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OSHA News Release

2002 - 11/05/2002 - Lack of Fall Protection Factor in Charleston Shipyard Fatality; OSHA Proposes \$103,000 in Penalties

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OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 4

Region 4 News Release ATL: 02-215
Tues., Nov. 5, 2002
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**Lack of Fall Protection Factor in Charleston Shipyard Fatality;
OSHA Proposes \$103,000 in Penalties**

North Charleston, S.C. -- The U.S. Department of Labor's Occupational Safety and Health Administration today cited International Marine and Industrial Applicators, Inc., for failing to protect workers from fall hazards that contributed to the death of a Hispanic worker. The citations carry penalties totaling \$103,000.

The fatal accident occurred May 5 aboard a ship docked for repairs at Pier D of the Detyens Shipyard, North Charleston. During repair work on the ship, screening had been removed from an opening in the hull that allowed a large fan on the A/B deck to pull air in or push air out of the ship. The removal of the screening left an unguarded 7-foot by 6-foot hole, 70 feet above the waterline.

Working alone, without any fall arrest equipment, and within inches of the unguarded hull opening, the victim climbed a ladder and began removing rust from the top of the eight-foot-high steel fan and the walls that enclosed it. Evidence from the OSHA investigation suggests that the worker tried to reach a section of the wall, lost his balance and fell 78 feet to his death.

"Lifelines and safety belts --- well named safety equipment --- could have prevented this tragedy," said Jim Drake, OSHA acting area director in Columbia. "The company knew workers should have them, but didn't have enough for everyone."


International Marine and Industrial Applicators received two willful citations with proposed penalties totaling \$70,000 for failing to provide workers with safety belts and lifelines and exposing them to falls through unguarded openings. The agency defines a willful violation as one committed with an intentional disregard of, or plain indifference to, the requirement of the Occupational Safety and Health Act and regulations.

OSHA also issued additional citations with proposed penalties totaling \$33,000 for failing to: conduct a hazard assessment prior to beginning repairs; train workers in the proper use of safety equipment and provide them with the appropriate equipment; frequently check on employees working alone in isolated areas; develop and implement written plans to minimize employee exposure to infectious materials and dangerous chemicals.

OSHA, concerned about the large numbers of Hispanic workers being killed and injured on the job, has instituted safety programs across the country for Spanish-speaking workers and employers who hire non-English speaking workers.

The company has 15 working days to contest the OSHA citations and proposed penalties before the independent Occupational Safety and Health Review Commission. The inspection was conducted by staff from the federal Occupational Safety and Health Administration area office located in the Strom Thurmond Federal Building, 1835 Assembly St., Room 1468, Columbia, S.C.; phone: (803) 765-5904.

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