



**ORANGE COUNTY
DEPARTMENT OF EMERGENCY SERVICES
DIVISION OF FIRE SERVICES**



Steven M. Neuhaus
County Executive

Vini Tankasali
Deputy Commissioner
Orange County Fire Services
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Brendan R. Casey
Commissioner

November 29, 2018

Safety Engineering Network
PO Box 405
Milford, OH 45150

Re: 463 Temple Hill Road New Windsor, NY

To whom it may concern:

Provided in this mailing is 17 pages which is the Fire Investigator's report. We have redacted telephone numbers, home addresses and birth dates of the individuals listed in the records. This information is exempt from disclosure as an unwarranted invasion of personal privacy of the subjected persons under NY Public Officers Law 89(2)(b).

We do not waive other grounds of exemption by stating the above grounds for withholding access to the records sought in your FOIL request in the event this matter is appealed. Should you wish to appeal this determination, you may do so in writing to the attention of:

Langdon C. Chapman, Esq., FOIL Appeals Officer
Orange County Department of Law
255-275 Main St
Goshen, NY 10924

Sincerely,

Vini Tankasali
Deputy Commissioner
Orange County Emergency Services-Fire Services Division

VT/sg

Orange County Fire Investigators Fire Origin & Cause Investigation

Confidential Report

Owner	Verla International Ltd
Date of Incident	11/20/2017
Location of Incident	463 Temple Hill Road New Windsor N.Y. 12553
Time of Incident	10:17 am
Assignment Date	11/20/2017
Examination Date	11/20/2017 11/21/2017
Investigator	Jeffery P. Hunt 36-
Investigator File Number	17-109-064
Cause	Accidental

Redacted

Date of Report: 1/12/18

The opinions and conclusions in this report are based on the following: the physical evidence examined; an assessment of information obtained; and my investigation of this fire loss. Barring the introduction of any additional relevant information, the following are my opinions and conclusions regarding this investigation.

Authored By:

Jeffery P. Hunt
Jeffery P. Hunt

Orange County Fire Investigator 36-109

Business Owners:

Mario Maffei

Robert R. Roth

Corporate Office:

Verla International Ltd

463 Temple Hill Road

New Windsor N.Y. 12553

(845) 561-2440

Building Data:

The involved structure is a one story commercial building used for the manufacturing and packaging of cosmetics products. The structure is divided into two sections, one for packaging and one for mixing the cosmetics "manufacturing". The section for packaging of the cosmetic products is masonry construction, contains 52,800 sq. ft. The section for mixing of the cosmetic products is steel frame with metal siding, containing 19,350 sq. ft.

Weather Conditions:

Air temperature at the time of the initial call was 37 degrees.
Winds were 14 MPH gusting to 23 MPH in a W.N.W. direction.
Skies were partly cloud.
Weather data was obtained from www.wunderground.com

Summary of Initial Call:

On November 20, 2017 at approximately 10:19 am the Vails Gate Fire Department was dispatched to Verla International, Ltd., 463 Temple Hill Road, New Windsor, N.Y. 12553 for a reported structure fire with explosion. The first firefighter, Vails Gate Car 2 – William Powles, arrived on scene at 10: 24 am and reported a working structure fire with visible fire showing in the one/four corner (front/right).

Orange County Fire Investigator Scott Danielson, 36-115, arrived on scene at approximately 12:02 pm and took initial photographs of scene.



Scene upon initial fire investigators arrival the one/four corner of building



Photo of the three/ four corner shortly after fire investigators arrival

Day 1 – 11/20/2017 12:02 pm

Roll call of investigators on scene:

Orange Fire Investigation Unit

Jeffery P. Hunt 36-109

Scott Danielson 36-115

Scott F. Mandoske 36-103

Charlie Woznick 36-102

Bruce D. Guttenplan 36-6

Kimberly Desocio 36-112

N.Y.S. Office of Fire Prevention & Control

Deputy Chief William J. McGovern

Investigator John Fairclough

Investigator Kristi Geary

Investigator Jason Green

Interviews Conducted on Scene:

Leo Gesvantner—Plant Manager of Verla International Ltd

No Address Given

November 20, 2017

Interview of Mr. Leo Gesvantner was conducted by Orange County Fire Investigators Scott Danielson and Jeffery P. Hunt.

