Paint Company to Pay $1.65M in Fire Deaths

DENVER (AP) — A California specialty painting company pleaded guilty Monday to five counts of violating federal workplace safety rules that resulted in the deaths of five workers at a Colorado power plant in 2007.

Under terms of its plea agreement, RPI Coating Inc., of Santa Fe Springs, Calif., will pay $1.65 million in penalties and compensation, with most of that amount going to the victims' families.

A judge sentenced RPI Coating to five years of probation immediately after its plea. A count of obstruction of justice and separate charges against RPI owner Philippe Goutagny and vice president James Thompson were dismissed.

The workers died after a fire broke out inside a pipeline in October 2007 at Minneapolis-based Xcel Energy Inc.'s hydroelectric plant near Georgetown, about 40 miles west of Denver.

They were trapped when a flammable solvent they were using to clean an epoxy paint sprayer ignited. They were in a hard-to-reach part of the tunnel.

A jury in June acquitted Xcel Energy of all criminal charges. The company has paid millions of dollars in compensation to the families of Donald Dejaynes, Dupree Holt, James St. Peters, Gary Foster and Anthony Aguirre.

The Occupational Safety and Health Administration fined Xcel and RPI nearly $2 million over the accident. The $1.65 million that RPI Coating agreed to pay under the plea bargain includes $100,000 to OSHA to settle the fines and $275,000 in attorney fees and costs.

"Our heartfelt sympathies go out to the families affected by this needless tragedy," OSHA Regional Administrator Greg Baxter said in a statement. "It never should have happened."

RPI, formerly known as Robison-Prezioso Inc., had been investigated, cited and fined by California regulators for two deaths that happened during work on the Bay Bridge that connects Oakland and San Franciso. A passing motorist died in 2001 when scaffolding fell and a worker died and four others were injured when a work platform buckled in 2002.

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