

06-57

For Immediate Release  
May 26, 2006

## **D.L. CONSTRUCTION & ROOFING LTD. FINED \$50,000 FOR HEALTH AND SAFETY VIOLATION**

BROCKVILLE, Ont. – D.L. Construction & Roofing Ltd., a Prescott, Ont.-based roofing company that installs roofs and formerly sold scrap metal collected from its various roofing jobs, was fined \$50,000 on May 25, 2006 for a violation of the Occupational Health and Safety Act that resulted in burns to an employee.

On July 28, 2004, a worker was using a lighter to test for the presence of flammable vapours at an opening of an upside-down steel tank when the vapours ignited causing a large flash fire. Caught up in the ensuing fireball, the worker was pushed backwards away from the tank and suffered first-degree burns to the face and second-degree burns to the upper arms and fingers. Just prior to the incident, the worker had been kneeling down in front of the 757-litre (200-gallon) tank after smelling possible fumes. The worker had been preparing to cut up the tank for scrap metal when the fumes were detected. The incident occurred at the company's scrap yard at 1624 Merwin Lane in the Township of Augusta, about 50 kilometres (31 miles) south of Ottawa.

D.L. Construction & Roofing Ltd. pleaded guilty, as an employer, to failing to ensure the tank was drained and cleaned or otherwise rendered free of any explosive, flammable or harmful substance prior to being cut up for scrap metal. This was contrary to Section 78(1)(b) of the Regulations for Industrial Establishments and Section 25(1)(c) of the act.

The fine was imposed by Justice of the Peace John Doran of the Ontario Court of Justice in Brockville. In addition, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

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Contacts:

Belinda Sutton  
Ministry of Labour  
416-326-7405

Shantanu Roy  
Crown Counsel  
Legal Services Branch  
Ministry of Labour  
416-326-6483

Court Information at a Glance

**Location:** Ontario Court of Justice  
41 Court House Square, Courtroom 1  
Brockville, Ontario

**Judge:** Justice of the Peace John Doran

**Date / Time:** May 25, 2006, 9 a.m.

**Defendant:** D.L. Construction & Roofing Ltd.

**Matter:** Occupational Health & Safety

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