



### Elgin Construction Fined for Kitchener Pipeline Damage

**FOR IMMEDIATE RELEASE (Kitchener, ON, February 8, 2008)** – Elgin Construction, a privately owned St. Thomas-based company, recently pled guilty to a serious public safety violation, contrary to Ontario Regulation 210/01 (Oil and Gas Pipeline Systems) under the *Technical Standards and Safety Act, 2000* (the Act). With the maximum penalty of \$1,000,000 for non-compliant corporations, the Ontario Court of Justice in Kitchener fined the defendant \$20,000, plus the 25% Victim Surcharge, given the circumstances of the case.

In June 2006, the Technical Standards and Safety Authority (TSSA) investigated damage done to a natural gas pipeline at a road reconstruction site on King Street East in downtown Kitchener. Responding to a call from Kitchener Utilities, it was determined that Elgin Construction had damaged a three-quarter inch service tee on a six-inch main gas pipeline with a swing shovel, causing the release of natural gas at a rate of 40 pounds per square inch. Elgin Construction was subsequently charged with interfering with or damaging a pipeline without the authority to do so.

Although the construction company had ascertained the location of the pipeline (from Kitchener Utilities) and its location was clearly marked, Elgin Construction did not hand dig within three feet of those markings as required by the Technical Standards and Safety Authority Guidelines for Excavations.

Bringing charges against companies or individuals for failing to follow proper safety procedures is part of TSSA's safety mandate, and strongly reinforces its prosecution objectives to deter violators and increase public safety.

"Prosecution for non-compliance is an important enforcement tool," says John Marshall, Director of TSSA's Fuels Safety Program. "However working with stakeholders toward compliance and cooperation, often in proactive partnership, is the cornerstone of fuels safety."

Leading efforts to develop best practices, TSSA works with partners like the Ontario Regional Chapter of the Common Ground Alliance to implement a certificate for utility locators, support underground infrastructure information and prevent future pipeline incidents.

#### About TSSA

TSSA is an innovative, self-funded, non-government organization focused on delivering public safety services. It provides not-for-profit regulatory safety services in industry sectors such as fuels, amusement devices, elevating devices, ski lifts, boilers and pressure vessels, operating engineers, and upholstered and stuffed articles. The organization's vision is to be the world leader in public safety services.

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For more information about the Technical Standards and Safety Authority, please visit our web site at [www.tssa.org](http://www.tssa.org)