

**Case 45. 38-year-old male truck driver was asphyxiated when he was buried in processed human waste sludge at a landfill.**

On October 15, 2003, a 38-year-old male truck driver was asphyxiated when he was buried in processed human waste sludge at a landfill. At the time of the incident, the truck was already backed to the edge of the trench. Witnesses saw him at the rear of the truck trailer loosening a tailgate turnbuckle latch. The latches along with a main release mechanism hold the tailgate in place until it is time to dump the load. The latch apparently gave way unexpectedly due to the weight of the sludge pressing against the tailgate. Witnesses stated that the tailgates often release abruptly. One of victim's co-workers, who also witnessed the conditions following the incident, stated that the tailgate latches should have been loosened first. The next step would be to back the truck to the trench edge. The driver should then exit the cab and operate the main release mechanism from the driver side of the trailer, near the truck cab. Finally, the driver should operate the controls in the cab area to dump the load. An examination of the turnbuckle latch revealed that it was bent. Among others, some possible scenarios are that he had actuated the main release out of order, had forgotten to release the latch before backing, failed to properly free the latch when it jammed during operation of the main release, or some combination of these scenarios. The same witness mentioned previously also stated that he did not observe the accident as it occurred, and was not sure of the exact sequence of events or the conditions just prior to the releasing of the load. The witness heard the tailgate slam and looked in time to see sludge flowing into the trench. The witness then attempted to locate the fallen driver. The driver was found buried at the bottom of the trench in the sludge in the inverted position to the waist level. He remained in this position for approximately 40 minutes despite rescue efforts, and was pronounced dead at the scene.

MIOSHA issued the following "Serious" citation to the employer.

Serious:

1. GENERAL PROVISIONS, PART 1, RULE 11(a)  
Provide training to each newly assigned employee regarding the hazards, operating procedures and safeguards of the job.

The firm failed to emphasize hazards of being in the tailgate area during release of loaded material into the landfill trench.