

Danville woman crusades against pool filters that killed husband

By Robert Jordan
Valley Times

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DANVILLE — It was the Mount Diablo view that really sold Sue and Jim Halverson on their house at the top of MontCrest Place.

The backyard pool was just an added bonus, a place to find relief from the sweltering summers. But now, 16 years after they moved in, that pool is a reminder of her grief and a source of activism for Sue.

Jim died almost three years ago, days after he was critically injured when the pool's two-piece, kettle style pool filter exploded and struck him in the head.

"Jim is with me" in that house. "All his things are with me. His shop is here, so walking away from that is like walking away from him, said Halverson, 62. "If I dwell on it, I would have to sell the house and move."



But Sue is focusing on getting the word out about the potential danger of certain pool filters.

In November, with the help of San Francisco-based lawyer Kevin Lancaster, who helped her win an undisclosed settlement with the filter manufacturer, she started a Web site (Poolsafetyadvocates.org) to inform the public about the danger this particular pool filter design poses.

Incidents tracked by the Consumer Product Safety Commission show there have been at least 22 similar incidents reported to the commission nationwide since 1982 — including four deaths.

A pool man in San Ramon suffered head injuries in November after a pool filter exploded.

That incident is under investigation by the state Occupational Safety and Health Administration. An

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OSHA spokeswoman said the department couldn't comment on the case until the investigation is complete.

In the nonfatal cases reported to the consumer commission, the majority involved severe injuries, including the loss of an eye or brain injuries.

All the injuries are a result of what lawyers who have filed damage claims say is a design flaw in the kettle-style or canister filters. In all cases, users were cleaning the cartridges inside the filter and had put the top back on when compressed air built up in the filters, resulting in explosions that detach the top portion of the two-piece filter away from the bottom.

"Most that I'm aware of involved maintenance issues where the covers were not installed properly after cleaning (locked down incorrectly, or insufficiently), or the system wasn't bled (depressurized) before maintenance was attempted," said Troy Whitfield of the Consumer Product Safety Commission.

The two-piece filter is held together by a fastener, in most cases a clamping system that critics say can become loose over time and not properly hold the top and bottom pieces together. Most filters have air-relief valves that sometimes fail to release the built up air.

"The original design is so dangerous," said Michael Workman, a North Carolina-based attorney who has handled more than a dozen cases involving this particular type of filter. "(Manufacturers) would say it is easier to clean if you just have to take off the clamp." Workman is an advocate for a filter that is bolted down.

An attorney for the Veen Firm in San Francisco, Lancaster said statistics from the CPSC for exploding pool filters are scarce because of the way the

commission tracks incidents.

Manufacturers need only report incidents to the CPSC if they settle or lose lawsuits involving death or injury with the same model of a product within a 24-month period, said Lancaster.

But the same filter design is used by many manufacturers, he said.

Lancaster has handled injury cases that dealt with four different brands with the same pool filter design. He said a safer alternative is to have the top and bottom portion held together by a series of bolts, like the type he has purchased for his own pool.

"When there is one death for a manufacturer's model in a certain period of time there is no need to report to the CPSC," said Lancaster, who has litigated six cases involving exploding filters. "So really, there are no statistics because they have to happen in clusters."

Lancaster said three conditions also have to be met for an incident like this to occur. There has to be built up compressed air in the filter, the band has to malfunction, either due to the age of the filter or user error, and the victim has to be leaning over the filter checking the gauges.

An exploding pool filter is a rare event. It took a series of phone calls by the Bay Area News Group to find someone at the CPSC who had heard of it.

Sue Halverson's current pool man had not heard of the problem before working for her.

"I don't know whether it was user error or a defective product because of a hush agreement in the case," said Jim Helms, who has owned Diamond Clear Pools for 11 years and has dealt with the

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Halverson pool since the accident. "I have never had an issue."

Before the accident, the Halversons cleaned their filter at least once a month.

The evening Jim Halverson, 78, was injured, he was cleaning the filter. Sue was watering plants.

Jim was putting the top back on the filter when Sue heard a loud explosion. She ran around back to check on Jim and found him unconscious.

Sue said it is tough walking by the area where the accident occurred.

"I live in fear of them," said Halverson of the filters. "I have hired someone to come in because I don't want to deal with them."

Reach Robert Jordan at 925-847-2184 or rjordan@bayareanewsgroup.com.

Pool filter safety
Stand at least two feet away from the filter

Do not lean over the filter when it's on

For details on canister-style pool filters and safety visit poolsafetyadvocates.org
Source: veenfirm.com.

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