

IN THE MATTER OF the *Public Inquiries Act, 2009*, S.O. 2009,
c. 33, Sched. 6

AND IN THE MATTER OF the Elliot Lake Commission of
Inquiry, established by Order in Council 1097/2012

**MOTION RECORD OF CORESLAB STRUCTURES (ONT) INC.
(Motion for Standing)**

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**NOTICE OF MOTION
(Motion for Standing by Coreslab Structures (Ont) Inc.)**

The moving party, Coreslab Structures (Ont) Inc., will make a motion to the Commissioner of the Elliot Lake Commission of Inquiry in writing or, if so required, by attendance by counsel at a time and place to be determined by the Commissioner.

THE MOTION IS FOR an order granting the moving party, Coreslab Structures (Ont) Inc., full standing in relation to Part I of the Inquiry.

THE GROUNDS FOR THE MOTION ARE:

Overview

1. Coreslab Structures (Ont) Inc. (“Coreslab”) has a substantial and direct interest in the subject matter of the Inquiry, because:
 - a. It is a major producer and supplier of concrete hollow core slabs (“slabs”) throughout Ontario. Therefore, it has a direct interest in (a) the engineering standards with respect to slabs and (b) with respect to the standards for industry practice.

- b. In or about 1979, Coreslab submitted a tender, which was accepted, for the provision and installation of slabs. As a result, it was directly involved in the construction of the Algo Centre Mall (“Mall”). These slabs formed the floors and roofs of the building, including the rooftop parking which ultimately collapsed.
2. Coreslab’s participation would further the conduct of the Inquiry, because:
 - a. Coreslab can assist the Commission in understanding the engineering, production and installation of the slabs that were used in the Mall. In particular, it can assist the Commission in understanding whether the slabs were capable of load capacities indicated in the structural drawings for the Mall;
 - b. Coreslab can assist the Commission in understanding whether it is necessary to have a composite topping to obtain the required capacity load for the rooftop parking;
 - c. Coreslab can assist the Commission in understanding any subsequent engineering advise provided with respect to the slabs after the construction was completed;

Background

3. Coreslab Structures (Ont) Inc. is a major producer and supplier of precast/prestressed concrete products throughout Ontario.
4. The office for Coreslab is located in Dundas, Ontario

Coreslab's involvement with the Mall

5. In or about 1979 Coreslab submitted a tender to Algocen Realty Holdings which was accepted, to provide slabs for the construction of the Algo Centre Mall ("Mall"). These slabs would have formed the floors and the roofs of the Mall, including the roof top parking.
6. To provide a quote for the construction of the Mall, Coreslab would have reviewed the contract documents which would include the architectural drawings, structural drawings and specifications.
7. Coreslab's engineer, at that time, David Hellyer, applied his stamp to the shop drawings for the construction of the Mall.
8. In 1979 Coreslab had a load table which provided information with respect to the superimposed load that a slab would be capable of supporting. This load table would act as a rough guideline. An engineer at Coreslab performs structural calculations to determine the actual load capacity of a slab. Further, various engineering methods and manufacturing techniques can be utilized to alter the load capacity of slabs.
9. Coreslab continues to manufacture hollow core slabs.
10. After the completion of a project it is not uncommon for Coreslab to receive inquiries relating to the general information regarding slabs and/or to provide engineering support relating to the structural nature of slabs.
11. In the early 1990's Shahid Shaikh, an engineer with Coreslab was consulted with respect to the load capacity of the slabs at the Mall. However, Coreslab is unaware of what information would have been available to Mr. Shaikh.

Coreslab's interest in and proposed contribution to the Commission

12. Coreslab was directly involved in the construction of the Mall and was consulted in the early 1990's with respect to the load capacity of the slabs.
13. Coreslab can assist the Commission in understanding whether the slabs were capable of supporting 120 psf superimposed dead and live load without topping.
14. Coreslab can provide assistance to the Commission with respect to understanding:
 - a. What factors or slab features can affect the load capacity of slabs;
 - b. What information is relied upon in determining slab capacity;
 - c. The necessity of using a composite topping to obtain the required capacity load for the rooftop parking; and
 - d. What advice could be provided by Coreslab after the Mall was completed.
15. Coreslab has a direct interest in the development of standards with respect to the production of slabs and may be affected by the recommendations the Commission makes relating to legislation, regulations, by-laws, policies and procedures applicable to slab production and utilization.
16. For all of these reasons, Coreslab respectfully requests that it be granted standing as a full participant in Part I of the Inquiry.
17. Coreslab relies upon Section 8-12 of the Commission's *Revised Rules of Standing and Funding*.

18. Coreslab's contact information is

Coreslab Structures (Ont) Inc.
205 Coreslab Drive
Dundas, Ontario L9H 0B3
Attention: Frank Franciosa / Douglas Harman

THE FOLLOWING DOCUMENTARY EVIDENCE is submitted in support of the motion:

- a) The Affidavit of Douglas Harman, sworn May 7, 2013.

