



Did NANA Construction Harm Don Tolbert?

Description

He Says this Employer turned his life upside down...

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Don Tolbert interviewed in my gazebo.

In 2021 the [NANA Corporation](#)—owned by more than 15,000 Iñupiaq shareholders who live or have roots in northwest Alaska—was named number three among the top 49 companies in Alaska, by *Alaska Business Magazine*. (([Alaska Business Magazine](#)))

This for-profit **Native Regional Corporation**; formed under the **Alaska Native Claims Settlement Act of 1971**; has a lot going on, and when you have a lot of employees, sometimes bad things can happen.

In 2014, something bad happened with NANA Construction probationary employee, **Don Tolbert**, which continues to plague him today.



WORLD-CLASS FABRICATION FACILITY

NANA Construction's fabrication facility is one of the largest and most modern in Alaska, with multiple acres at Mile 2.1 Big Lake Road, just north of Wasilla, Alaska.

Large industrial modules manufactured at this strategically located facility reduce shipping costs and to the North Slope by **up to two days** compared to modules manufactured in Anchorage.

NANA Construction's fabrication facility features:

Building 1

Blasting, Coatings and Tank Fabrication

12,480 sf, 60' x 208' with three overhead cranes

Building 3

Module Assembly

28,000 sf, 120' x 240' with two full fabrication/assembly bays, four 10-ton overhead cranes, 508a electrical panel shop, SS fabrication shop with independent OH cranes and HVAC, indoor heated materials storage

Building 4

Administration Building and Training Room

4,800 sf, 40' x 60' with two stories, change area and offices

Building 5

Modular Manufacturing Facility

54,000 sf, 200' x 270' with two overhead cranes

NANA Construction

I applied for a welding position at NANA's fabrication plant at Big Lake, explained Tolbert in an exclusive interview. I'm a certified welder with over 20 years experience. I applied to be a welder. They weren't fully developed yet in that plant; that building was freshly started up by NANA—their welding positions weren't ready yet—so they put me on carpentry. Because I have craftsman background I know how to build and if it's aluminum, metal or wood, it doesn't matter; I can do it!

From the NANA website:

NANA Construction is a full-service general contractor that provides core services to the mining and oil and gas industries. NANA Construction's fabrication facility in Big Lake is one of the largest and most modern in Alaska, equipped with the most advanced equipment and the most experienced personnel in the state.

NANA Construction's workplace dynamic is familiar to this writer.

As a former **ASEA/AFSCME Local 52** union **Business Agent** in Juneau for the largest union of state employees (GGU) during the mid- to late-1990s, I have seen how the **Probationary Employee Got-Cha** works; a capable person takes a job which is not what they applied for, but because they want to work they take the *carrot-and-stick* available. Soon after hire the *carrot-and-stick* turns into *bait-and-switch*.

Then the probationary employee takes the fall for a management screw-up.

No strikes, you're out anyway.

This all happened in 2014, and today, Tolbert is a basket case. He asked me to tell his story about the abuse he believes he received from NANA when he was exposed to deadly chemicals—*that can cause brain damage*—as a probationary employee. As I asked questions, he settled down. We spoke on the record, which I will make available to any attorney who wants to help him with his now longstanding claim.



NANA Construction

[ANCSA Reflections](#)

NANA Companies

NANA's family of companies are leaders in engineering and construction, facilities management and logistics, and information technology services. Our clients and partners are world-class professionals in a variety of industries, both commercial and federal.

NANA Construction

We were building modular living homes for people who work on the North Slope—oil workers, continued Tolbert. I wanted to work on the Slope, but this is the closest I could get. I was very excited to get this position to support my family. I was tasked with running a pneumatic hammer, building walls using 2 x 4 and 2 x 6 construction material.

Tolbert continued: We worked at long tables, a crew of four per table, where we would set up the material and fabricate each panel. Then we would stand them up, fly them over to a trailer to be manufactured into mods, to put on a skid. They would transport them from Big Lake up north. A floor foreman answered to a supervisor who was in an upper office.

