

# Balancing act at Action Park

By EVAN SCHUMAN  
Staff Writer

VERNON — Amusement parks today have to perform a delicate balancing act between rides that look daring and adventurous and rides that are safe for the public.

At Action Park, which will open for its eighth season on Thursday, achieving that balance poses an ongoing dilemma.

What safeguards are reasonable? How do you factor in potential abuse by park-goers in the equation? Has the balance been struck?

- Teen employees allege use of underage workers — A10
- Lawsuits part of price of doing business — A10

A number of statistics, which The Herald culled from an examination of court records and reports on file in Trenton, suggest that it has not.

• During last year's summer season alone, there were more than 110 reported accidents, including 45 head injuries and 10 fractures.

While the park is required to file reports to the state within 48 hours of any accident, frequently the state learns of accidents for the first time when contacted by an attorney researching a lawsuit.

Furthermore, several state Department of Labor citations have been issued to the park for not filing mandatory accident reports after several ride mishaps resulted in injuries. On one of the citations, the inspector wrote that he cited the park because he discovered "an accumulation of accidents involving personal injury not reported to the state."

• Since 1983, Action Park has been the target of more than 100 lawsuits, with defendants alleging everything from negligence on the part of ride operators to faulty equipment. At least four settlements have been in six figures.

## Insurance may jeopardize opening

By EVAN SCHUMAN  
Staff Writer

TRENTON — Action Park's planned opening on Thursday may be delayed if it fails to provide the state Labor Department with the name of its insurance carrier for the 1986 season.

The state requires that amusement parks carry a minimum of \$100,000 in insurance coverage and provide the Labor Department with the name of an acceptable insurance carrier.

As of Tuesday afternoon, Action Park had failed to do so, according to Seymour Rubinstein, assistant director of safety compliance for the state Department of Labor.

LAST YEAR, Action Park had

• The park's most popular ride — the Alpine Slide — accounts for the most accidents, the majority of the lawsuits and 40 percent of the citations against Action Park.

During the past two years, at least 14 fractures and 26 head injuries have been reported there.

• Action Park has been cited by the state for safety violations 53 times in the past two years, even though inspections must be announced in advance and inspectors must be accompanied by a top Action Park official.

The citations included worn braking pads not being replaced, rides not being padded with mandatory foam rubber and safety passenger lap bars failing to operate properly.

• Despite the dozens of safety violations and the hundreds of accidents — including three deaths in the past six years — the park has not received a fine since 1979, while other New Jersey amusement parks have drawn fines for first offenses for identical violations.

\$100,000 worth of insurance with the Genstar Indemnity Corp. of Stamford, Conn., on file in Trenton, under a policy which expired May 10, said Rubinstein.

Not only did the park meet its obligation of having \$100,000 worth of insurance on file, it had more than \$50 million in coverage, according to William Clark, director of the Department of Labor's Office of Workplace Standards.

Clark says most of the park's insurance was not on file with the Department of Labor, however.

"They think if they put down that much, it might attract lawsuits," he said.

CONTACTED by The Herald, Action Park refused to give the name of its insurance carrier, stating the information was

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Officials at Action Park, which bills itself as the world's largest par-

ticipation theme park, defend their safety record, noting that the number of persons injured there is small considering the nature of the park and the fact that more than 1 million people attend it annually.

They also contend that the risk is part of the allure of the park, and that safety is carefully monitored.

Critics charge that safety measures are not adequate and that the law places so many restrictions on how safety inspections are to be conducted — such as mandating that inspections be announced in advance — that amusement parks have an unfair advantage, often at the expense of rider safety.

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"proprietary data."

Insurance industry officials say the recent increases in lawsuits nationwide have made the mid-1980s a particularly harsh time both for insurance companies and for high-risk businesses such as amusement parks.

"I have seen people pay upwards of \$500,000 for \$1 million in insurance coverage and I'm sure there are people paying more," said one insurance underwriter who deals with the amusement park industry.

In 1984, Eugene Mulvihill, president of Great American Recreation Inc., the owner of Action Park, was named in a 110-count state grand jury indictment charging him with criminal conspiracy, fraud, theft, embezzlement, forgery and tax evasion in connection with an alleged conspiracy to create a fictitious insurance company.

