

5 Struck by falling tree – Inspection #1133692

A **26 year old male** employee was fatally injured when he was struck by a falling tree. On the day of the incident, the owner and his two employees, that were also his step-sons, had been cutting storm damaged timber with chainsaws. One employee operated the grapple skidder moving the cut logs to the landing area while another cut the storm damaged timber. During the investigation it was determined, that the victim felled a red oak tree that became lodged against a poplar tree. According to the logging standard, once a tree becomes lodged, mechanical equipment should be used to remove the tree. However, the victim went to the base of the poplar tree to fell it with his chainsaw. As a result the poplar began to fall and the lodged red oak fell striking the employee. The employee was found unresponsive.

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

29 CFR 1910.266(d)(1)(iv)	The employer did not provide, at no cost to the employee, and did not assure that each employee who operated a chain saw wore leg protection constructed with cut-resistant material, such as ballistic nylon. In that the use of leg protection was not enforced by the employer when employees used chainsaws.
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Citation 1 Item 2

29 CFR 1910.266(d)(1)(vii)(B)	Face protection meeting the requirements of Subpart I of 1910 where there is potential for facial injury were not provided and worn by employees performing chainsaw operations. In that face protection is not provided or required to be used when employees are performing tasks with a chainsaw such as, but not limited to, felling and topping trees.
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Citation 1 Item 3

29 CFR 1910.266(d)(3)(i)	A seatbelt was not provided in each vehicle or machine equipped with ROPS/FOPS or with overhead guards. In that the John Deere model #540G–II cable skidder, was not equipped with a seatbelt.
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Citation 1 Item 4

29 CFR 1910.266(f)(3)(viii)(A)	The protective canopy was not constructed in a manner to provide complete protection to the operator from injury due to falling trees, limbs, saplings or branches with might enter the compartment side areas. In that the protective canopy for the John Deere cable skidder, model #540G-II used at the logging site, was missing a door on the right side of the machine
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Citation 1 Item 5

29 CFR 1910.266(h)(1)(vi)	Each danger tree, including lodged trees and snags, was not felled or removed using mechanical or other techniques to minimize employee exposure before work is commenced in the area of the danger tree. In that when manually felling the red oak and poplar tree the red oak became lodged causing it to become a danger tree. A chainsaw was being used instead of utilizing mechanical equipment to remove the danger tree.
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Citation 1 Item 6

29 CFR 1910.266(i)(7)(i)	At the worksite, this employer did not assure that each employee, including supervisors, receives or has received first-aid and CPR training meeting at least the requirements specified in Appendix B. In that not all employees at the worksite had been trained in Frist Aid and CPR
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Citation 2 Item 1

29 CFR 1910.266(i)(10)(i)	The employer did not verify compliance with paragraph (i) of this section by preparing a written certification record. The written certification record shall contain the name or other identity of the employee trained, the date(s) of the training, and the signature of the person who conducted the training or the signature of the employer. If the employer relies on training conducted prior to the employee's hiring or completed prior to the effective date of this section, the certification record shall indicate the date the employer determined the prior training was adequate. In that no written certification was available for training of employees working at the logging site.
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Citation 2 Item 2a

29 CFR 1910.1200(e)(1)	The employer did not develop, implement, and/or maintain a 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 to address chemicals used while completing logging operations such as but not limited to: gas, bar oil, diesel and hydraulic oil.
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Citation 2 Item 2b

29 CFR 1910.1200(g)(8)	The employer did not ensure that safety data sheets were readily accessible to the employees in their work area during each shift for chemicals used. In that safety data sheets were not available for review on the jobsite for the chemicals employees were exposed to, such as, but not limited to; gas, diesel, hydraulic fluid and bar oil.
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Citation 2 Item 2c

29 CFR 1910.1200(h)(1)	Employees were not provide information and training on hazardous chemicals or materials in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area. In that employees working at the logging site had not been provided training initially concerning hazardous chemicals used at the logging site such as, but not limited to; gas, bar oil, diesel and hydraulic oil.
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Photo 1 of 1 – The poplar tree (indicated with the arrow on the right side) and the red oak tree (indicated by the arrow on the left side). The circle shows where the victim was found.