

#17: Struck By – Inspection #317804722

A **68 year old male** employee was struck by a falling tree. The scope of the project was to trim four trees, and remove three trees from a residential neighborhood. Upon arrival to the site, employees selected two trees, located in close proximity, to begin trimming work. A tree, located approximately 25’ from the trimmed trees, was identified for removal. This tree was approximately 55’-60’ in height and approximately 21” in diameter at the trunk where it was cut. The trunk of the tree measured approximately 50’ from the closest curb of the residential street. One employee was operating a chain saw to cut the base of the tree at a height of approximately 15 ½” above the ground. Three employees, including the victim, were holding a pull rope to assist in felling the tree to the ground. The employees stated they were approximately 30’ from the tree. The employee closest to the victim released his hold on the pull rope as the tree was starting to fall. A witness stated that the victim retreated away from the tree but was struck. The victim was knocked backward toward the street where he fell, striking his head on the concrete curb. The victim was treated by emergency responders on the scene before being transported to Vanderbilt University Medical Center where he was pronounced dead.

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 T.C.A. 50-3-105(1)	The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees. In that, during the cutting and felling of a tree measuring 55’-60’ in height, employees were exposed to struck-by hazards from the falling tree and tree parts while standing approximately 30’ from the tree.
Item 2a 1910.132(a)	Personal protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered. In that, an employee operating a Stihl brand chain saw to fell a tree was not protected by leg protection constructed with cut-resistant materials. The employee was cutting a tree measuring approximately 21” in diameter from a residential neighborhood.

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Item 2b 1910.132(d)(1)	The employer did not assess the workplace to determine if hazards were present, or were likely to be present, which necessitated the use of personal protective equipment. In that, the employer did not conduct a hazard assessment and have employees use personal protective equipment such as hardhats, face shield, and leg protection. Employees were engaged in cutting and felling trees.
Item 2c 1910.132(f)(1)	The employer did not provide training to each employee who is required by this section to use personal protective equipment. In that, employees performing tree trimming and tree removal, are required to wear personal protective equipment to include eye, head, foot, leg and hearing protective devices were not provided training to include: 1) when personal protective equipment is necessary; 2) what personal protective equipment is necessary; 3) how to properly don, doff, adjust, and wear personal protective equipment; 4) the limitation of personal protective equipment; and 5) the proper care, maintenance, useful life and disposal of personal protective equipment.
Item 2d 1910.133(a)(1)	Protective face equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment. In that, an employee, operating a Stihl brand chainsaw to cut and fell a tree, was not provided protective face equipment. The employee was cutting a tree measuring approximately 21” in diameter and approximately 55’-60’ in height in a residential neighborhood.
Item 2e 1910.135(a)(1)	Each affected employee did not wear a protective helmet when working in areas where there was a potential head injury from falling objects. In that, employees felling a tree were not protected from falling objects by wearing protective helmets or hardhats. The employees were felling a tree measuring approximately 21” in diameter and approximately 55’-6-’ in height in a residential neighborhood.

Citation 2

Item 1 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, hazardous chemicals, such as gasoline, 2-cycle motor oil, and bar chain oil, were being used by employees while performing their job duties without a hazard communication program in place.
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Item 2 1910.1200(g)(8)	The employer did not maintain copies of required safety data sheets for each hazardous chemical in the workplace. In that, the employer did not maintain a safety data sheet for each hazardous chemical being used in the workplace. Safety data sheets were not available for hazardous chemicals to include gasoline, 2-cycle motor oil, and bar and chain oil.
Item 3 1910.1200(h)(1)	Employees were not provided effective information and training as specified in 29 CFR 1910.1200(h)(1) and (2) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work areas. In that, employees were not provided training on the hazards associated with chemicals such as gasoline, 2-cycle motor oil, and bar and chain oil.



Photo 1 of 1: Employee was struck by a falling tree and his head hit the concrete curb.