They told us that Alaska State law says they can work an employee six weeks, 12 hours a day until giving a break. That's what everybody was shooting for—a six week stretch. I was at four and a half weeks—doing my job, getting the hustle—keeping up with the young ones. I was learning and they were getting ready to hand me blueprints to run my own table.

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...when *methylene chloride* happened.

METHYLENE CHLORIDE

WARNING

CAUSES SKIN IRRITATION. CAUSES SERIOUS EYE IRRITATION. MAY CAUSE RESPIRATORY IRRITATION. MAY CAUSE DROWSINESS OR DIZZINESS. SUSPECTED OF CAUSING CANCER. MAY CAUSE DAMAGE TO ORGANS THROUGH PROLONGED OR REPEATED EXPOSURE.



HEALTH HAZARD



HARMFUL/IRRITANT

PREVENTION

Obtain proper instructions before use. Do not handle until all safety precautions have been read and understood. Do not breathe dust/fume/gas/mist/vapors/spray. Wash skin thoroughly after handling. Use only outdoors or in a well-ventilated area. Wear eye protection/face protection. Wear protective gloves. Use personal protective equipment as required.

RESPONSE

IF ON SKIN: Wash with plenty of soap and water. IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing. Call a POISON CENTER or doctor/physician if you feel unwell. IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. IF EXPOSED OR CONCERNED: Get medical advice/attention. IN CASE OF FIRE: Use dry chemical, CO₂, water spray or regular foam to extinguish.

STORAGE

Store in a secure, cool and well-ventilated place. Keep container tightly closed.

DISPOSAL

Dispose of contents/container to a licensed chemical disposal agency in accordance with local/regional/national regulations.

For more information reference SDS

Methylene Chloride (CH₂Cl₂)

*The painters building went down—a malfunction in the building where chemical based spray adhesive was applied to fiberglass reinforced chipboard panels, a process done by two people, continued Tolbert. Management decided to sneak that process into the fabrication shop after their ventilator/air purifying system went down—into the big house where we were making these walls—they stuck it off on the side of the building. They put two guys on the task, with two canisters of spray adhesive, using **AES 200 Sta' Put**. The main base is **methylene chloride**.*

((Methylene Chloride (CH₂Cl₂) is a colorless liquid that can harm the eyes, skin, liver, and heart. Exposure can cause drowsiness, dizziness, numbness and tingling limbs, and nausea. It may cause cancer. Severe exposure can cause loss of consciousness and death.))

S200 (Aerosol & Canister)



STA'-PUT S200 is a solvent-based canister adhesive designed for bonding high pressure laminates to various substrates. S200 can be used on many porous and non-porous surfaces where a permanent bond is required. S200 exhibits good heat resistance, excellent shear strength, and offers quick tack and fast drying. S200 offer precision application control in a low maintenance system with easy cleanup.

This stuff is dangerous, declared Tolbert. They didn't give us proper PPE to do this—no respirators, no hazmat, no material data. They just brought it in, and they put two people on it—new hires—coating chipboard sheets so they could be used for wet areas like kitchens and bathrooms. We had to go through two bunks of wood—a bunk of wood is what you see on the side of the train going down the road. I don't know exactly the count of chipboard or PDI sheets. It wasn't plywood.

STA'-PUT

S200
CANISTER SPRAY CONTACT ADHESIVE

TECHNICAL DATA SHEET

PRODUCT DESCRIPTION:

ITW STA'-PUT® S200 is designed specifically for bonding high pressure laminates to various substrates. S200 is also suitable for a variety of applications in woodworking, manufactured housing, general construction, recreational vehicle, marine, furniture, textile, HVAC, upholstery and more. It can be used on many porous or non-porous surfaces where a permanent bond is required.

