

**28 Overturned vehicle---Inspection 1326019 B & B Dredging**

A 62 year old male was fatally injured when the dump truck he was driving overturned in a sharp curve and then struck a tree. This company was contracted by Hood Container Corporation to haul ash from their boiler process to Hood Container's landfill located approximately 3 miles from where the ash is picked up. This is a private road leading to the landfill which is on a wooded track of land. The road leading to the landfill is curvy with steep hills. Approximately the first 100' of the road was paved. The remainder was a narrow, unpaved, surfaced with gravel, rough, hilly and very unstable. It was also very curvy and steep at multiple points and surrounded by woodland.

The dump truck appeared to have been traveling at an undetermined speed but one which was too fast for the roadway character and design. The dump truck appeared to have run off the edge of the roadway and then overcorrected and went into a skid leaving the roadway in the apex of the sharp curve. The victim was pinned in the wreckage. The Fire Department used heavy equipment including a crane to extricate the victim from the vehicle.

Due to the condition of the dump truck, it could not be determined if there were any defects with the truck causing the accident. The truck impacted and uprooted a tree; resulting in massive damage which included the cab collapsing. In addition, a crane and heavy equipment was used to extricate the fatally injured employee. Based on the information obtained, it is believed that the employee had not received adequate training in the operation of a Mack dump truck and his operator skills had not been evaluated prior to the employee being assigned to operate the dump truck on his own.

**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                      \$1200**

**TCA 50-3-105( 1):** The employer did not furnish to each of his employees conditions of employment and a place of employment free from recognized hazards that are causing or likely to cause death or serious physical harm to his employees.

In that:

- a. the employee fatally injured on 6/27/18 while operating #9 Mack dump truck to haul ash; had not received instruction and training in safe methods of operating the Mack dump truck in accordance to the manufacturer's procedures per ANSI 2245.1 (Standard for Refuse Collection, Processing and Disposal Equipment)
- b. the employee fatally injured on 6/27/18 while operating #9 Mack dump truck to haul ash had not been evaluated and/or monitored to ensure the proper use of the Mack dump truck per ANSI 2245.1(Standard for Refuse Collection. Processing and Disposal Equipment)
- c. replacement parts, equipment malfunctions were not maintained per ANSI 2245. 1 (Standard for Refuse Collection, Processing and Disposal Equipment)
- d. maintenance and inspection records of the Mack dump truck were not being maintained per ANSI 2245.1 (Standard for Refuse Collection, Processing and Disposal Equipment).

**Citation 1 Item 2                      Type of Violation: Serious                      \$800**

**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:

- a. employees working in the mechanic shop were not completely de-energizing equipment such as but not limited to dump trucks, dozers, front end loaders, or backhoes when conducting servicing/maintenance.
- b. machine specific procedures had not been developed for employees to use when conducting servicing/maintenance on equipment.

**Citation 1 Item 3 a                      Type of Violation: Serious                      \$800**

**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 two mechanics conducting servicing/maintenance on the equipment located at the facility had not received training as authorized employees.

**Citation 1 Item 3b                      Type of Violation: Serious                      \$0**

**29 CFR 1910.147(c)(7)(i)(B):** Each affected employee was not instructed in the purpose and use of the energy control procedure:

In that employees had not been instructed in the purpose and use of energy control procedures.

**Citation 1 Item 4                      Type of Violation: Serious                      \$600**

**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 was no one on site, at all times when employees were working, with a valid certification in first-aid.

**Citation 1 Item 5                      Type of Violation: Serious                      \$500**

**29 CFR 1910.178(1)(4)(iii) :** An evaluation of each powered industrial truck operator's performance had not been conducted at least once every 3 years.

In that an evaluation of an operator's performance was not being conducted every three years.

**Citation 2 Item 1                      Type of Violation: Other-than-Serious                      \$0**

**29 CFR 1910.178(1)(6):** The employer did not certify that each operator had been trained and evaluated as required by paragraph (1). The

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certification did not include the name of the operator, the date of training, the date of the evaluation, and the identity of the person(s) performing the training and evaluation.

In that records of training and evaluations for employees designated to operate the powered industrial truck at the facility had not been maintained.

**Citation 2 Item 2a      Type of Violation: Other-than-Serious      \$100**

**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 I 910.1 200(f), (g), and (h) will be met:

In that a written Hazard Communication program had not been developed and implemented for chemicals employees are exposed to such as but not limited to: diesel, compressed air, hydraulic fluid, oxygen, acetylene, propane, carbon monoxide and oil.

**Citation 2 Item 2b      Type of Violation: Other-than-Serious      \$0**

**29 CFR 1910.1 200(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 for chemicals such as but not limited to: diesel, compressed air, hydraulic fluid, oxygen, acetylene, propane, carbon monoxide and oil.

**Citation 2 Item 2c      Type of Violation: Other-than-Serious      \$0**

**29 CFR 1910.12 00(h )(1):** Employees were not provided effective information and training on hazardous chemicals or material s in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

In that information and training had not been provided initially to employees exposed to chemicals at the site such as but not limited to: diesel, compressed air, hydraulic fluid, oxygen acetylene propane, carbon monoxide and oil.

**Citation 2 Item 3**      **Type of Violation: Other-than-Serious**      **\$1000**  
**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 tele phone number (1 -800 -24 9-8510).

In that the fatal accident that occurred on the afternoon of June 27, 2018 to an employee, was not reported to TOSHA until the morning of June 28, 2018.

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Photo taken to show the area of the road where the accident occurred. It shows a dump truck (not the one involved in accident) making the left turn in the curve on the way to the landfill about to cross the railroad track.



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