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“Victorian workers returning home safe every day”

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## **Confined space work and other safety failings cost a life & \$500,000 for tank cleaning company**

23 December 2009

WorkSafe has warned companies and workers about the dangers of working in confined spaces after a tank cleaning company was convicted and fined \$500,000 last week after a worker died.

The Director of WorkSafe’s Manufacturing, Logistics and Agriculture Program, Ross Pilkington, said whether tanks, silos drains or pits were involved; confined spaces were high-risk, high-consequence environments.

“With the addition of chemicals and gases into these places, those risks are magnified.”

“Safeguards include having, and using, systems of work which incorporate safe work procedures, appropriate atmospheric testing and personal protective equipment saves lives.

“Developing hazard identification and risk assessment systems to control access such as a ‘confined space entry permit’ is a common approach.”

Mr Pilkington said WorkSafe produced a range of materials aimed at people required to work in confined spaces and what can be done to protect them. They can be found online at [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au) or call .

**Altona North company Depot Vic Pty Limited (formerly known as Hyde Park Tank Depot Pty Ltd) was convicted and fined \$500,000 on Wednesday after**

**Geoffrey Johnson, 42, of Werribee was overcome by chemical fumes and died in a large empty tank.**

**The company, which cleans and repairs storage tanks for the chemical industry, pleaded guilty to failing to provide and maintain a safe workplace and another of failing to properly train and instruct its employees.**

County Court Judge Roy Punshon was told Mr Johnson was found dead inside the 25,000 litre tank nearly three metres high at the company's premises on 16 August 2007.

WorkSafe's investigation found he had used a chemical to remove latex from inside the tank but he could not be revived by workmates who found him.

WorkSafe's investigation found the company's training and application of appropriate safety standards were inadequate and that it failed to provide or maintain supervision of workers.

- WorkSafe estimated the concentration of the chemical in the tank would have been around 100,000 parts per million. It is considered to be "acutely lethal" at a concentration of 20,000 ppm. At 50,000 ppm as "immediately life threatening".
- The company could not produce a Material Safety Data Sheet produced by the manufacturer of the chemical used on the day Mr Johnson died. It would have indicated that the product contained methylene chloride and the health hazards associated with it. These included dizziness, impaired co-ordination and headaches.
- Depot did not provide its employees with written safety procedures for the use of paint stripper which was also used to clean the insides of tanks;
- Confined space entry permits were not used;
- Inappropriate breathing equipment was used by workers inside tanks being cleaned;
- No rehearsal of emergency procedures had been conducted. A co-worker entered the tank to rescue Mr Johnson without personal protective equipment and had to get out after 15-30 seconds because of dizziness.
- Depot had a written procedure for confined space entry, had trained its employees in confined space entry (including annual refresher training) and had provided protective equipment, but they were not in Vietnamese which would have been appropriate to workers involved in the tank cleaning work;

**The charges:**

**Failure by employer to provide a safe working environment - contrary to s.21 (1) and (2)(a) of the *Occupational Health and Safety Act 2004*.**

Failure by employer to provide a safe working environment - contrary to s.21(1) and (2)(e) of the *Occupational Health and Safety Act 2004*.

## Further Information

**Media inquiries:** Michael Birt or 9641-1216

**Public inquiries:** Call the WorkSafe Advisory Service on between 8:30am and 5pm Monday to Friday, email [info@workcover.vic.gov.au](mailto:info@workcover.vic.gov.au) or write to Advisory Service, PO Box 4306, Melbourne, 3001.



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