

Inspection #1857003 - Caught In

A 68-year-old male was using a chain saw to cut a log for processing in preparation for land clearing. The victim was cutting the trunk of a downed tree when the trunk, having been cut, fell, striking the victim, pinning him between the trunk and a previously downed tree directly behind the victim.

Citations 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**

TCA 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 the employee clearing/cutting trees for land development, was not provided training prior to using tools and equipment such as the chain saws for clearing trees; resulting in a fatality when the downed tree trunk the employee was cutting, fell over and crushed the employee.

Among other methods, feasible and acceptable means of abatement would be: The Employer should instruct their employees in the proper use, inspection, and maintenance of tools and equipment, including chain saws, and require that appropriate working practices be followed as required by ANSI Z133.1-2006 Safety Requirements for Arboricultural Operations, Section 3 General Safety Requirements, 3.1.2 General.

Proposed Penalty: \$1,200

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

TCA 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 the employee clearing/cutting trees for land development, was not provided a job briefing to discuss a manner in which pertains to the position of the person doing the cutting, such as standing up hill from the tree being cut.

Among other methods, feasible and acceptable means of abatement would be:

The Employer should hold a job briefing for employees in the proper position on where to stand, in instances of cutting/clearing downed trees/limbs on slopes, and appropriate working practices be followed as required by ANSI Z133.1-2006 Safety Requirements for Arboricultural Operations, Section 8.7 Limbing and Bucking 8.7.1, 8.7.3.

Proposed Penalty: \$1,200

Citation 1 Item 3 Type of Violation: Serious

29 CFR 1910.132(a): Protective equipment was not used when necessary, whenever hazards capable of causing injury and impairment were encountered:

In that the employee working in clearing/cutting downed trees for land development, was not wearing chainsaw-resistant leg protection while operating a chain saw during ground operations.

Proposed Penalty: \$1,200

Citation 1 Item 4a Type of Violation: Serious

29 CFR 1910.132(d)(2): The employer did not verify, through a written certification, that the required workplace hazard assessment had been performed:

In that no written certification and required workplace hazard assessment had been performed.

Proposed Penalty: \$1,200

Citation 1 Item 4b Type of Violation: Serious

29 CFR 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 the employee that was assigned to cut/clear downed trees, was not trained on using the proper personal protective equipment while using a chainsaw.

Proposed Penalty: \$0

Citation 1 Item 5 Type of Violation: Serious

29 CFR 1910.151(b): There was neither an infirmary, clinic, or hospital used for the treatment of all injured employees in near proximity to the workplace nor a person or persons adequately trained to render first aid:

In that there was no one on site at the time of the incident trained to render First Aid. The average travel time from the site of the incident to Johnson County Community Hospital located at 1901 South Shady Street, Mountain City, TN has an average driving of 15 minutes, and the hospital is 8 miles away, open 24 hours, 7 days per week.

Proposed Penalty: \$1,050