Mr. Gesvantner stated he was in his office on the other side of the structure when he heard an explosion followed by the fire alarm system sounding. Mr. Gesvantner also stated that as he was leaving his office to investigate what had happened he noticed smoke coming from the batch mixing room. Mr. Gesvantner also stated that as he neared the batch mixing room he noticed the fire door had dropped closing off the batch room from the rest of the structure. Mr. Gesvantner also stated that at this time he helped to make sure that all employees working that day made it out of the structure safely. Mr. Gesvantner also stated that he had all of the factory supervisors conduct a head count all of the employees that were under their supervision that day, to make sure everyone was out of the structure. Mr. Gesvantner stated that all but one employee was accounted for. Mr. Gesvantner stated that they could not locate a Mr. William Huntington, Packing Line Engineer, after the explosion. Mr. Gesvantner stated that the last time Mr. Huntington was seen was twenty to thirty minutes before the explosion, outside of the batch mixing room fire doors. Mr. Gesvantner stated that Mr. Huntington was not answering his cell phone, and was not at home. Mr. Gesvantner stated that Mr. Huntington's office was in the batch mixing room.

Mr. Gesvantner was asked what product was being mixed that morning at the time of the explosion. He stated that he did not know and he would have to ask the batch supervisor, Ms. Enas Hanna. At this time we asked Mr. Gesvantner if he could call Ms. Hanna on her cell phone and ask her to come to the Fire Investigation Van to be interviewed. Mr. Gesvantner called Ms. Hanna and asked her to come to the van and she agreed. Mr. Gesvantner was asked if smoking was permitted in the building and he stated "absolutely not".

Mr. Gesvantner was asked what flammable materials were used in the factory. He stated that the most used chemicals were ISP/70% and Acetone. Mr. Gesvantner stated that neither of those chemicals were being used that day. Mr. Gesvantner was asked if they had security cameras in the structure. Mr. Gesvantner stated that they did have security cameras throughout the structure. Mr. Gesvantner was asked if there were cameras in the batch mixing area and if they were working. Mr. Gesvantner stated that they did have cameras in the batch mixing area and yes, they were all working. Mr. Gesvantner was asked if it was possible to view the footage of that batch mixing area before and after the explosion and if we could obtain a copy of the footage. Mr. Gesvantner stated that we could view it and get a copy as soon as he could get back into the building and into his office. The interview ended at this point.

November 21, 2017

The interview with Mr. Gesvantner continued on November 21, 2017. Mr. Gesvantner was asked if we would be able to view and download the security camera footage from the batch mixing room from November 20, 2017. Mr. Gesvantner stated that there was no power in the structure so he would not be able to access the security camera footage. We informed Mr. Gesvantner that we could supply power to the server and his office computer with portable generators and extension cords. Mr. Gesvantner stated that if we could do that he would then be able to download the security camera footage and we would be able to view the footage and make a copy of the footage. At this time we powered up his equipment and Mr. Gesvantner downloaded the video and made a copy for us and we were then able to view the footage.

We asked Mr. Gesvantner if he had a copy of the MSDS sheets for the chemicals that were being used the morning of the explosion. Mr. Gesvantner stated he did not have a hard copy of them but would be able to get a copy once the structure got full power back as they were kept on a computer in the lab manager's office. The interview ended at this point.

On Tuesday, November 28, 2017 Mr. Gesvantner sent an email with the MSDS sheets of the chemicals being mixed on November 20, 2017, to Orange County Fire Investigator Hunt.

Mario Maffei – President of Verla International Ltd

November 20,

2017

The interview of Mr. Mario Maffei was conducted by Orange County Fire Investigators Scott Danielson and Jeffery P. Hunt.

Mr. Maffei stated that he was in his office in the front section of the structure when the explosion occurred. Mr. Maffei stated he left his office after the explosion to see what had occurred, was entering the factory section of the structure and he found employees exiting the structure. He also saw smoke filling the structure. Mr. Maffei stated that at that time he exited the structure. Mr. Maffei was asked if the fire alarm system was going off, and he stated he did not hear any alarms.

Mr. Maffei stated that after he exited the structure he walked around to the back loading dock area from the outside and found the batch mixing area with heavy smoke and fire coming out of it. Mr. Maffei stated it was shortly after this that he was informed by Mr. Gesvantner that he had all of the supervisors doing a head count of all employees that were at work that day, to make sure that they all got out. Mr. Maffei was asked if he knew what product was being mixed that morning and he stated he did not know and that we would have to ask Ms. Enas Hanna as she is the batch supervisor. The interview ended at this point.