May 7, 2013

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TO: Elliot Lake Commission of Inquiry
White Mountain Building
99 Spine Road
Elliot Lake, Ontario
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The Honourable Paul R. Bélanger, Commissioner

Tel: 705-848-1910
info@elliottlakeinquiry.ca

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AFFIDAVIT OF DOUGLAS HARMAN
(sworn May 7, 2013)

I, Douglas Harman, of the City of Hamilton, Province of Ontario, MAKE OATH AND
SAY:

1. I am the Vice-President and General Manager of Coreslab Structures (Ont) Inc. (“Coreslab”) and have been an employee of Coreslab for 24 years, and as such, I have knowledge of the matters hereinafter deposed to.

Background

2. Coreslab is a manufacturer of precast concrete, prestressed concrete and hollow core slabs (“slabs”). The main office for Coreslab is located in Dundas, Ontario.
3. Coreslab services Ontario, Canada with respect to its products.

Coreslab’s Involvement with the Algo Centre Mall

4. In or about 1979 Coreslab submitted a tender to Algocen Realty Holdings, which was accepted, to provide slabs for the construction of the Algo Centre Mall (“Mall”). The slabs would have been installed on top of steel framing and would have formed the floors and the

roofs of the Mall, including the roof top parking. The scope of this work is set out in the quotation, dated March 21, 1979.

5. In order to provide a quote for the construction project, Coreslab would have obtained a copy of the contract documents (which would include architectural drawings, structural drawings and specifications). When preparing a bid on a project, a Coreslab engineer would consider the live and dead loads indicated on the drawings because these would be the loads that the slabs would be required to meet.
6. It is my understanding that David Hellyer was the engineer for Coreslab at the time that the Mall was constructed and that it was his stamp that was applied to the shop drawings for the construction of the Mall.
7. In 1979 Coreslab had a load table which provided information with respect to the superimposed load ("load"), in pounds per square foot, that a slab would be capable of supporting. The load table would act as a rough guideline for determining the load capacity of a slab.
8. Coreslab and/or its engineer will perform specific structural calculations, if necessary, to determine whether a slab is capable of supporting a different load than indicated on the load table. Further, it is possible to use various engineering methods and manufacturing techniques to alter the load capacity of the slabs, depending on the requirements of the structure.
9. Hollow core slabs continue to be manufactured by Coreslab at its facility in southern Ontario.

10. The hollow core slabs are not designed to be left unprotected and exposed to freeze-thaw cycles and water penetration. However, Coreslab does not make any recommendations on how to waterproof the slabs.
11. It is not unusual for Coreslab to continue to receive inquiries regarding a project after it has been completed. Normally these inquiries relate to general information regarding the slabs.
12. Further, it is Coreslab's practice to provide engineering support relating to the structural nature of the slabs manufactured by Coreslab, after a structure is built, if required. For instance, if a structure has been damaged.
13. It is my understanding that in the early 1990's Coreslab's engineer at that time, Shahid Shaikh, was consulted with respect to the load capacity of the slabs at the Mall. Further, it is my understanding that Mr. Shaikh commented on the requirement of a topping. However, I am unaware of what information would have been available to Mr. Shaikh at this time.

Coreslab's interest in and proposed contribution to the Commission

14. Coreslab was directly involved in the construction of the Mall and was consulted in the early 1990's with respect to the load capacity of the slabs.
15. I have reviewed the Norr Report, issued on March 8, 2013, which indicates that Mr. Hellyer and/or Coreslab advised that the slabs were capable of supporting a 120 psf superimposed dead and live load without a topping.
16. Coreslab can assist the Commission in understanding whether the slabs were capable of supporting 120 psf superimposed dead and live load without topping

17. As a result of the foregoing and Coreslab’s history of being a manufacturer and supplier of slabs, it is well situated to provide assistance to the Commission with respect to understanding:

- a. what factors or slab features can affect the load capacity of slabs;
- b. what information is relied upon in determining slab capacity;
- c. the necessity of using a composite topping to obtain the required capacity load for the rooftop parking; and
- d. what advice could be provided by Coreslab after the Mall was completed.

18. In addition, Coreslab has a direct interest in the development of standards with respect to the production of slabs.

19. Coreslab may be affected by the recommendations the Commission makes relating to legislation, regulations, by-laws, policies and procedures applicable to slab production and utilization.

20. I believe that the Commission would benefit from Coreslab’s perspective with respect to the use of the slabs and their structural capacity.

SWORN before me at the City)
of Hamilton, in the Province)
of Ontario, this 7 th day of)
May, 2013.)

Brenda Lillian Lee
A Commissioner, etc.


DOUGLAS HARMAN

**Brenda Lillian Lee, a Commissioner, etc.,
City of Hamilton and Regional Municipality
of Halton, for Coreslab Structures (Ont.) Inc.
Expires March 14, 2015.**

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