



Media Release

Prosecution of Two Excavators in
Guelph and Chatham

Careless Contractors Fined \$12,000 for Gas Pipeline Strikes

TSSA successfully prosecutes excavators for unsafe digging practices

FOR IMMEDIATE RELEASE (Toronto, ON, April 1, 2014) – The Technical Standards and Safety Authority's (TSSA's) enforcement of pipeline safety has netted two convictions of excavation companies in southwestern and midwestern Ontario.

The Ontario Court of Justice in Guelph and Blenheim levied fines totalling over \$12,000 against Kurtis Smith Excavation Inc. and Jim Depuydt of JDE Backhoe for violating safety regulations under the *Technical Standards and Safety Act, 2000*.

In the first incident, Kurtis Smith Excavation Inc. was installing water lines to homes in Minto, Ontario when company owner Kurtis Smith's excavator struck and ruptured a medium-pressure 2-inch natural gas pipeline, leaving over 60 businesses and residences in the vicinity temporarily without gas. Mr. Smith failed to expose the gas line by hand digging before using the excavator. The company pled guilty to damaging a natural gas pipeline and was fined \$7,500, plus the mandatory 25% victim fine surcharge for a total amount of \$9,375.

In a separate incident, Jim Depuydt of JDE Backhoe started excavating at a residence near Blenheim, Ontario to examine the septic system without first ascertaining the location of the pipeline in the area of excavation. Mr. Depuydt subsequently pled guilty to digging without obtaining a locate and was fined \$5,000, plus the mandatory 25% victim fine surcharge for a total amount of \$6,250.

"These are serious violations of Ontario's public safety rules that put homeowners and business, as well as excavators, in real danger," said John Marshall, Director of TSSA's Fuels Safety Program. "Thankfully no one was hurt – but that could have been the luck of the draw. That's why Ontario has stringent laws around pipeline safety, including obtaining a locate before you even break ground."

TSSA reminds the public that any excavation work must comply with safety requirements, including obtaining a valid pipeline locate from the licence holder or gas utility before breaking ground. Get a free locate from Ontario One Call at 1-800-400-2255 or visit <http://on1call.com>.

Ontario Regulation 210/01 prohibits interfering with or damaging a pipeline and any damage and/or subsequent release of gas should be immediately reported to the Ministry of Environment's Spills Action Centre at 1-800-268-6060 or by contacting TSSA toll-free at 1-877-682-8772.

About TSSA

The Technical Standards and Safety Authority (TSSA) is Ontario's public safety regulator mandated by the Government of Ontario to enforce provincial safety regulations and enhance public safety. Throughout Ontario, TSSA regulates the safety of amusement devices, boilers and pressure vessels, elevating devices, fuels, operating engineers, ski lifts, and upholstered and stuffed articles. Its range of safety services include public education and consumer information, certification, licensing and registration, engineering design review, inspections, investigations, safety management consultation, and enforcement and prosecution activities. The organization's vision is to be a valued advocate and recognized authority in public safety.

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For more information on the Technical Standards and Safety Authority, please visit www.tssa.org.

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