

A 37-year-old man was crushed when caught in the augers of a mulch blower. The crew were blowing mulch into a retaining pond from a truck. The crew leader assigned the victim to troubleshoot problems with the mulch coming from the hose. The crew leader then left the immediate area and upon return discovered the victim laying in the mulch in the trailer. It is believed the victim climbed on top of the trailer to break up the mulch using a pitchfork. The victim appears to have been working from atop the trailer and may have fallen or climbed in to better break up the mulch and was then pulled into the horizontal load levelers.

**Citation(s) as Originally Issued**

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

**Citation 1 Item 1 Type of Violation: Serious**

29 CFR 1910.23(b)(8): The employer did not ensure ladders were used only for the purposes for which they were designed.

In that a viewing ladder on the back of the mulch trailer was being used to access the top of the trailer when the manufacturer's instructions prohibit doing so.

**Proposed Penalty: \$2000.00**

**Citation 1 Item 2 Type of Violation: Serious**

29 CFR 1910.145(e)(2): The wording of signs was not easily read and concise.

In that the warning sign on the back of the trailer had been partially peeled and was not legible.

**Proposed Penalty: \$2000.00**

**Citation 1 Item 3 Type of Violation: Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of hazardous energy when employees were engaged in activities such as servicing and/ or maintenance of equipment.

In that when troubleshooting the mulch trailer while inside the trailer or while on the metal grate on top of the trailer (i.e. moving mulch around/breaking up mulch in the trailer); the equipment is not de-energized and locked out to prevent exposure to moving parts such as the load levelers and augers.

**Proposed Penalty: \$4000.00**

**Citation 1 Item 4 Type of Violation: Serious**

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee had not received training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy

available in the workplace, and the methods and means necessary for energy isolation and control:

In that employees performing servicing/maintenance tasks such as inspecting the mulch trailer and adjusting the mulch in the mulch trailer, had not received training as authorized employees to conduct lockout/tagout.

**Proposed Penalty: \$2000.00**

**Citation 1 Item 5 Type of Violation: Serious**

29 CFR 1910.151(b): In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons were not adequately trained to render First Aid.

In that an adequately trained person was not available to render First Aid in the event an employee is injured. The closest medical facility is Physician's Urgent Care, which was 2.2 miles/7 minutes away, depending on the route taken.

**Proposed Penalty: \$1500.00**

**Citation 2 Item 1 a Type of Violation: Other-than-Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

In that a written hazard communication program had not been developed and implemented for the chemicals the employees are exposed to such as but not limited to: Diesel.

**Proposed Penalty: \$250.00**

**Citation 2 Item 1 b Type of Violation: Other-than-Serious**

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and did not ensure that they are readily accessible during each work shift to employees when they are in their work area(s):

In that the safety data sheets were not readily accessible at the work site for hazardous chemicals such as but not limited to diesel fuel.

**Proposed Penalty: \$0.00**

19—Crushed - Caught In—Insp #1776739 Benchmark Companies LLC





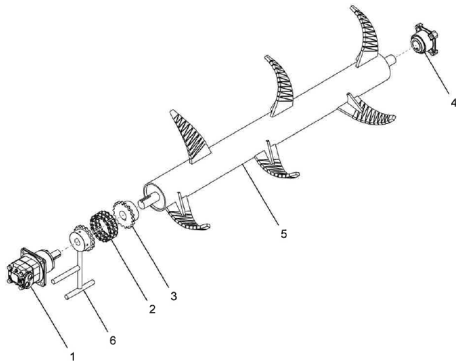
**LOAD LEVELER**

Ref. No.	Kit Ref.	Part Number	Description	No. Req'd
1	▲	365122	Motor	1
2	▲	368505	Coupling Chain	1
3	▲	369502	Coupling Half - 2 in. Bore	1
4	▲	369503	Roller Bearing Flange, 4-Bolt	1
5	▲	371031-15	Horizontal Load Leveler Weldments	1
6	▲	371093	Agitator Coupling Weldment	1

**KITS AND MARKERS**

- ▲ 371068 Horizontal Load Leveler Kit (Contains ONE of each item listed)

*NOTE: This Option is used on the EB-45 Models only.*



**DUAL LOAD LEVELER**

Ref. No.	Kit Ref.	Part Number	Description	No. Req'd
1	▲	365122	Motor	2
2	▲	368505	Coupling Chain	2
3	▲	369502	Coupling Half - 2 in. Bore	2
4	▲	369503	Roller Bearing Flange, 4-Bolt	2
5	▲	371031-15	Horizontal Load Leveler Weldments	2
6	▲	371093	Agitator Coupling Weldment	2

**KITS AND MARKERS**

- ▲ 371068-DUAL Dual Horizontal Load Leveler Kit (Contains TWO of each item listed)

*NOTE: This Option is used on the EB-60 Models only.*

