

## Nitro Chemical Injury Case Moved to Federal Court

CHARLESTON, W.Va., January 28, 2010/The West Virginia Record – A man who claims to have received chemical injuries after an explosion at a Nitro plant has seen his complaint removed to federal court.

Thomas Brandon Casto originally filed a complaint Oct. 9 in Kanawha Circuit Court against Catalyst Refiners.

In his complaint, Casto claims he worked at Catalyst Refiners' plant located at 1580 First Avenue South in Nitro on Oct. 9, 2007, when an explosion generated by a chemical reaction knocked him on the floor and caused his respirator to fall from his face.

"Following the explosion a volunteer fire department arrived at the scene," the suit states. "The Plaintiff was instructed to stand against a fence while the volunteer fire department sprayed him with water from a fire hose."

After emergency workers sprayed Casto, they transported him to St. Francis Hospital where he stripped, showered and remained quarantined, the complaint says.

Because of the incident, Casto claims he has suffered serious injury, according to the complaint.

Casto blames Catalyst for his injuries, saying the company did not provide him with protective clothing and exposed him to unsafe working conditions.

Casto seeks damages for medical costs, pain and suffering, mental anguish, loss of enjoyment of life, pre- and post-judgment interest and other relief the court deems just.

Catalyst Refiners removed the complaint to U.S. District Court for the Southern District of West Virginia because a diversity of citizenship exists and because Casto seeks more than \$75,000.

Robert H. Miller II of The Sutter Law Firm in Charleston will be representing Casto.

Gary W. Hart of Jackson Kelly in Charleston will be representing Catalyst Refiners.

*U.S. District Court case number 2:09-1416.*

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