

A 72-year-old male was killed while performing maintenance on a baler. There were no witnesses to the event. It is believed the victim climbed inside the baler to reattach a hydraulic cylinder to the ram without locking out the machine. The machine appears to have cycled, activating the cylinder and advancing it forward causing the fatal injuries.

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 1910.22(a)(1): All places of employment, passageways, storerooms, service rooms and walking working surfaces were not kept clean, orderly and in sanitary condition.

In that paper dust was accumulated on the machines and electrical equipment in the Baler Room at the facility.

Proposed Penalty: \$1400.00

Citation 1 Item 2 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 machine-specific lockout/tagout procedures were not developed and utilized for the baler on the West wall of the Baler Room

Proposed Penalty: \$1600.00

Citation 1 Item 3 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 there were no employees with a current first aid certificate/card trained to render first aid in the event of a workplace injury.

Proposed Penalty: \$1200.00

Citation 1 Item 4 Type of Violation: Serious

29 CFR 1910.178(a)(4): Modifications and additions which could possibly affect capacity and safe operation were performed by the customer without manufacturers prior written approval.

In that employees were utilizing a chain wrapped around the left fork of the Toyota lift truck (Model#7FGCU25) to lift and/or stabilize the cylinder of the Maren Automatic- Horizontal Paper Baler (Model# 72-AUTO; Serial# 200074) on the West wall of the Baler Room at the facility.

Proposed Penalty: \$1200.00

Citation 1 Item 5 Type of Violation: Serious

29 CFR 1910.212(a)(2): Guard(s) on machine(s) were not affixed to the machine or secured elsewhere when attachment to the machine was not possible.

In that the metal panels on the top of the balers, inside the Baler Room, that prevent employees from accessing the moving cylinder and ram inside were not affixed to the machines on the:

- a) Maren Automatic- Horizontal Paper Baler (Model# 72-AUTO)- West Wall
- b) Maren Automatic- Horizontal Paper Baler (Model# 72-AUTO)- East Wall

Proposed Penalty: \$1400.00

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

TDLWD Rule 0800-01-03-.05(1)(a)1:An oral report of an employment accident resulting in a fatality was not made within eight hours after the occurrence to the nearest Area Office of the Division of Occupational Safety and Health or to TOSHA toll free telephone number (1-800-249-8510).

In that the employer did not report a workplace fatality that occurred at the facility on November 6, 2024 at approximately 3:00pm until November 11, 2024 at 9:37pm EST.

Proposed Penalty: \$2000.00

24 Crushed —Insp #1787536 McCowat-Mercer Packaging Inc

