

PARTICULARS OF SENTENCE

**SUPREME COURT.
STATE OF VICTORIA,**

ESSO AUSTRALIA PTY LTD

at Longford in the said State between the 1st day of January 1993 and the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to make arrangements for ensuring so far as was practicable safety and absence of risks to health in connection with the use and handling of plant and substances in that it failed to conduct any adequate hazard identification at Gas Plant One.

FINED \$250,000 PLUS AN ADDITIONAL \$50,000 UNDER S.53 OF THE OHS ACT

Count 2: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State between the 1st day of January 1994 and the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to make arrangements for ensuring so far as was practicable safety and absence of risks to health in connection with the use and handling of plant and substances in that it failed to carry out adequate risk assessment at Gas Plant One.

FINED \$150,000

Count 3: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to provide and maintain plant that was so far as was practicable safe and without risks to health.

FINED \$200,000 PLUS AN ADDITIONAL \$50,000 UNDER S.53 OF THE OHS ACT

Count 4: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to provide and maintain a system of work that was so far as was practicable safe and without risks to health in that it operated Gas Plant One without adequate procedures relating to loss and restoration of lean oil circulation.

FINED \$100,000

Count 5: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to provide such training as was necessary to enable them to perform their work in Gas Plant One in a manner that was safe and without risks to health in that it failed to adequately train employees to safely respond to a loss of lean oil circulation,

FINED \$100,000

Count 6: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment at Gas Plant One that was safe and without risks to health by failing to provide and maintain plant and systems of work that were so far as practicable safe and without risks to health. in that it failed to provide the means for ensuring that items of plant operated at a safe temperature.

FINED \$100,000

Count 7: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to provide training to employees as was necessary to enable them to perform their work in a manner that was safe and without risks to health in that it failed to adequately train employees regarding risks associated with abnormally cold plant

FINED \$250,000 PLUS AN ADDITIONAL \$50,000 UNDER S.53 OF THE OHS ACT

Count 8: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to provide supervision to employees as was necessary to enable them to perform their work in a manner that was safe and without risks to health in that it failed to provide adequately trained supervisors capable of safely responding to the events on that day at Gas Plant One.

FINED \$150,000 PLUS AN ADDITIONAL \$50,000 UNDER S.53 OF THE ohs ACT

Count 9: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed so far as was practicable to monitor conditions at a workplace under its control and management known as Gas Plant One.

FINED \$200,000

Count 10: AND the Director of Public Prosecutions further presents that **ESSO AUSTRALIA PTY LTD** at Longford in the said State on or about the 25th day of September 1998 being an employer failed to provide and maintain so far as was practicable for employees a working environment that was safe and without risks to health by failing to maintain a workplace which was under its control and management in a condition that was safe and without risks to health.

FINED \$100,000

Count 11: AND the Director of Public Prosecutions further presents that at Longford in the said State on or about the 25th day of September 1998 being an employer failed to ensure so far as was practicable that persons other than its employees were not exposed to risks to their health and safety arising from the conduct of its undertaking by reason of the release of hydrocarbons and subsequent explosion and fire at Gas Plant One.

FINED \$200,000