Ms. Enas Hanna – Batch Supervisor of Verla International Ltd
No Address was given

November 20, 2017

Interview of Ms. Enas Hanna was conducted by Orange County Fire Investigators Scott Danielson and Jeffery P. Hunt.

Ms. Hanna was asked if she witnessed the explosion. Ms. Hanna stated she was in her office and she heard the explosion and then looked out the office window and saw flames. Ms. Hanna then exited her office and saw flames at ground level. Ms. Hanna then stated that she exited the structure.

Ms. Hanna was asked how far away her office was from the explosion. Ms. Hanna stated her office was about 10 feet away from the explosion. Ms. Hanna was asked the name of the employee that was mixing the batch that exploded. Ms. Hanna stated the name of the employee that was mixing the batch that exploded was Mr. Levy Estrada. Ms. Hanna was asked if she ever had a problem with Mr. Estrada. Ms. Hanna stated that she never had a problem with Mr. Estrada, and that he was a good employee.

Ms. Hanna was asked if she knew what the product was that was being mixed and what chemicals were used to make the product. Ms. Hanna stated she would need the batch number or the printed recipe for that batch number. We then asked her where these item could be found. Ms. Hanna stated that Mr. Estrada would have had the printed recipe with him as he was mixing the product. It was also in the computer. The interview ended at this point.



Picture of the distance from Batch Supervisor's office (picture was taken off the video).

Ms. Alejan Perez – employee of Verla International Ltd
No address given

November 20, 2017

Phone interview of Ms. Alejan Perez was conducted by Orange County Fire Investigators Scott Danielson and Jeffery P. Hunt.

Ms. Perez was asked where she was at the time of the explosion. Ms. Perez stated she was in the office she shares with Ms. Hanna. Ms. Perez was asked if she witnessed the explosion. Ms. Perez stated that she heard the explosion and looked out the office window and saw flames, then exited the office and saw flames at floor level and at that time she exited the structure. The interview ended at this point.

Levy Estrada, employee of Verla International Ltd.

November 20, 2017

The Interview of Mr. Levy Estrada was conducted at St Luke's Cornwall Hospital Newburgh Campus, by Orange County Fire Investigator Scott F. Mandoske and ATF Special Agent Peter D'Antonio and assisted by St. Luke's Nurse Neugebauer as interpreter.

Mr. Estrada stated he started his shift at 08:00 hrs. He put on his safety equipment, (HAT, GLASSES AND VEST). Mr. Estrada stated he was mixing a batch. The company makes perfumes and lotions. Mr. Estrada states he was starting a batch and was measuring the liquids in kilos. He was transferring liquid from a metal drum to a plastic tank, and then it exploded. He was asked what he was mixing and was unsure of the chemicals, other than it had a strong smell.

Mr. Estrada was pouring from a metal container and was measuring 149 kilos for the transfer. Mr. Estrada stated the plastic container will hold 1000 kilos. Mr. Estrada stated that he poured from a metal drum and then poured from another drum and was pouring from a third metal drum and it then exploded. Mr. Estrada was asked if it was the same chemical or if it was a different chemical. He stated it was the same chemical. Mr. Estrada was asked if he went and gathered the chemicals for the batches, he stated the chemicals were brought to him initially.

Mr. Estrada stated that the batch was supposed to be 343 kilos and he needed to add several metal containers to make a full batch. We asked if this was a routine mix, Mr. Estrada stated it was not routine, and was out of the normal routine.

Once the explosion occurred he was thrown back, and was helped up and out of the building by Jose Osequera. He stated the fire spread was very rapid. The interview ended at this point

On November 21, 2017 Orange County Fire Investigator Scott F. Mandoske and ATF Special Agent Peter D'Antonio went to St Luke's Cornwall Hospital to re-interview Mr. Levy Estrada. The interview was conducted with a telephone interpreter.

Mr. Estrada was asked again to restate the events of the previous day and was consistent with his statements from November 20, 2017. Mr. Estrada was also asked if it was the same chemical or two different chemicals. Mr. Estrada stated it was the same chemical.

Further information was gathered from the scene on 463 Temple Hill Road and relayed to investigator Mandoske and ATF Special Agent D'Antonio. Mr. Estrada was then asked if he used a rag or towel to wipe off the top of the plastic container. Mr. Estrada stated he wiped off the top of container and then "BOOM" the explosion occurred. The interview ended at that point.