MULVIHILL pleaded guilty in November 1984 to having intentionally created a paper insurance company to save money.

Commenting on the case at the time, Alfred DeCotiis, an attorney representing Vernon Valley, said the establishment of the phony insurance company "was really an economic issue."

He said Vernon Valley paid insurance claims out of the corporate treasury because ski insurance premiums were too expensive until legislation in late 1980 limited lawsuits against ski resorts.

## ACTION PARK

# Action Park workers say underage operators used

By EVAN SCHUMAN  
Staff Writer

VERNON — While state law requires that ride operators and attendants be at least 16 years old, many of them working at Action Park last season were as young as 14 years old, according to park employees.

Last September, state Department of Labor officials, investigating reports of underage employees, came up empty after park supervisors instructed some underage employees not to come to work and others to stop working until the inspectors left, according to park employees who spoke on the condition they not be identified.

ACTION PARK operations manager Adam Ringler denies both the allegations that underage employees were used as ride attendants and that they were told not to report to work when park officials learned state Department of Labor inspectors planned a surprise visit.

Ringler says the park's ride attendants — also called ride operators — are all 16 years of age or older. He estimated that 10 to 15 percent of the 1,000 employees hired during the summer are under the age of 16. And those under 16, he said, work in ticketing, food, general services and parking.

But interviews with about two dozen Action Park employees — at the park, at Vernon High School and in telephone interviews — indicate that 14- and 15-year-old employee ride attendants were quite common last summer.

RUSS SHROPSHIRE said he was an attendant at the water rides, even though he was only 15.

"I told people how to ride the rides. I told them when it was safe to ride and I gave them minor medical assistance if they needed it," Shropshire said.

He added that he was required by the park to undergo Red Cross training.

"You brief the people on what to do on the rides," said Frank Sherwood Jr., 15, of Vernon, who worked as an attendant on the White Water Rapids ride.

State labor officials familiar with child labor laws say that any employee who helps park-goers get

**'I told them how to ride the rides. I told them when it was safe to ride and I gave them minor medical assistance.'**

**— A 15-year-old ride attendant**

on the rides and tells them what to do must be at least 16 years old.

CHRIS SENANKO, 14, of Vernon, spent his summer at the park performing general service duties, including tending the grounds, something permitted under state law.

When he was hired, Senanko said, he was told that anyone under 16 would not be allowed to operate a ride.

But late last August, he said there was a meeting of park supervisors and general service employees.

At that meeting, Senanko said supervisors told many of the general service workers — including 14- and 15-year-olds — that they could operate the rides on weekends once the summer ended.

He quoted the supervisors as saying that when some employees left to go to college or to return to high school, there weren't enough 16-, 17- and 18-year-olds to tend the amusements on weekends.

Senanko said he turned down the offer because he was on the Vernon High School football team and did not have the time.

ON SEPT. 21, a state Department of Labor official, investigating the age question, made a "sneak inspection," according to William Clark, director of the department's Office of Workplace Standards.

But according to interviews with some park employees, the inspection was not much of a surprise. Shropshire, among others, says he was told not to come into work that morning.

Some who had already reported to

work were told to stop working, according to employees.

"About an hour before the inspectors got here, some of our supervisors went around and asked everyone how old they were," said one 17-year-old employee.

SUPERVISORS then asked those who were underage to stop working, employees said.

Another employee said there were some 15-year-olds who worked as attendants on the Alpine Slide, who were using the ride she worked on.

"Some kids who worked on the Alpine, they were 15 and they were told to use (the) ride," she said. "One of the employees asked me how old I was. I was wondering why they were going on the rides because they had their uniforms on like they usually do, but they were just going on rides."

When she asked them why they were using the ride, she said they told her their supervisors, upon learning they were 15 years old, told them that state inspectors were coming and they were to stop working.

SEYMOUR RUBINSTEIN, assistant director of safety compliance for the state Department of Labor, said the inspection failed to turn up any violations of the state Child Labor Law.

If it had, Action Park officials may have faced up to 18 months in jail and a fine of \$7,500 per violation.

