

Case 81. 50-year-old male chain saw operator for a tree service died when he was pinned between a tree and tire of a Hydro Ax .

On October 25, 2004, a 50-year-old male chain saw operator for a tree service died when he was pinned between a tree and tire of a Hydro Ax. The victim was a member of a 3-person crew assigned to clear brush from a natural gas pipeline. The victim had cut a notch in a tree that was going to be felled, and then began to initiate a back cut on the tree. His coworker was operating a Hydro Ax Model 721E that was equipped with a rotary blade attachment. The operator of the Hydro Ax had not been trained to operate this equipment, nor was verification made or a test to ensure operator capability to operate this equipment performed. The Hydro Ax operator thought that the tree was going to fall into overhead power lines. The Hydro Ax operator raised the rotary attachment approximately 13 feet into the air and drove into the tree to push the tree in a direction away from the powerlines. The operator stated that he was not paying attention to the location of the victim. He was looking at the tree and his primary concern was to ensure the tree did not fall into the powerlines. The victim was wearing all appropriate personal protective equipment. The operator had a clear field of vision while operating the Hydro Ax. The victim was caught between the tree and the tire of the Hydro Ax. A site survey performed by MIOSHA revealed that the tree was properly notched and back cut to fall in a direction away from the power line. The victim was pronounced dead at the scene.

MIOSHA issued the following Serious and Other citations to the employer:

Serious:

TREE TRIMMING AND REMOVAL, PART 53, RULE 5311(a).
Provide training to each new employee regarding the requirements of this standard, the job hazards and safeguards before starting this assigned job. A job briefing shall be conducted before any tree job involving unusual hazards is begun.

Employee not trained to operate the Hydro Ax Model 721E.

Serious:

TREE TRIMMING AND REMOVAL, PART 53, RULE 5336(2).
Clear other employees to a distance of twice height of tree being cut.

Employee standing approximately 15 feet from tree being felled.

Serious:

TREE TRIMMING AND REMOVAL, PART 53, RULE 5336 (5).
Clear area before starting back cut.

Hydro Ax Model 721E not cleared from the area before initiating the back cut.

Other:

PERSONAL PROTECTIVE EQUIPMENT, PART 33, RULE 3308(2).
Verify through a written certification that the required workplace hazard assessment has been performed.

No written hazard assessment at all work locations and job sites.