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Oil recycler sentenced over workplace death

The owner of an oil recycling company where 24-year-old Jamey Bowring was killed in a tank explosion has been sentenced to 4 ½ months home detention.

At the Manukau District Court today, the owner, Ronald Salter was also personally fined \$25,000. His company Salters Cartage Limited (SCL) was fined a total of \$258,750. Mr Salter and SCL were ordered to jointly pay reparations totalling \$128,074.21.

The contractor who employed Mr Bowring, Race Works Limited was convicted and discharged without penalty.

On 15 September 2015 a contract worker provided by Race Works Limited, Mr Bowring, was undertaking 'hot work' – welding and grinding – on the top of a 96,000 litre capacity tank which was close to empty. The tank exploded throwing Mr Bowring 130 metres into a nearby car yard and killing him.

Chief Inspector Investigations Keith Stewart commented;

“These failings led to a young man in the prime of his life dying.

“There is a family without a son and brother, a company without a workmate, a community without a valued member. We must always understand that the impact of a fatality is not just a statistic, but a real person.

“The violations of health and safety requirements in this case were numerous and serious.

“Mr Salter’s disregard for safety led directly to the death of a young man with his future in front of him.

“Mr Salter held himself out to us in emails and other communications as the ‘conscience’ of the industry while at the same time failing to meet his own responsibilities.

“It is to avoid such a tragedy that we have health and safety legislation and rules

for dealing with hot work and flammable vapours. I hope that every participant in this industry takes time today to ensure they're absolutely on top of their health and safety responsibilities and we never have to see such a tragedy again”.

Notes:

Our investigation into the incident discovered multiple failures by Mr Salter and SCL leading to the death of Mr Bowring. Mr Salter faced three charges under the Health and Safety in Employment Act (the Act) and SCL faced three charges under the Act. The investigation also discovered significant breaches of the Hazardous Substances and New Organisms Act by Mr Salter – three charges - and SCL – three charges.

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