Rubinstein said the state Department of Labor would conduct another spot check this year if it received complaints about Action Park using underage employees.

CLARK SAID he believes the minimum age limit should be higher than 16.

"Originally the law said they had to be 18, but one of the amendments that (the state Legislature) made said the operators could be 16. Apparently, some of these operators at 16 — in my opinion — may not be mature enough. But there's nothing we can do about it," said Clark.

Since accident reports do not identify the ride attendant, it is not possible to determine if any accidents at Action Park were on rides with underage attendants.

## Lawsuits part of park's 'overhead'

VERNON — The cost of doing business at Action Park includes paying out tens of thousands of dollars in the settlement of lawsuits.

According to court records in Trenton, at least 115 lawsuits have been filed against the park since 1983, with several of them resulting in judgments in excess of \$100,000.

ACTION PARK officials refused to provide figures on how much money they had paid out in settlements, or how many suits were pending.

But according to Ken Genkel, a claims examiner for the New Jersey Property Liability Insurance Guarantee Association, which is handling lawsuits filed against the park between April 1983 and April 1985, about 200 were filed in that period alone.

Most of the cases are settled before they ever reach a judge or jury in out-of-court settlements.

Other potential lawsuits are headed off by Action Park through offers of cash payments to accident victims, according to interviews with about two dozen park-goers who were identified in accident reports filed with the state.

ALL THREE of the lawsuits stemming from fatalities have resulted in six-figure settlements.

The estate of George Larsson Jr., a 1979 graduate of Pope John XXIII High School in Sparta and an employee at Action Park, killed on the Alpine Slide in 1980, settled out of court in 1984 for \$100,000.

The estate of Jeff Nathan, 27, of Fairlawn, who was electrocuted in the White Water Rapids Kayak Ride in 1982, settled a federal lawsuit out-of-court for \$115,000 in 1984.

The family of George Lopez, 15, of New York City, who drowned in the Wave Pool in 1982, also sued and settled out of court in 1984 for an un-

disclosed amount estimated by one attorney involved in the case at \$100,000.

ACTION PARK has a reputation among attorneys for taking a hard-line approach when negotiating out-of-court settlements.

"Yes, Action Park attorneys do take a hard-line stance with regard to settlements," said Adam Ringler, operations manager at Action Park, "as most suits are of a frivolous nature."

Last February, however, a Brooklyn, N.Y., man who injured his jaw while riding on the Blue Water Slide was awarded \$118,000 by a Sussex County jury.

Action Park attorney Samuel DeGonge of DeGonge, Garrity and Fitzpatrick of Bloomfield, the firm which handles the majority of Action Park's legal defense work, says he believes the verdict was the largest ever against Action Park.

— EVAN SCHUMAN

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ACTION PARK officials say that when injuries do occur, in the overwhelming majority of cases they are due to park-goers failing to use common sense and to obey posted safety rules.

"It is a proven fact," says Adam Ringler, operations manager at Action Park, "that it is safer to visit Action Park and participate in our sports-oriented activities, than to participate in similar activities away from our controlled atmosphere."

William Clark, director of the state Department of Labor's Office of Workplace Standards, says there are limits on what can be done to make parks safe and that most of the responsibility must remain with the park-goers themselves.

"Most of the accidents are rider-caused, horsing around. The American public seems to like risks," he said, adding that the amusement industry goes all out to satisfy that craving.

"The phenomenon is, where there are accidents, the riding public can't wait to get on them," Clark said. "I don't know what it is — maybe thrill seeking."

Roy Gillian, a 35-year amusement park veteran and member of the Department of Labor's Advisory Board on Carnival-Amusement Ride Safety, says the industry is concerned about safety, but it is also a business.

"Anything in the amusement business is designed to amuse and thrill," he said. "If it didn't, the public wouldn't ride it."

NOT SURPRISINGLY, Action Park's most popular ride, the Alpine Slide, is also its most dangerous.

Although it is just one of nearly 50 rides and attractions at the park, it has accounted for one of the park's three fatalities, and generates a majority of the park's lawsuits.