ADVANTAGE:

- Aggressive Grab Tack
- Quick Dry Time
- Long Open Time
- Excellent adhesion to many substrates
- High Green Strength
- High Strength Bonds
- Flatwork Applications (non-postforming)
- Self-Contained Portable Spray System

TYPICAL PROPERTIES:

Property	Typical Value
Base:	Synthetic Polymer
Solvent:	Methylene Chloride*
Shelf Life:	1 year from Date of Manufacture**
Colors:	Clear/ Red
Flash Point:	~156 F (-104 C)
Weight / Gallon	6.93 lbs/ gallon
VOC Content	436.2 g/L (EPA Method 24)
Open Time	30 minutes
Dry Time	2 - 5 minutes
Formaldehyde	No urea formaldehyde added during adhesive manufacturing

* Reports have associated repeated and prolonged occupational exposure to solvents with permanent brain and nervous system damage
 ** The shelf life for an unopened container of this adhesive stored at temperatures between 60°F (15.6°C) and 95°F (35°C) is 1 year from date of manufacture. Store out of direct sunlight in a cool, well-ventilated area. Avoid storing container directly on the floor or against an outside wall

APPROVED EQUIPMENT:

Surface Preparation:

- Spray gun: SG200
- Spray Tip: ST6501
- Hoses: MH973 (12'), MH978 (25')
- T-Bar: MH976

DIRECTIONS FOR USE:

- Use only after careful consideration of the warning directions, and first aid instructions given. Do not use on vinyls or polystyrene foams.
- Surfaces to be bonded should be clean, dry and free of any dust, loose paint, wax, moisture, dirt, grease, rust, or other contaminants.
- Before initial use securely attach gun to hose, and hose to canister. Fully open canister valve; do not close valve until empty.
- Adhesive should be at 60°F to 95°F. For best results adhesive and materials to be bonded should be at (15.6°C) to 95°F (35°C) during application.
- Allow substrates to acclimate to room temperature for 48 hours before bonding.
- Spraying from 8 to 12 inches away, apply adhesive uniformly to both surfaces and cover each surface with a minimum of 80%. Some porous surfaces may require two coats. 100% coverage is recommended for edges. Use only approved equipment.
- For typical applications a coating weight of 2.5 grams per square foot is recommended.
- Both surfaces must be allowed to dry before bonding. This will usually take from 2 to 5 minutes at room temperature under normal conditions. Heat and humidity, or cold weather can effect drying time. Surfaces are dry if adhesive is tacky, but no adhesive transfers to the hand when touched.
- Complete the bond within 30 minutes (under normal conditions) after the adhesive is dry. If the two surfaces don't grab immediately when brought into contact, they have dried too long.
- Position coated surfaces carefully before putting them together since no shifting is possible once contact is made.
- Bring surfaces together and immediately apply uniform pressure over entire surface working from the center to the edges. Apply a minimum of 30 psi uniform pressure over 100% of the area being bonded.
- Let bonded parts cure for at least 72 hours before exposing to direct sunlight of temperatures over 95°F (65.6°C).
- Do not use on some vinyls or polystyrene foams. Some vinyls contain plasticizers, which can, over time, migrate and dissolve the bond, or bleed through/dissolve the bond. When in doubt, or if product is to be used on vinyls or other light colored materials, conduct compatibility testing on the product to be bonded before use.

How did this exposure effect you?

Within three to four hours after I came home from doing the task, I started getting really sick, said Tolbert. I woke up with a burning sensation in my throat. My eyes were burning and I had high fever. I was vomiting, I had diarrhea. I couldn't even get off my couch—I was looking into my wife's eyes. I couldn't get up for at least six to eight hours.

Tolbert was in rehabilitation three months.

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TOLBERT, DONALD D (id #5573, dob: 11/17/1969)



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Date: 12/31/2014
RE: Donald Tolbert, DOB: 11/17/1969, PT ID #5573

To whom it may concern,

Mr. Tolbert has requested a letter describing his recent respiratory illness. Mr. Tolbert was seen in our clinic by Dianne 11/3/14 at which time he was diagnosed and treated for pharyngitis with mention of fatigue attributed to long work hours worsened and was seen on 11/10/14 with symptoms more consistent with bronchitis and reactive airway disease. Prior Tolbert reports no history of lung disease. The patient reports that his symptoms developed after exposure to inhaled chemicals including methylene chloride. The fact that he has not had reactive airway disease in the past and he has a fairly recent history (6 years of smoking which occurred more than 23 years ago), makes the occupational exposure to inhaled chemicals a likely cause of his respiratory condition. Furthermore, his symptoms have not improved/resolved in a time frame typical of a viral allergic/asthmatic process. Based on Mr. Tolbert's report of exposure to inhaled chemicals and the timing of symptoms, symptoms are a result of the exposure.

