

## Toronto propane explosion was preventable, court hears

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View of the site of the explosion at Sunrise Propane Industrial Gases plant in Toronto.  
(Fernando Morales/The Globe and Mail)

A propane explosion that killed one employee and rained asbestos on a Toronto neighbourhood was foreseeable and would have been easier to prevent if Sunrise Propane had complied with a ban on truck-to-truck transfers at its Murray Road site, a court heard Tuesday.

In his closing arguments, Environment Ministry lawyer Nicholas Adamson said that if the company had been transferring propane from a bulk tank to a truck instead, it would have been required to have more lines of defence in the event of a leak, including additional emergency shutoff mechanisms.

The August, 2008, blast killed 25-year-old Parminder Singh Saini, an employee at the filling station and a Sheridan College student. A firefighter died of a heart attack while surveying the damage at the site, and more than 10,000 people were forced to leave their homes.

Sunrise Propane and its directors, Shay Ben-Moshe and Valery Belahov, face multiple charges under the Environmental Protection Act and the Occupational Health and Safety Act for allegedly failing to clean up after the explosion, follow regulations and protect workers.

A Fire Marshal's report found that an equipment failure caused propane to leak and turn into a vapour while an employee was transferring it from one truck to another. It's unclear how the vapour was ignited.

But Mr. Adamson said the truck-to-truck transfer shouldn't have occurred in the first place because the company had been ordered to stop the practice by the Technical Standards and Safety Authority – an assertion Sunrise Propane's lawyer has disputed.

"If Sunrise had been obeying this order, in my submission, this event almost certainly would not have happened," Mr. Adamson said on Tuesday.

The order said truck-to-truck transfers would only be allowed under a narrow set of circumstances, including during emergencies and at filling stations with a bulk storage tank.

Defence lawyer Leo Adler has previously said that, while Sunrise was aware of the order, the company believed it could continue truck-to-truck transfers while it built a new tank on its property. Mr. Adler has said the company's representatives met before the explosion with an inspector from the TSSA who was aware they were continuing the transfers.

In closing arguments on Tuesday, Mr. Adler attributed the explosion to defective equipment that he suggested was beyond the company's reasonable control. "It's a completely unforeseeable, unexpected accident that was due to a defect that had nothing to do with Sunrise," he told the court.

Closing arguments are expected to continue on Thursday