On the Alpine Slide, riders course down the side of Hamburg Mountain in a sled that follows the winding path of a trough.

In an internal Department of Labor memo written in 1982, Ralph Fluharty, a state inspector at the time, questioned Ringler about the frequency of accidents on the Alpine Slide.

According to the memo, Ringler told him, "If the public would listen to instructions and pay closer attention to the signs, we would not have so many accidents."

RINGLER SAYS it is logical for the Alpine Slide to have the most accidents because up to 10 times as many park-goers ride the Alpine Slide than the next most popular attraction, the wave pool.

Eugene Mulvihill, chairman of the board of Great American Recreation Inc., which owns Action Park, also defends the ride.

"It's the safest slide there is. A 90-year-old grandmother has ridden the slide," he said. "Women have ridden with babies in their laps. A lot of people feel safer on rides that they can control themselves."

Nevertheless, there are those who believe a larger margin of error should be built in to rides, particularly when experience shows that people do not always act responsibly.

Mathew Seiden, a former member of the Advisory Board on Carnival-Amusement Ride Safety — a 10-member body which studies aspects of rider safety and offers recommendations to the Department of Labor — says he does not believe an adequate safety margin was built into the Alpine Slide.

SEIDEN, an engineer who has testified as an expert witness on behalf of plaintiffs in several lawsuits against amusement parks, including Action Park, puts much of the blame on the manufacturer of rides, but maintains that amusement parks should be more safety conscious when they install a new ride.

"I don't think that many of the rides are studied for safety the way they should be," he said, adding that many ride manufacturers are too small to take the time to construct — and test — them properly.

"They're like Mom and Pop candy stores," he said. "They don't have the wherewithal to hire safety engineers to properly analyze the hazard foreseeability."

Asked about the industry's argument that too many safety regulations needlessly cut into an amusement park's safety margin, Seiden said there is a happy medium.

"The purpose of an amusement ride is not to thrill, but to make money," he said. "As long as the spills remain an illusion, there is no argument. But if spills become a reality then there is a problem."

According to state inspection reports, a problem does exist at Action Park. The Alpine Slide alone was cited for 22 violations since the beginning of the summer of 1984, according to state records.

Most of the charges, made by state inspectors who make announced visits to the park two to three times per week during the height of the summer season, break down into two categories: poor maintenance of the ride and inadequate supervision by ride attendants, many of whom are high school students. (See related story, Page A10.)

EIGHT CITATIONS were issued to the park during the past two years charging that attendants were either not enforcing spacing requirements, were not stopping improper conduct or were not at their posts during inspections.

While the state requires that park-goers who speed or bump their sleds must be evicted from the ride for the safety of other riders, one inspector reported that on July 23, 1985, he observed "at least 10 bumpings" on the Alpine Slide, but "mandatory ejection was not enforced" and the attendant was not at his post.

On July 6, 1984, accident reports say that Ann Margaret Jones, 17, was at the park and using the Mini-Cannonball Ride when her steering and brakes locked.

Jones' boat increased in speed and flew over another boat before crashing into the dock.

"I could have been killed. I can remember my whole body just jerked back and forth and I thought, 'Oh, my God, am I going to live?'" she said in an interview.

She suffered a sprained ankle, a sprained wrist and a dislocated jaw, according to Jones and accident reports filed at the time.

"I was in that boat and I know that boat was not working. I would not have run into other boats. I do not like inflicting injury upon myself," she said.

After a Labor Department inspector visited the site to investigate the accident, he filed a report saying that he found nothing wrong with any of the boat's braking or steering apparatus.

Less than one month later, on Aug. 5, a 33-year-old Congers, N.Y., man fractured his leg while riding the Mini-Cannonball ride when accident reports say that his steering and brakes locked.

Another ride which drew considerable attention from state inspectors was the Wild River Ride. In August 1984, the Department of Labor received a complaint that it was "unsafe, insufficiently attended and available to small children."

When department inspector Harry Crane was sent to investigate, he reported back to the state that he saw no small children and that the park's first aid department "reported no serious injuries to date." He recommended that the ride remain open.

