



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

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Search



Advanced Search | [A-Z Index](#)

OSHA News Release

2005 - 03/18/2005 - Excavation Hazards at Baton Rouge Worksite Bring OSHA Citations and Fines Totaling \$76,750

[← OSHA News Release - Table of Contents](#)

OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 6

Region 6 News Release: OSHA-05-449-DAL

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Contact: Diana Petterson or Elizabeth Todd

Phone: (214) 767-4776, ext. 222 or 221

Excavation Hazards at Baton Rouge Worksite Bring OSHA Citations and Fines Totaling \$76,750

BATON ROUGE, La. -- A Hot Springs, Ark. construction company's alleged failure to protect employees from trenching and excavation hazards has resulted in proposed penalties of \$76,750 from the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA).

Heller Co. Inc., a water and sewer excavation contractor that employs approximately 50 workers, was issued citations for alleged willful and serious safety violations following an OSHA inspection that began Feb.16 at the company's worksite on Lake Comite Drive in Baton Rouge. Employees were installing sewer piping when an existing gas line broke, exposing workers to a hazardous condition.

The inspection was conducted as part of OSHA's national emphasis program aimed at preventing trenching and excavation accidents.

"Health and safety standards must be followed to protect employees from fatalities and injuries," said Greg Honaker, OSHA's area director in Baton Rouge. "Fortunately, in this case no one was injured."

The two alleged willful violations were issued for failing to protect employees from the hazards of a cave-in while installing sewer piping at the base of a 13-foot-deep trench and for failure to remove the spoil pile from the leading edge of the trench. OSHA defines a willful violation as one committed with intentional disregard of or plain indifference to the requirements of the Occupational Safety and Health Act.

Four alleged serious violations were issued for failing to: support and protect a gas utility line; conduct pre-entry hazardous atmosphere monitoring for employee protection after a gas utility line broke in the trench; brace or support an existing adjacent structure destabilized by the trench; and scale away loose soil that could strike employees in the trench. OSHA issues a serious citation when death or serious injury could result from a hazard about which the employer knew or should have known.

The company has 15 working days from receipt of the citations to comply, request an informal conference with the Baton Rouge area director, or contest the citations and penalties before the

independent Occupational Safety and Health Review Commission.

Employers are responsible for providing a safe and healthful workplace for their employees. OSHA's role is to assure the safety and health of America's workers by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. For more information, visit www.osha.gov.

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 [OSHA News Release - Table of Contents](#)

 [Back to Top](#)

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Occupational Safety & Health Administration
200 Constitution Avenue, NW
Washington, DC 20210