

Companies Convicted of OHS & Environmental Charges for Propane Explosions



After a worker filled a small propane truck with propane from a bigger truck and while a co-worker was filling cars with propane, there was a series of explosions that killed the co-worker. Two companies were charged with OHS violations for failing to provide appropriate information, instruction and supervision to a worker regarding working with propane and to ensure that a propane facility was installed and operated in accordance with regulatory requirements and safe industry practice. The companies and two corporate officers were also charged with environmental offences. The court concluded that the risk of an explosion during propane transfers was foreseeable but the defendants didn't exercise due diligence to prevent it. In addition, in an inherently dangerous business such as this one, the court explained that there must be a high degree of attention to detail and processes, particularly instructing, training and supervising the workers handling 'this very dangerous fuel,' which the defendants didn't provide. And there was no system in place to ensure that the facility complied with the requirements of the *Technical Standards and Safety Act*. Thus, the court convicted them on the safety and environmental offences [[*Ontario \(Ministry of Labour and Ministry of the Environment\) v. Sunrise Propane Energy Group Inc.*](#), 2013 ONCJ 358 (CanLII), June 27, 2013].