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A REVIEW of state files on the Wild River Ride, however, revealed that six serious accidents were logged by Action Park medical personnel in the three weeks prior to his inspection.

On Aug. 6, a woman received internal injuries after a collision on the ride, which the log entries said was a "possible fracture of her femur."

Between Aug. 12 and Aug. 18, park accident reports listed two possible fractured collar bones, a neck injury, a possible dislocated shoulder, a possible fractured nose and a possible dislocated right knee.

Because the reports are based on preliminary examinations conducted at the park by first aid employees, the word "possible" always precedes the diagnoses.

The state had no explanation for the apparent discrepancies between the inspector's findings and recommendation and the accident reports of the preceding weeks, according to Seymour Rubinstein, state Department of Labor assistant director of safety compliance.

DESPITE the safety violations on the Alpine Slide, Wild River Ride and others, Action Park has not received a fine since 1979, when the park paid \$300 for operating a ride without a permit. And it was not until last year that one of its rides was closed down, even temporarily, by the state.

Last May, largely due to the efforts of Seiden, a new ride at Action Park, the Cannonball Loop, was shut down about a month after it had opened.

In a highly unusual move, the Advisory Board on Carnival-Amusement Ride Safety ordered the shutdown of the Cannonball — a water ride with a 360-degree loop — despite the Department of Labor inspector's finding that the ride was not dangerous and should be allowed to remain open.

Rubinstein said it is the only time he can recall the advisory board overturning a Department of Labor recommendation to keep a ride open.

Seiden said he argued for the closing of the ride because it could not be proven safe.

Rubinstein said it was shut down because the board "thought a potential hazard existed and thought a serious accident might occur."

A park employee said the ride had resulted in some minor injuries because of the extreme gravity the rider undergoes while in the ride. "There were too many bloody noses and back problems," the park employee said.

THE SHUTDOWN of the ride is easily the most severe step taken against Action Park to ensure safety there. To date, there hasn't been a close second.

And although Action Park has never been fined by the state, officials there, as well as throughout the industry, complain that inspectors go too far, frequently nitpicking in order to justify their own jobs.

Gillian, who operates an Ocean City amusement park, says, "Most of these inspectors are like any state employees. They feel they must write up these violations to prove their need, so that the people in their office know they are doing their job."

Some inspectors, however, complain that the law places so many restrictions on how inspections can be conducted that amusement parks have an unfair advantage, and don't necessarily reflect the level of safety being provided park-goers.

WHEN A state inspector arrives at an amusement park, according to Rubinstein, the inspector must report to security at the main office and announce that he is there to inspect the premises. He must then wait until a top park official arrives to accompany him on the inspection through the amusement area.

According to Rubinstein, the announced inspections are "the department's established procedure. We come in not as guests, but servants of the state."

Although the inspections have

turned up a number of violations over the past few years, none of them have resulted in fines. One of the violations that has occurred repeatedly is failure to report accidents.

Two Department of Labor citations were issued to the park in 1984 — on Aug. 13 and Nov. 19 — for not filing mandatory accident reports.

On one of the citations, the inspector wrote that he cited the park because he discovered "an accumulation of accidents involving personal injury not reported to the state."

Although the state considers failure to report accidents a serious violation, Action Park has never been fined for that offense. Five other amusement parks, however, each cited once for not reporting accidents to the state within 48 hours, last year were fined between \$150 and \$800, according to Rubinstein.

Action Park has escaped fines for other violations as well, which have resulted in fines for other amusement parks. At least 17 facilities across the state were fined last year for allegations of employee misconduct, inadequate supervision of rides and faulty equipment — all offenses similar or identical to citations issued to Action Park during the same time period.

ANOTHER violation which has occurred repeatedly at Action Park has been failure on the part of attendants to adequately monitor the rides.

In June and July of last year, the park was given repeated citations for "ride attendants not enforcing the mandatory 25-foot spacing between sleds."

A July 23 citation charged that "sleds were allowed to back up and sit motionless on the track while other slides continued to be dispatched," causing a hazard.

In fact, at least eight citations were issued to the park charging that ride attendants were either not enforcing spacing requirements, were not stopping improper ride conduct or were not at their posts during inspections.

