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For Immediate Release
March 13, 2015

Mining Company and Supervisor Fined \$88,000 After Workers Exposed to Hazard

SUDBURY, ON – FNX Mining Company Inc. and one of its supervisors have pleaded guilty to safety violations at the Craig Mine in the City of Greater Sudbury and fined a total of \$88,000.

On September 7, 2013, two workers at the mine were assigned the task of backfilling a stope (a production area of a mine from which ore is removed for processing).

Once the ore within the area of the stope has been removed, the stope is backfilled. The material used at Craig Mine for backfilling, called sandfill, consisted mainly of sand, cement and water; the cement component of the sandfill was capable of imparting caustic chemical burns when in contact with skin.

The mine was using a procedure that involved a single pipeline to apply the sandfill. As a stope was filled, a worker was required to enter the stope and remove 10-foot sections of the pipe so that the pouring of sandfill could proceed through the stope. The sandfill material was pumped from a surface location.

At the stope in the incident, a worker would have to wade through accumulations of water and slimes (very fine material) up to a couple of feet deep in order to gain access to the pour point. No radio communication was available inside the stope near the pour point of the fill line. As a result, a worker entering the stope to remove energized pipe sections was dependent on a partner in the event of an injury or emergency.

On the day of the incident, the two workers were using an arrangement in which the partner would check on the worker in the stope after 10 minutes without contact. One of the workers, wearing chest-high waders, entered the stope and began to move toward the pour point, walking through water, slimes and sandfill. The worker's feet became stuck and a struggle to get free was unsuccessful. Because the backfill system had not been shut down, the pipe continued to pour sandfill around the worker, and the worker was unable to move or communicate as the backfill rose.

As per their arrangement, the worker's partner checked and, seeing the situation, radioed the surface to shut down the pump for the sandfill and went to a refuge station to seek rescue assistance. It took seven workers an hour to extricate the worker; all received burns to their legs and one required skin grafts.

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Two weeks prior the general foreman and supervisor was informed by workers of concerns relating to the backfill procedure, including the hazard of workers having to wade through water and slimes at the stope, hazards associated with the removal of lengths of pipe while sandfill was being discharged and communication problems while working in the stope. However, no changes in procedures were undertaken until after the incident.

Both the company and the supervisor, Jeffrey Huffman, pleaded guilty to contravening Section 185(7) of the Mines and Mining Plants Regulation (Regulation 854), which specifies that if any work is being done on a machine, the moving parts shall be stopped and the machine shut down and tagged. In this case, the company and Huffman failed to ensure that the sandfill pump was stopped, locked out and tagged before work was done on the sandfill pipes.

The company also pleaded guilty to contravening section 25(2)(a) of the Occupational Health and Safety Act for failing to ensure that workers were informed of and instructed on a safe procedure for backfilling a stope and/or that following of that procedure was enforced by way of effective supervision.

FNX Mining Company was fined \$80,000 for the two contraventions of the law, and Huffman was fined \$8,000 by Justice of the Peace Monique Seguin.

In addition to the fine, the court imposed a 25-per-cent victim fine surcharge as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

For further information:

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Court Information at a Glance

Location:	Provincial Offences Court/Ontario Court of Justice 200 Brady Street Sudbury, Ontario
Judge:	Justice of the Peace Monique Seguin
Date of Sentencing:	March 13, 2015
Defendants:	FNX Mining Company Inc. 199 Bay Street Commerce Court Suite 4000 Toronto, Ontario Jeffrey Huffman (supervisor) Chelmsford, Ontario
Matter:	Occupational health and safety
Convictions:	Occupational Health and Safety Act Section 25(2)(a) Section 25(1)(c) Section 27(1)(a) Ontario Regulation 854 (Mines and Mining Plants Regulation) Section 185(7)
Crown Counsel:	Wes Wilson



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