



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

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OSHA News Release

2005 - 06/06/2005 - Crane Collapse and Fall Hazards at Freeport, Maine, Construction Site Lead to \$114,700 in OSHA Fines for Two Contractors

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OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 1

Region 1 News Release: 05-970-BOS/BOS 2005-141

Monday, June 6, 2005

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Crane Collapse and Fall Hazards at Freeport, Maine, Construction Site Lead to \$114,700 in OSHA Fines for Two Contractors

AUGUSTA, Maine -- The Dec. 2, 2004, tip-over of a crane at a hotel construction site in Freeport, Maine, has resulted in two contractors being fined a total of \$114,700 by the U.S. Labor Department's Occupational Safety and Health Administration (OSHA). OSHA cited J.D. Irving Ltd. and Irving Equipment Inc., Burlington, Mass., which operated the crane, and TRB Development Group Inc., Hooksett, N.H., the project's general contractor.

OSHA's inspection of Irving found that the crane was overloaded and its safety indicator overridden. The crane was not operated within the manufacturer's specifications and was not inspected to ensure it was in safe operating condition. In addition, the crane's swing radius was not barricaded to prevent employees from being struck or crushed during its operation and frequent and regular inspections of the jobsite to identify unsafe conditions were not conducted. Irving was fined \$80,000 and was issued one willful and three serious citations for these hazards.

OSHA's inspection of the construction site found that TRB employees were exposed to falls and other hazards. Specifically, employees working at locations 14 to 28 feet above the ground lacked fall protection and were not given fall protection training; floor holes were not covered; reinforcing steel was not capped or guarded to prevent impalement; LP gas systems were not protected against damage by vehicular traffic; and ladders were not used safely. OSHA issued one willful and six serious citations to TRB and fined the company \$34,700.

"Workers at this jobsite faced potentially fatal crushing, fall, impalement, fire and explosion hazards due to the absence of basic safeguards," said Anthony Lemire, OSHA's acting area director for Maine. "Construction work is hazardous to begin with. There's no excuse for increasing the risk to workers."

OSHA defines a willful violation as one committed with an intentional disregard of, or plain indifference to, the requirements of the Occupational Safety and Health Act and regulations. A serious violation is a condition where there is a substantial possibility that death or serious physical harm can result to an employee.

Each company has 15 business days from receipt of its citations and proposed penalties to either

elect to comply with them, to request and participate in an informal conference with the OSHA area director, or to contest them before the independent Occupational Safety and Health Review Commission. OSHA's Augusta area office conducted the inspection. Its telephone number is (207) 626-9160.

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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