

# Double-investigation leads to fine for North East car parts manufacturer Faltec Europe Limited

A South Tyneside car parts manufacturer has been fined £1.6million after a Legionnaires' disease outbreak and an explosion occurred at the same plant within a year.

The Health and Safety Executive (HSE) investigated and have prosecuted Faltec Europe Limited in relation to both incidents.

Five people fell seriously ill following the Legionnaires' disease outbreak and one worker suffered serious burns from the explosion incident.

Newcastle Crown Court heard that between October 2014 and June 2015, two employees, two agency workers and a local resident fell seriously ill with Legionnaires Disease. HSE found the illness was caused by Faltec's failure to effectively manage its water cooling systems within the factory, causing the legionella bacteria within the water supply to grow to potentially lethal levels.

In relation to the explosion incident, the same court heard that on 16 October 2015, an operator attempted to recover a part that came off production rollers at the plant in Boldon. There is an explosive atmosphere within the machine during normal production. The part he was retrieving came into contact with an electrostatic grid, which created a spark and caused a dust explosion. The 19-year-old man suffered first degree burns to his face and arms. HSE found that adequate measures were not put in place to protect operators from explosion risks, this was despite previous explosions having occurred.

Concerning the legionella incident, Faltec Europe Limited of Didcot Way, Boldon in Tyne and Wear pleaded guilty to breaches of Section 2 (1) and 3 (1) of the Health and Safety at Work Act 1974 (HSWA). In relation to the explosion, the company pleaded guilty to breaching Section 2 (1) of HSWA. The company was fined £1.6million and ordered to pay costs of £75,159.73 and a victim surcharge of £120.

Speaking after the hearing, HSE inspectors Fiona McGarry and Michael Kingston said: "The explosion and outbreak of Legionnaires' disease at the Faltec factory had a major impact on the six people affected, with some suffering long-term ill-health as a result. In addition, the incidents raised concern amongst other employees and the local community.

"Supported by colleagues from Public Health England and South Tyneside Council HSE investigated and identified breaches in both cases. In pleading guilty to three charges under the Health and Safety at Work Act 1974 the company have acknowledged these breaches.

“Legionnaires’ disease is a relatively uncommon, but potentially fatal form of pneumonia. When water systems are not properly controlled and maintained there is a risk of exposing both employees and the wider community to Legionella bacteria. Following the outbreak, and HSE enforcement, improved control measures have now been implemented by the company to better manage the Legionella risks at the site.”

“Furthermore, where dangerous substances create a fire and explosion risk, there needs to be adequate control measures in place to prevent an explosion or mitigate the consequences. The risks should have been assessed before the machine was put into use and the previous incidents should have resulted in a comprehensive review by a competent person. Operators need to be trained on the fire and explosion risks and understand the required controls”.

#### **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information regarding the risks associated with Legionnaires disease is available at <http://www.hse.gov.uk/legionnaires/>
5. Further information regarding the risks associated fire and explosion is available at <http://www.hse.gov.uk/fireandexplosion/index.htm>

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