



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES  
Division of Occupational Safety and Health  
PO Box 44600 • Olympia, Washington 98504-4600

April 12, 2013

WA ST NATURAL RESOURCES DEPT OF  
DNR NORTHEAST REGION  
Attn Celeste Benson  
PO Box 47041  
Olympia, WA 98504-7041

Inspection: 316540905  
UBI: 342008101  
Region: 6-Safety  
Inspector: James Smith (H3397)  
Reference: 102371036

Dear Employer:

Enclosed are the results of the safety and health inspection of your workplace. This packet contains:

- **Citation Invoice** – The total assessed penalty is \$25,100.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Hazard Correction instructions and form** - Correct all violations and return written verification or additional penalties may result.
- **Employer Appeal Rights** – You have 15 working days to appeal this citation.

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for three working days, whichever is longer. "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays.

The Occupational Safety and Health Administration (OSHA) publishes Division of Occupational Safety and Health (DOSH) inspection results on the Internet at [www.osha.gov](http://www.osha.gov), since this information is available under provisions of the Federal Freedom of Information Act. It is posted 30 days after the date the results are issued.

**If you have questions, call the compliance supervisor, Fred Leyba, at (206) 835-1146.**

Respectfully,

*Anne F. Soiza*

Anne F. Soiza  
Assistant Director  
Division of Occupational Safety & Health

Enclosure(s)



Washington State Department of  
**Labor & Industries**  
Division of Occupational Safety and Health

## Citation Invoice

### Inspection: 316540905

<b>UBI:</b> 342008101	<b>Issued:</b> April 12, 2013
<b>Legal Name:</b> WA ST NATURAL RESOURCES DEPT OF	<b>Opening Conference:</b> October 15, 2012
<b>DBA Name:</b> DNR NORTHEAST REGION	<b>Closing Conference:</b> April 3, 2013
<b>Inspection:</b> 4440 Cemetery Rd,	<b>Inspector:</b> James Smith
<b>Site:</b> Chamokane Unit 6, Springdale, WA, 99173	H3397

### Summary of Assessed Penalties

The Citation and Notice of Assessment includes a full description of each violation.

Violation Item	Violation Type	WAC	Correction Due Date	Penalty Amount
1-1	Serious	296-54-529(6)	4/25/2013	\$7,000.00
1-2	Serious	296-54-539(4)	Corrected	\$7,000.00
1-3	Serious	296-54-53910(14)(b)	Corrected	\$4,500.00
1-4	Serious	296-54-507(1)	Corrected	\$6,600.00
2-1	General	296-54-51510(3)	Corrected	\$0.00
<b>Total assessed penalties</b>				<b>\$25,100.00</b>

#### PAYMENT INFORMATION

**Payment is due 15 working days from receipt of this citation.**

Make check payable to the Department of Labor and Industries.

Write Inspection number 316540905 on the check and mail to:

**Attn: DOSH Cashier**  
**Department of Labor and Industries**  
**PO Box 44835**  
**Olympia, WA 98504-4835**  
 Or deliver to: Any L&I office



## Citation and Notice of Assessment Inspection: 316540905

**UBI:** 342008101

**Issued:** April 12, 2013

**Legal Name:** WA ST NATURAL RESOURCES DEPT OF

**Opening Conference:** October 15, 2012

**DBA Name:** DNR NORTHEAST REGION

**Closing Conference:** April 3, 2013

**Inspection** 4440 Cemetery Rd, Chamokane Unit 6 Springdale,

**Inspector:** James Smith

**Site:** WA 99173

H3397

### **Violation 1 Item 1**

**Violation Type: Serious**

**WAC 296-54-529(6)**

In the following instances the employer did not ensure that special precautions were taken when felling trees near power lines.

- 1) The employer did not notify the power company before felling any tree that would appear to hit the power line.
- 2) The employer did not notify the power company immediately when a felled tree made contact with a power line.
- 3) The employer did not keep employees clear of the area once a tree made contact with a power line until the power company ensured that there was no electrical hazard.

This exposed the employees to possible electrocution which could result in serious injuries or death.

\*\*\*The above violation contributed to an accident that resulted in the death of an employee on 10/15/2012\*\*\*

**Correct by: 4/25/2013**  
**Assessed penalty: \$7,000.00**

### **Violation 1 Item 2**

**Violation Type: Serious**

**WAC 296-54-539(4)**

The employer did not ensure that the person who was placed in charge of tree thinning and felling operations acted in a competent manner. The supervisor who was placed in charge of ten employees at the Chimanoke Unit #6 timber sale did not identify hazards in the surrounding where employees were assigned to fall trees near electrical hazards. This exposed the employees to potential electrocution from trees hitting or becoming entangled into 115 KV power lines that were within falling distance of the trees being felled.

**This violation was corrected during the inspection.**  
**Assessed penalty: \$7,000.00**

### **Violation 1 Item 3**

Violation Type: Serious

WAC 296-54-53910(14)(b)

The employer did not ensure that the employee cutting timber left enough hinge wood to hold the tree to the stump during most of its fall so that the hinge is able to guide the tree's fall in the intended direction. Serious or fatal injuries likely if the tree does not fall in the intended direction.

