



**STAFF REPORT  
ACTION REQUIRED**

**Supplementary Report - Recovery of Expenses for  
Propane Explosion Clean-Up**

<b>Date:</b>	May 25, 2009
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	All
<b>Reason for Confidential Information:</b>	
<b>Reference Number:</b>	

**SUMMARY**

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This report is supplementary to the report dealing with the recovery of expenses for the propane explosion clean-up.

This supplementary report seeks authority for the City Solicitor to pursue recovery of expenses incurred by Toronto Fire Services in connection with the propane explosion in the Keele-Wilson area of the City.

**RECOMMENDATIONS**

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It is recommended that:

- (1) the City Solicitor be granted authority to pursue recovery of expenses incurred by Toronto Fire Services in connection with the propane fire and explosion in August 2008 that started at 48 and 54-62 Murray Road (the “Sunrise Site”) in the City of Toronto;
- (2) such authority include the authority to issue an order under Section 100.1 of the *Environmental Protection Act*, to commence other legal action where appropriate, to discontinue or settle any legal action, to appeal any decision where warranted, to take collection proceedings to enforce judgments and

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orders where necessary, to write-off amounts that are uncollectible where it is appropriate to do so, or otherwise to deal with the recovery of such claims, in consultation with Toronto Fire Services and to execute any documents in furtherance thereof; and

- (3) The appropriate City staff be authorized to take the necessary steps to implement these recommendations.

## **FINANCIAL IMPACT**

The City Solicitor is seeking authority to recover costs expended by Toronto Fire Services as set out in this report. If the City is successful, there will be a positive financial impact.

## **ISSUE BACKGROUND**

The background is set out in the staff report dated April 20, 2009. That report deals with the clean up costs carried out by external consultants. In addition, Toronto Fire Services has requested that the City Solicitor pursue recovery of costs and expenses incurred by Fire Services in connection with the propane fire and explosion at the Sunrise Site.

## **COMMENTS**

Toronto Fire Services incurred significant costs in connection with the explosion and fire at the Sunrise Site. The costs total several hundreds of thousands of dollars. Fire Services' costs were connected with preventing, eliminating and/or ameliorating the adverse effects arising from the propane explosion and fire on the Sunrise Site. Accordingly, authority is sought to pursue recovery of these costs as well pursuant to an order under Section 100.1 of the *Environmental Protection Act* and to take any other appropriate legal action.

## **CONTACT**

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## **SIGNATURE**

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