ACCORDING to Clark of the state Department of Labor, the issuing of fines is a discretionary power. Rubinstein said inspectors can recommend fines, but the decision is made by Joseph Palazone, chief of the Department of Labor's Amusement Ride Section.

State officials say the speed with which a violation is corrected is taken into account in determining whether to impose a fine.

"I can't give you a criteria saying that if someone is hurt, we will fine," said Rubinstein. "I think it depends on how long it's been there."

THE IMPOSITION of fines is intended to give parks an incentive to follow state statutes and offer a safe playground for state visitors.

But Action Park officials say that kind of commitment to safety already exists at the Vernon amusement area. And Ringler claims Action Park is less dangerous than a number of other recreational pursuits.

"It is far safer to roller skate on Action Park's roller skating rink than on the city streets," he said. "It is safer to swim at Action Park's Wavepool, where the water is filtered and clear and lifeguards are no more than a few feet from any swimmer, than it is to swim in the waves at the Jersey Shore, where the water is murky and lifeguards may be as much as 100 yards from some swimmers."

"It is far safer to drive a dune buggy with a speed-control governor on a sand track surrounded by rubber tires than driving the same dune buggy in an uncontrolled natural environment," he said.

Seiden, however, says Action Park is not as safe as it should be.

He contends Action Park's philosophy is that if the park has hundreds of thousands of customers and only a few accidents, that is acceptable.

"All I can say is that I wouldn't want to be the one to have to tell the parents of a dead child that his was the only accident among 1 million riders," Seiden said. "I wouldn't want to be in that position."

# New Jersey Sunday Herald

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SUNDAY, OCTOBER 26, 1986

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## Action Park injuries up in '86

By EVAN SCHUMAN

Staff Writer

**VERNON** — More than 330 people were reported injured while visiting Action Park during its 20-week season this year, more than twice as many as last year.

But state records reveal that the

number of citations for safety violations that were issued to the park this year by the state Labor Department decreased significantly, both in number and severity.

And The Herald found evidence that Action Park strictly enforced state-mandated age limits for ride attendants.

In an article in May, The Herald reported that although state law requires that ride operators and attendants be at least 16 years old, many at Action Park during the 1985 season were as young as 14.

State officials and state records point to several other changes that have taken place at Action Park that

could account for the decrease in citations, including the creation by the park of a three-man, full-time seasonal park patrol which monitors safety and pre-inspects rides.

Despite repeated efforts by The Herald, Action Park officials refused to discuss any aspect of the park's safety record.

**THE RIDE** accounting for the most injuries this year, as in past years, was the park's most popular — the Alpine Slide — with 60. Among them were 19 head injuries, four fractured bones, two dislocated shoulders, a pinched nerve and an internal injury. Last year, 32 injuries

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were reported.

This year's most severe accident, in terms of the number of park-goers involved, was an Aug. 26 release of ozone gas from the park's Roaring Springs section. Thirty people were treated for inhalation of the toxic gas.

The state Department of Environmental Protection, which investigated the accident along with the state Labor Department, fined the park \$10,000 for the mishap. The DEP said it issued the fine — the maximum permitted under state regulations — because the park failed to notify the DEP of the accident.

The Labor Department, which oversees amusement park safety, decided the park's actions did not warrant either a fine or a citation.

**THIS IS** the seventh consecutive year that the Labor Department has opted not to fine Action Park, despite dozens of safety violations and hundreds of accidents — including four deaths in the past six years. The Herald reported previously that other New Jersey amusement parks have drawn fines for first offenses for safety violations identical to ones issued to Action Park.

The park, which closed for the season two weeks ago, had fewer safety citations this year than last. And many of last year's more serious citations — including not reporting accidents with injuries and

rides having worn braking pads — were not reissued this year.

The Alpine Slide, for example, was issued 11 safety citations last year, for violations which included ride attendants not enforcing 25-foot spacing requirements and failure to provide mandatory passenger protection cushioning.

The Alpine Slide was only issued two safety citations this season, one for not having part of the track on a firm foundation and the other for not enforcing a regulation requiring customers to wear footwear.

