View to provide documentation.***

7. *Per the Contract Terms in the Operating agreement (Section 1.5) World View had agreed to operate this facility in a safe manner in compliance with all laws and regulations. Will hydrogen be allowed on site?*
8. *Listing of all hazardous materials on site to be provided by World View.*
9. *Per the contract terms for the lease-purchase agreement, Pima County has a right to review and reasonably adjust the types and limits of insurance required. All policies are to name Pima County as an additional Insured per the terms of the agreements. In light of the explosive materials being used at World View, it is reasonable at this time to review and increase the required insurance coverage on County owned facilities. \$1 million per each occurrence is woefully inadequate. The current insurance requirements put the taxpayers at extremely high risk for liability. Request that Pima County Risk Management analyze similar operations and present a report of insurance recommendations to the Pima County Board of Supervisors.*
10. *It is important to understand what types of vehicles are being utilized at the Pima County owned facility housing World View. For example; are the vehicles containing hydrogen and helium considered World View property under the terms of the insurance agreements? If so, these automobile coverages should be discussed and adjusted, if necessary. Pima County Risk Management should analyze and present a report with recommendations to the Pima County Board of Supervisors.*
11. *World View to provide a copy of the Property Insurance (Section 10.4) showing the full replacement cost requirement for the facility along with coverage amounts which identify Pima County named as additional insured. With required notifications clause if the Policy is cancelled or lapsed (Pima County must be notified).*
12. *Identify other concerns to be addressed as related to this incident.*