

Case 433. 65-year-old pipeline station operator died when he was struck by a train.

A 65-year-old male pipeline station operator died when he was struck by a train. The decedent was conducting a visual inspection of the pipeline looking for leaks within the pipeline right of way along a railroad spur. The decedent was standing on the head of a railroad tie when he was struck by the “snow plow” on the lead locomotive. The train was traveling approximately 44 mph. It appeared to the locomotive engineer that the decedent was looking at his cell phone. The train conductor and the engineer blew the train horn, but the decedent did not move. The area of the incident was noisy due to a nearby factory, construction and airport. The decedent was not wearing a reflective vest.

MIOSHA General Industry Safety and Health Division issued the following Serious citations to the employer at the conclusion of its investigation.

SERIOUS: GENERAL PROVISIONS, GI PART 1

- RULE 408.10011(a): Provide training to each newly assigned employee regarding the operating procedures, hazards, and safeguards of the job.

Inadequate training for performing the process of pipeline visual inspection, as the training did not include the hazards and safeguards for walking in a Railroad Right of Way.

- RULE 408.10011(b): Not knowingly authorize a process, machine, or equipment to be used which does not meet applicable state safety standards.

Employer did not obtain approval from railroad for entry by employee to perform a visual pipeline inspection in a railroad right of way as required by Public Act 354 of 1993, Michigan Railroad Code, Section MCL 462.273.1.