**This violation was corrected during the inspection.**

**Assessed penalty: \$4,500.00**

### **Violation 1 Item 4**

Violation Type: Serious

WAC 296-54-507(1)

The employer did not ensure that safety training was provided to each employee. During the inspection of the Washington State, Department of Natural Resources (DNR), Northeast region, Department of Correction offenders under the control of DNR did not receive adequate training. In that, "The Wildland Fire Chain Saws S-212" training course was not completed prior to allowing employees to operate chain saws and fell trees. The proficiency test and unit quizzes was not completed prior to the employees work assignments.

By not providing the entire training prior to allowing employees to operate chainsaws and fell trees, the employees were exposed to hazards likely to result in serious injury or death from unsafe cutting techniques and improper chainsaw operation.

**This violation was corrected during the inspection.**

**Assessed penalty: \$6,600.00**

### **Violation 2 Item 1**

Violation Type: General

WAC 296-54-51510(3)

The employer did not ensure that safety meetings were documented with subjects discussed.

**This violation was corrected during the inspection.**

**Assessed penalty: \$0.00**

### What you must do now:

- Check the correction due date(s) shown on the enclosed Hazard Correction Form. You must fully correct the hazards by these dates.
- Describe on the form how you corrected each hazard, rather than what you *intend to do* in the future. Examples:

**Right:**            *All staff have received the required training.*

**Wrong:**           *All staff will receive the required training next week.*

Use attachments if you need more space. Submit additional documentation of hazard correction if requested in the citation packet.

- Fill in the date you corrected the hazard and sign.
- Post a copy of the completed form for at least three working days, or until you have corrected all violations, whichever is longer. It must be posted near the hazard location or in a place that is readily accessible by affected employees and their representatives.
- Send your completed form to the address provided.

**Note:** If we do not receive written confirmation you have corrected the hazards, we will take follow-up action, which may include additional penalties. If you provide us with false information, you may face criminal penalties.

### If you are unable to fix the hazard(s) by the correction due date(s):

We must receive your written request for an extension **before** the correction due date(s) listed for the hazard(s). Correction due dates are shown on the enclosed Citation and Notice of Assessment and on your Hazard Correction Form(s).

Extensions are not automatically granted. To be considered for an extension, you must provide the following:

- Inspection number, employer name, telephone number, and site address.
- Violation and Item number for each requested extension.
- Correction due date on the citation and additional time needed.
- Steps taken to fix the hazard by the correction due date.
- Why you cannot correct the hazard by the correction due date.
- How you will protect your employees until you fix the hazard.

For more information, contact:

Or call: (206) 835-1146

Fred Leyba, Compliance Supervisor  
Department of Labor and Industries  
12806 Gateway Drive South  
Tukwila, WA

You must post all documentation associated with your request for extension with your citation packet. All postings must remain until you have corrected all violations, or unless you have appealed and received and posted your hearing notice.



## Hazard Correction Form

### Inspection: 316540905

**UBI:** 342008101

**Issued:** April 12, 2013

**Legal Name:** WA ST NATURAL RESOURCES DEPT  
OF

**DBA Name:** DNR NORTHEAST REGION

**Site Address:** 4440 Cemetery Rd, Chamokane Unit 6, Springdale, WA, 99173

**You must complete this form and return it to: James Smith, Department of Labor & Industries**  
**616 120 th Ave. N, Sutie C201, Bellevue, WA 98005**  
 Or Fax to: **(425) 990-1405**

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-1	Serious	296-54-529(6)	4/25/2013
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

POST THIS DOCUMENT

I certify that the hazards described in this Employer Certification of Hazards Corrected have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

\_\_\_\_\_  
Signature Name

\_\_\_\_\_  
Title Date Phone No.

DOSH USE ONLY

\_\_\_\_\_  
DOSH Reviewer's Signature Date

### For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. **You have 15 working days from the date you receive this citation to appeal.** (RCW 49.17.140(1)) "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays. Your appeal must be in writing. It may be mailed, faxed, or personally delivered.

For violations classified as serious, willful, repeat serious, or failure to abate serious, an employer must correct the violations by the date listed on the Citation and Notice / Employer's Certification of Abatement form unless a stay of abatement date is requested in the appeal as described on this page. A stay of abatement date means the employer's requirement to abate or correct the hazard is put on hold until the appeal is resolved. All general and repeat general violations under appeal automatically have stay of abatement dates until a final order on those violations has been issued. If you only need an extension of an abatement date, please see the above section entitled, "If you are unable to fix the hazard(s) by the correction due date(s)".

**Your appeal must include:**

- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer's representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number in the top right corner of this page.)
- Statement explaining:
  1. What you think is wrong with the citation and any related facts.
  2. How you think the citation should be changed.
  3. What relief you are seeking and why.

**If you are requesting a stay of abatement date for serious, willful, repeat serious or failure to abate serious, you must also include:**

- Each violation and item number for which a stay of abatement date is requested; and
- The reason for the stay of abatement date request.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

### Posting requirement:

You must post your appeal documents (along with this citation packet) until the appeal is resolved. You must also post all other documents related to this appeal.

### For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

**Your appeal must include:**

- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection number.
- Statement explaining why the correction due date should be changed.

<b>Send all appeals to:</b>
<p><b>Assistant Director for DOSH</b>  <b>Attn: Appeals Program</b>  <b>PO Box 44604</b>  <b>Olympia, WA 98504-4604</b>          Fax to: <b>(360) 902-5581</b> or deliver to: <b>Any L&amp;I office</b></p> <p>For more information call the Appeals Program: <b>(360) 902-5486.</b></p>

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