Interviews of Initial Responders

On November 20, 2017 interviews were conducted with the first Vails Gate firefighters to enter the structure. All interviews were conducted by Orange County Fire Investigators Scott Danielson and Jeffery P. Hunt.

Firefighters Chris Diaz and Will Gayton stated that on arrival there was heavy smoke coming from the rear of the structure on the 1 - 4 side (it was learned later that this portion of the structure was the batch mixing room). Firefighters Diaz and Gayton stated that they made entry from the parking lot on the 1 - 4 side of the structure with a 2 ½" hose line. Firefighters Diaz and Gayton stated they were only able to advance 100' to 200' feet into the structure before they encountered high heat on the right side

of them. As they continued in there was an explosion in front of them that blew out the wall of the structure to the left of them, and at this time they exited the structure.

Firefighter John Rindt stated he made entry into the structure on the 1 – 4 side of the building. Firefighter Rindt stated he encountered heavy smoke and heat which made him go down on his hands and knees. Firefighter Rindt stated when the explosion occurred he exited the structure. Firefighter Rindt stated he was with 6 to 8 other firefighters at that time.

Firefighter Francis Bedetti stated he was on the first due engine and entered the structure on the 1 – 4 side. Firefighter Bedetti stated he made it into the structure 20' to 25' feet at which time he was ordered out of the structure. Once outside, there was an explosion inside of the structure.

Injuries

Victim # 1, William Huntington (Verla International Ltd employee) was found by firefighters behind the offices in the batch room. He was deceased. The Town of New Windsor Police Department contacted the Orange County Medical Examiner's Office for the removal of the body. The Orange County Medical Examiner's Office also scheduled an autopsy to determine the cause of death. The autopsy determined the cause of death to be from smoke inhalation.

Victim # 2, Levy Estrada (Verla International Ltd employee) sustained 2nd degree burns to 10% of his body on his face and head and was treated and admitted to St Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550.

Victim # 3, Mike Kiernan (The City of Newburgh Firefighter) sustained 2nd degree burns to 3% of his body on his face and head and was admitted to Westchester Medical Center Burn Unit, 100 Woods Road, Valhalla N.Y. 10595.

Victim # 4 John Nokland (Assistant Chief of the City of Newburgh Fire Department). Sustained hearing loss from the explosion and was treated and released from St. Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550.

Victim # 5, Scott Mocko (Lieutenant of The City of Newburgh Fire Department) sustained 3rd degree burns to neck and face and was treated and released from St. Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550

Victim # 6, Anthony Muhammad (Lieutenant of The City of Newburgh Fire Department) sustained a broken ankle and was treated and released from St Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550.

Victim # 7, Anu Flippin (City of Newburgh Firefighter) sustained 3rd degree burns to neck and face and was treated and released from St. Luke's Cornwall Hospital 70 Dubois Street, Newburgh N.Y. 12550

Victim 8, Jason Blackwell (City of Newburgh Firefighter) sustained a back injury and was treated and released from St. Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550.

Victim # 9, Patrick Griffin (City of Newburgh Firefighter) sustained a shoulder injury and was treated and released from St. Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550.

Victim # 10, Justin Myers (City of Newburgh Firefighter) sustained a back injury and was treated and released from St. Luke's Cornwall Hospital, 70 Dubois Street Newburgh N.Y. 12550.

There was also over 50 other Verla International Ltd employees that went to the emergency room with different medical complaints from the fire. All were treated and released from St. Luke's Cornwall Hospital, 70 Dubois Street, Newburgh N.Y. 12550

Fire Department Extinguishment Methods:

The fire department made an initial interior attack with 2 ½" hand lines but was forced out of the structure when a second explosion occurred. At that time the fire department went to an exterior attack with master streams and foam. The fire department did utilize an excavator to open up the outside wall of the 3-4 side of the structure and to remove the collapsed office area to get to the hot spots. At the request of Investigator Hunt the excavator never operated inside of the structure and did not remove anything from inside except the rubble from the collapsed office area.

Fire investigators left the scene at 23:00 hrs. on 11/20/2017. The fire department was still operating extinguishing hot spots. The Town of New Windsor Police Department secured the area with a patrol car and officer for the night at the request of Investigator Hunt.