**THROUGHOUT** the rest of the park, 16 safety citations were issued this year — about half as many as last year. Among the allegations were failure on the part of ride attendants to observe safety regulations or man their posts, and failure to provide or maintain safety equipment.

A citation was issued July 10, for example, when a test of the automatic safety braking system of the Water Bob Avalanche ride revealed that it did not work at two of its five stations.

While state Labor Department records reported more than 300 injuries at the park this year, it is difficult to determine exactly how many accidents beyond those on file took place.

As in previous years, the 1986 Labor Department files include numerous letters written by attorneys researching lawsuits who were inquiring about accidents that were not reported by the park.

State regulations, however, require accident reports to be filed with the state within 48 hours whenever an injury occurs.

Many of the reported injuries are abrasions, lacerations and general cuts and bruises. But not all of them — even by Action Park's own admission — are reported to Trenton.

In an internal Labor Department memorandum dated Aug. 26, 1986, Seymour Rubinstein, assistant director of safety compliance, wrote about a conversation he had with Action Park operations manager Adam Ringler discussing one such accident that had not been on file.

According to the memo, Ringler told Rubinstein that in some cases reports are not filed when accident victims are treated for abrasions by park medical personnel.

**ALAN MARCUS**, an Action Park spokesman, played down the number of accidents at the park, saying that many of them were either not related to the rides or were out of the park's control, such as heart attacks and strokes.

The 331 accidents on file with the state Labor Department, however, include no reports of any heart attacks, strokes or similar medical problems.

Included among the accidents this summer on file in Trenton are the following, none of which resulted in any citations:

- A boy required seven stitches on his chin following a July 17 accident on the Aqua Skoot when he crashed into an empty sled which park employees had failed to remove from the bottom of the slide.

- A New York man was permitted to ride on the Alpine Slide on July 19 with his 4-year-old son in his lap. When the sled tipped over on a turn, the boy slid down 10 feet of concrete track.

- A man had his fingers slit while using the Green Water Slide on July 27 when an investigation report said his skin was cut by jagged edges along an unfinished underside of the lip of the fiberglass slide.

- A July 18 Alpine Slide accident left one park-goer with a lacerated left knee after he fell out of his sled in an attempt to avoid hitting an abandoned sled left at the bottom of the slide.

**IN HIS** investigation report of the incident, a Labor Department in-

spector, Harry Crane, wrote that "there is no identity of the ride attendant at the time."

- On July 27, a head concussion was sustained by a park-goer whose sled was hit from behind by an Action Park ride attendant who was going off-duty. The ride attendant said that she had been unable to brake in time.

- Scott Costa, 29, of New Brunswick, was using the Bumper Boats Two on Aug. 20 when he began to smell gasoline, according to Costa and accident reports filed in Trenton. He soon noticed that his swimming trunks were soaked with gasoline.

- "All of a sudden, I felt my whole bottom begin to burn," he said in an interview. When he told the park attendants, Costa was instructed to walk to the monorail and then ride to the first aid building.

- When he arrived at the first aid center, which he described as "nearly impossible to find because it is so poorly marked," he said he was offered some soap to shower with and was given a medicated cream to apply to the burn area.

- Although his swim trunks were soaked with gas, Costa said he was told by first aid employees that no clothing was available for him and that he would have to wear the trunks home.

Costa said he was then discouraged from filing an accident report but was permitted to after he asked repeatedly.

A woman whom Costa said identified herself as being in charge of the area told him that he was the second person that day to report to the first aid center complaining of gasoline leaking from a Bumper Boat. State records show that only Costa's accident was reported.

**PARK OFFICIALS** did report to the state that several steps were taken to improve safety at the park:

- A safety lane was painted on the Go-Karts' track several feet away from the barricades.

- A restricting bar was installed for the Kamikaze water ride to prevent customers from proceeding too quickly after one park-goer broke his right hand from just such an accident.

- A new electronic starter system was introduced at the Cannonball One following an Aug. 4 accident when a woman lost her dentures. Ride attendants were no longer permitted to use whistles as a start signal.

- No safety improvements at the Alpine Slide, the ride where the most injuries occur, were reported to the state, however.