



**U.S. Department of Labor**  
Occupational Safety & Health Administration

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**OSHA News Release**

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# OSHA Regional News Release

**U.S. Department of Labor**  
**Office of Public Affairs**

**Region 6**

**Region 6 News Release: OSHA-04-240-DAL**  
**Wed, Feb. 25, 2004**  
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## OSHA Cites Acme Bridge Co. Following Excavation Fatality in Kerrville

**AUSTIN, Texas** -- The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has cited Acme Bridge Co. Inc. in New Braunfels, Texas, for exposing workers to trenching and excavation hazards. OSHA's investigation followed an October 2003 fatal accident at a Kerrville, Texas, construction site. OSHA has proposed penalties totaling \$70,000.

Acme, a bridge and utility contractor, employs about 80 workers. OSHA cited the company for one alleged willful and six alleged serious violations following an investigation that began Oct. 7 in response to a fatality that occurred when workers were attempting to move a concrete pipe. When the pipe was hoisted, it slipped and killed a 25-year-old worker standing inside a trench.

"This kind of accident is preventable, and companies have a responsibility to follow safety standards, inspect their job sites frequently and give workers adequate training and equipment," said Paul Brantley, OSHA's area director in Austin.

The willful citation was issued for failing to properly slope, shore or utilize a shield in the trench to prevent cave-ins. Willful violations are issued when a company has demonstrated plain indifference or intentional disregard for safety and health standards or obligations.

The alleged serious violations included failure to utilize proper rigging methods and materials; failure to follow safety standards for excavation sites when hoisting; lack of safety and health training; failure to prohibit employees from being under a load; and lack of adequate inspection programs. A serious violation is one in which there is a substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.

Acme Bridge Co. has 15 working days from the receipt of the citations to either comply, request and participate in an informal conference with OSHA's Austin area director or contest the citations and penalties before the independent Occupational Safety and Health Review Commission.

Employers and employees with questions about workplace safety and health can call the OSHA in Austin at (512) 916-5783. OSHA's toll-free hotline number may be used to report workplace accidents, fatalities or situations posing imminent danger to workers at 1-800-321-6742.


The Department of Labor's Occupational Safety and Health Administration is dedicated to assuring workers' safety and health. In fiscal year 2003, OSHA conducted 39,817 inspections, a nearly six percent increase over the previous year, resulting in a 10 percent increase in citations. For more information, visit [www.osha.gov](http://www.osha.gov).

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