Sincerely,

-



Electronically Signed by: PAUL FORMAN, MD

SFC_SOLSTICE FAMILY CARE

Tolbert, Donald D (ID: 5573)

Tolbert has taken extensive notes of what happened.

Here's how it worked: They took two men at a time, said Tolbert. This all happened within a 24 hour period—it was blatant. The first two men got sick and they blamed it on cold, flu, and pneumonia. Sent them home; "don't worry about it." They got sick four or five hours into the task, so they just called in two more men.

***Alfred Sneed** and I were the last two of the six to do this job—we actually survived and made it to the end of that damn task, said Tolbert, I don't know how.*

Speculation on why NANA Construction would take such a risk

*They were under pressure because their contract was going south, Tolbert said. We heard they were not getting these mod orders fulfilled for **Grand Isle Shipyard**, a company based in Louisiana. (([Grand Isle Shipyard](#))) They were behind schedule. So, because they had a malfunction in their paint shop, they brought that dangerous coating process over. They didn't bring the painting work over, just the chipboard coating process; chipboard has to have a covering on it, or it'll go to pieces. They were coating these chip boards to be able to use them in places like bathrooms and kitchens. So instead of doing it where they should have been doing it, they did this chickenshit deal where a bunch of us were exposed to dangerous adhesives—without proper PPE.*

The Covid Pandemic has made us all aware of the importance of PPE.

*We brought our concerns to the **Foremen**, said Tolbert. He said "Get back to work don't worry. We're gonna have you fitted for respirators," but nothing came of it. The second time we went to them the **Supervisor** came downstairs and was standing next to the foreman: He said "You guys just need to get back to work, this stuff isn't that bad." Then the **Safety Officer** comes downstairs and says: "You fellas need to get back to work. Don't concern yourself with this. If you have issues, we'll have you fitted for respirators."*

By now I'm the only one asking questions.

Five other people were exposed, according to Tolbert, but he was the one who filed complaints with **Occupational Safety & Health Administration**.

So you toughed it out?

Yes, NANA had me go through their doctors first.

They fired you?

When I went back to work, it wasn't even 24 hours before they put me on what they called a Work Stop. After that, I didn't even get a proper termination letter or anything from these people. I didn't even know I lost my job. They blatantly sickened me, and then I was fired because I was a liability, inquiring about the chemicals we were using.

In another case of workplace exposure to dangerous chemicals, five workers sued **Baker Hughes, Inc.; Baker Petrolite Corporation; Baker Hughes Oilfield Services, Inc.;** and an individual, **John Clyde Willis,**

for an incident in 2014 in Kenai during construction of a new chemical transfer facility. Workers allegedly were repeatedly exposed to toxic chemical releases for the existing chemical transfer facility. Willis personally faced up to 20 years in prison and up to a \$250,000 fine. **Baker Hughes** was indicted with 25 felony counts, including 10 counts of first-degree assault. The companies faced up to \$2.5 million in fines for the most serious charges if convicted. (([Grand Jury Indicts Baker Hughes](#)))

This was Gov. Walker's Attorney General and THREE Dunleavy Administration Attorney Generals ago.

Likely an undisclosed settlement has been reached, since the case has been closed. The **Dunleavy Attorney General** wouldn't dare hold a **Native Regional Corporation** subsidy company accountable. Tolbert has been kicked to the curb for an event not his fault that will impact him for the rest of his life. (([Christopher Lovely, et al. ve Baker Hughes, Inc., et al.](#)))

Category

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