

Managing director receives suspended sentence after worker is burned in petrol tank explosion

A managing director has received a suspended sentence after an employee suffered severe burns on a construction site in Swynecombe, Henley-on-Thames, Oxfordshire.

Milton Keynes Magistrates Court heard how managing director of MWJ Construction Ltd, Marcin Wojtas failed to take reasonably practicable precautions for the decommissioning of a petrol tank, which resulted in an explosion.

An investigation by the Health and Safety Executive (HSE) into the incident that occurred on 9 July 2018, found that the injured person and another operative were instructed by Mr Wojtas to use an angle grinder to remove the tank lid to speed up the decommissioning of the tank. While performing this task, the petrol vapours within the tank were ignited and an explosion occurred. The injured person sustained burns to 26 per cent of their body.

The investigation also found Mr Wojtas had been informed by an officer from the Petroleum Enforcing Authority that the work to decommission the fuel tank was a specialised operation and needed to be completed by a competent contractor. Neither operative had any of the training, experience or knowledge required to make them competent.

Marcin Wojtas of Hatfield Road, London pleaded guilty to breaching section 37 of the Health and Safety at Work etc. Act 1974. He was given a six month suspended sentence and ordered to pay total costs of £8,455.48.

Speaking after the hearing, HSE inspector David Tonge said: "The accident could have been prevented if the work was appropriately planned through an adequate risk assessment. Had this been the case, competent operatives would have conducted the work, the tank would have had its hazardous contents (petrol vapour and petrol) removed safely and equipment appropriate to use around an explosive atmosphere would have been used."

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
2. HSE news releases are available at <http://press.hse.gov.uk>
3. For HSE's working safely guidance see <https://www.hse.gov.uk/coronavirus/working-safely/index.htm>

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