Day 2 - 11/21/2017 8:30 am

Fire Investigators arrived back on scene. The Town of New Windsor Police Department was still on scene with two patrol cars. Roll call of Fire Investigators on scene:

Orange County Fire Investigation Unit

Jeffery P. Hunt 36-109 Lead Investigator

Scott F. Mandoske 36-103

Charlie Woznick 36-102

Kimberly Desocio 36-112

ATF Special Agent

Peter D'Antonio

Town of New Windsor Police Department

Detective John R. Vasta

At 9:00 am the investigators completed a walkthrough of the structure. After the walkthrough Investigator Hunt assigned Investigator Woznick to get power to the computer server and the computer in Mr. Leo Gesvanter office so we could view the security camera footage of the batch mixing room before and during the explosion. Investigator Hunt assigned Investigator Desocio to take digital photos of the exterior and interior of the structure. Investigator Hunt also assigned Investigator Mandoske and ATF Special Agent D'Antonio to go St Luke's Hospital and re-interview Mr. Levy Estrada.

Area of Origin:

Based on interviews of Mr. Estrada, Ms. Hanna and Ms. Perez along with the evidence shown by video from the security camera footage the area of origin was determined to be in the batch mixing area in front of the Batch Mixing Supervisor's office.

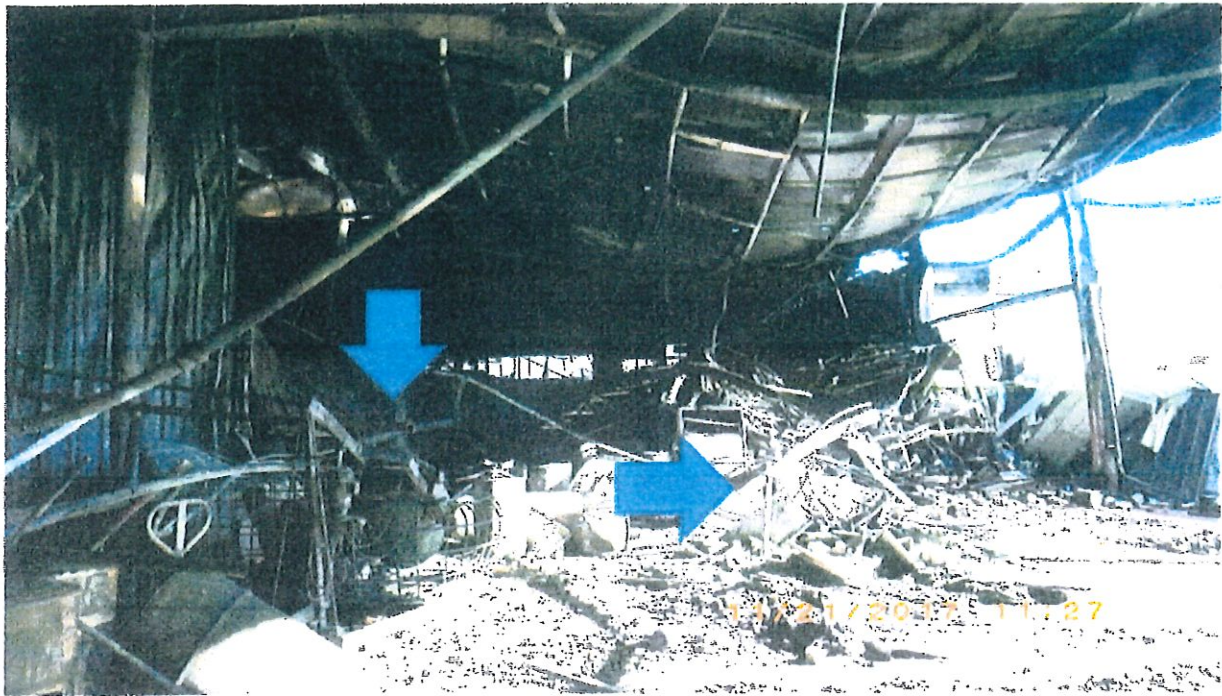
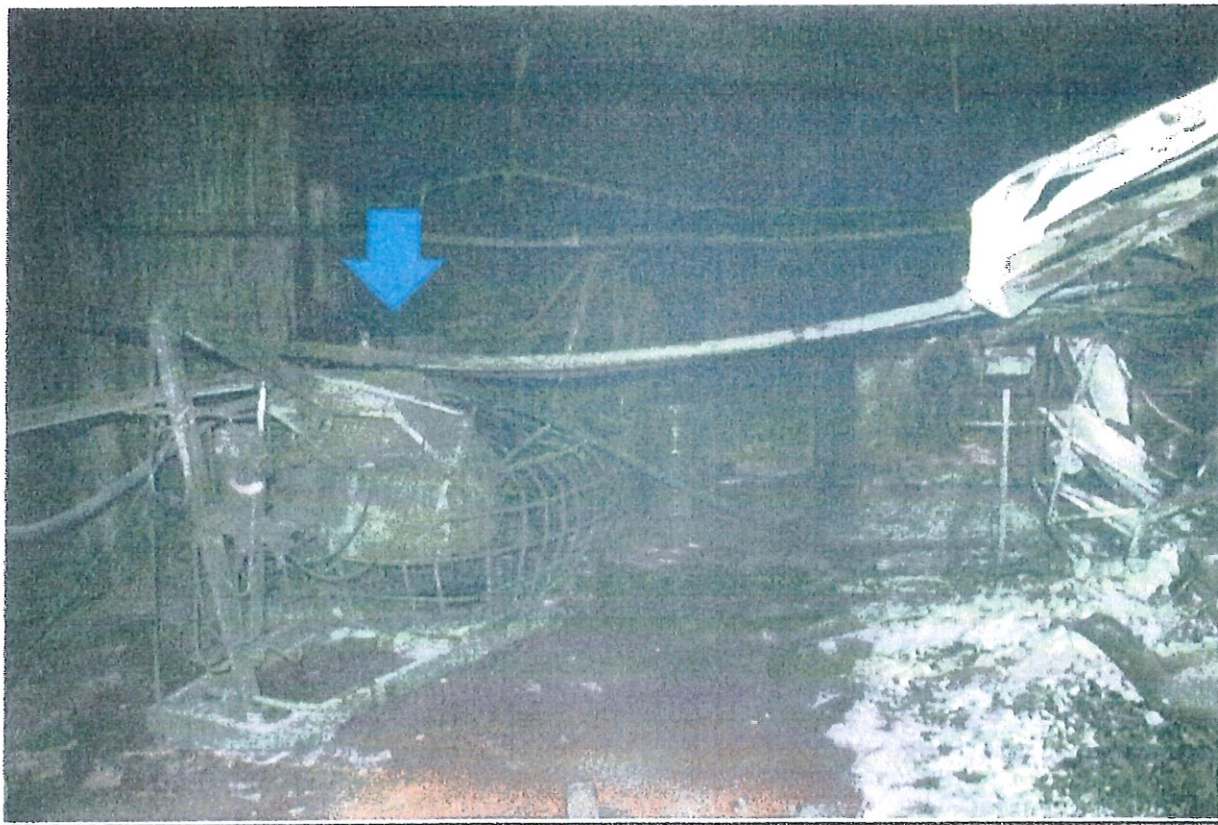


Photo of suspected area of origin plastic tank and metal tank is on the left and office was on the right

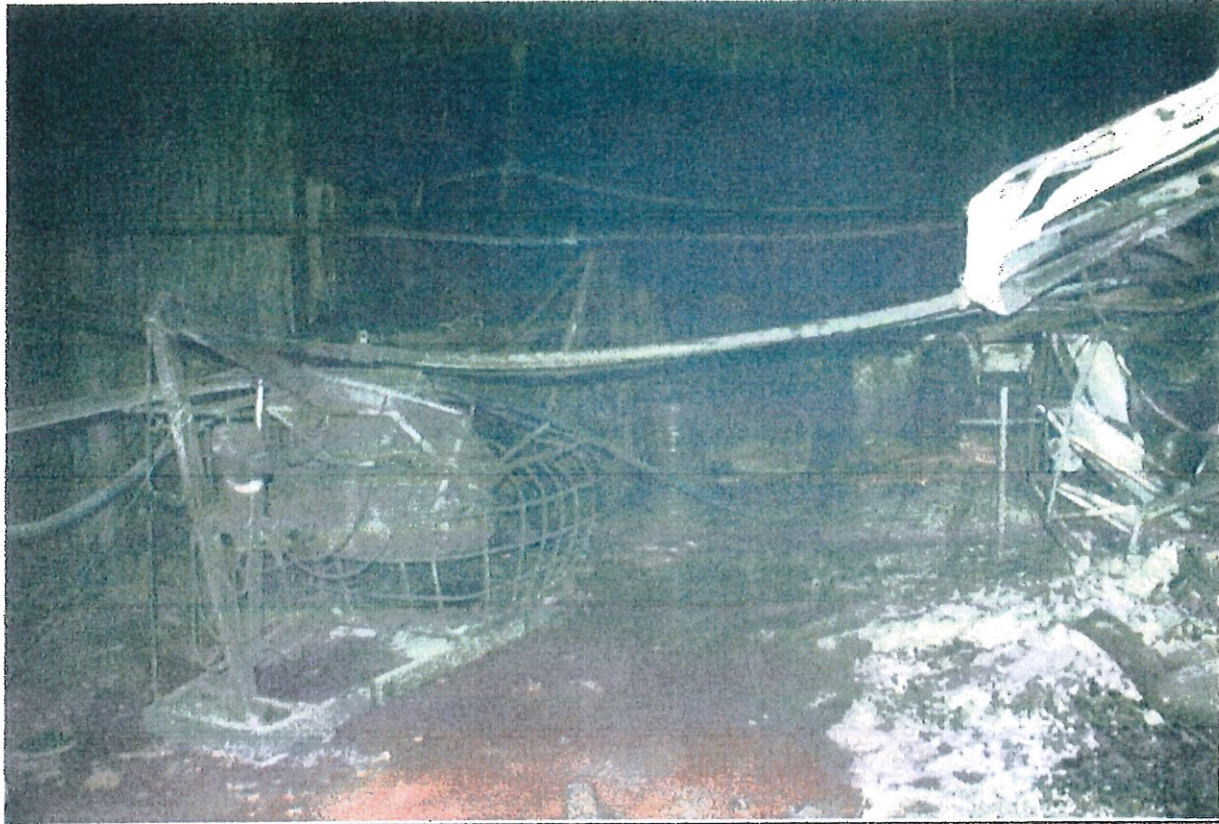


The plastic container and metal drum still attached to the mechanical lift were the explosion occurred.

Investigation of Interior of Fire Building:

A visual inspection of the exterior of the structure revealed heavy smoke and fire damage to the South/West section of the structure (this location was later learned to be the batch mixing room).

The Investigation Team entered the structure from the front entrance and went through the packaging room area to get to the fire area. The investigation Team of Fire Investigators, Hunt, Guttenplan, Woznick, Danielson, Mandoske, and Desocio were accompanied by Deputy Chief of the Investigation Bureau William J. McGovern of the N.Y.S. Office of Fire Prevention & Control, Fire Investigators John Fairclough, Kristi Geary, Jason Green from the N.Y.S. Office of Fire Prevention & Control and Special Agent Certified Explosive Specialist Peter D'Antonio of The U.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives. All Investigators conducted an inspection of the structure interior rooms and contents. The inspection revealed the heaviest fire damage was in the South/West section of the structure (batch Mixing room). There was smoke and water damage throughout the structure. Closer inspection of the area of heaviest fire damage revealed the fire and explosion was in the middle of the batch mixing room in front of the offices.



The plastic container and metal drum still attached to the mechanical lift were the explosion occurred

Documentation:

Numerous digital photographs were taken in the course of the investigation by Orange County Fire Investigators Jeffery P. Hunt, Scott Danielson and Scott F. Mandoske. Along with the digital photographs, a video of the batch mixing area at the time of the explosion was obtained from security camera footage provided by Mr. Leo Gesvantner, Plant Manager of Verla International Ltd.

No evidence of smoking was found inside or outside the fire building other than the designated smoking area.

Summary & Conclusion:

Based on the interviews of employees on scene and the findings of the investigators scene investigation, along with the security camera footage of the explosion, the area of origin has been determined to be in the batch mixing room. The cause was a static electrical spark igniting the spilled ignitable liquid and vapors. The static charge was generated by wiping the spilled liquid with a cloth.

Once ignited the fire burned upwards and outwards igniting other combustible materials stored in the batch mixing room.

No evidence of smoking found inside the batch mixing room.

Analysis of all evidence and information revealed in the examination and investigation are sufficient to conclude that the fire was accidental in nature caused by the static electric spark generated by wiping up spilled ignitable liquid and vapors.