

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

Inspection Number: 1137861
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.266(d)(1)(vi): The employer did not provide, at no cost to the employee, and/or assure that each employee who worked in an area where there was potential for head injury from falling or flying objects wore head protection meeting the requirements of subpart I of Part 1910:

(a) Dorothy Tract/Cutting Area: On or about April 5, 2016, and times prior, an employee did not wear a hard hat when working in the cutting area of the logging site hooking up, setting out, and detaching felled trees to be taken to the landing.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/29/2016
\$2000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.266(d)(1)(vii)(B): Face protection meeting the requirements of Subpart I of 1910 where there is potential for facial injury were not provided and worn by employees performing chainsaw operations:

(a) Dorothy Tract/Cutting Area: On or about April 5, 2016, and times prior, the feller did not wear face protection when clearing brush and limbing trees with a Stihl MS660 chainsaw.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$2000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Company Name: Switchback Timber, Inc.
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 4 a Type of Violation: **Serious**

29 CFR 1910.266(d)(2)(i): The employer did not provide first-aid kits at each work site where trees were being cut, at each active landing, and/or on each employee transport vehicle:

(a) Dorothy Tract: On or about, April 5, 2016, and times prior first aid kits were not provided for employee use on the landing of the logging site, in the cutting area, and was not provided on the John Deere 700H dozer.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$2400.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 4 b Type of Violation: **Serious**

29 CFR 1910.266(d)(2)(ii): Each first aid kit did not contain the items listed in Appendix A at all times:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, the first aid kit on the John Deere 640G skidder did not have all the required items, including band aids, wound cleaning agent, scissors, adhesive tape, two elastic wraps, and directions for requesting emergency assistance.

|| Which Violation Must be

08/02/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.266(d)(3)(ii): For each vehicle or machine (equipped with ROPS/FOPS or overhead guards), including any vehicle or machine provided by an employee, the employer did not assure that each employee used the available seat belt while the vehicle or machine was being operated:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, employees who operate the John Deere 700H dozer on the rough terrain of the logging site do not use the provided seatbelts.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/29/2016
\$2800.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.266(d)(4): The employer did not provide and maintain portable fire extinguishers on each machine and vehicle in accordance with the requirements of subpart L of part 1910:

- (a) Dorothy Tract: On or about April 5, 2016, and times prior, a fire extinguisher was not provided on the John Deere 700H dozer.
- (b) Dorothy Tract: On or about April 5, 2016, and times prior, the ABC portable fire extinguisher on the John Deere 640G skidder was not inspected monthly and a yearly maintenance check was not performed.
- (c) Dorothy Tract: On or about April 5, 2016, and times prior, the ABC portable fire extinguisher on the Prentice 384 Loader was not inspected monthly and a yearly maintenance check was not performed.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$1200.00

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.266(d)(6)(iii): Each employee performing a logging operation at a logging work site did not work in a position or location that was within visual or audible contact with another employee:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, the employees did not stay in visual and audible contact with one another at all times while working on the logging site.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$2400.00

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Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.266(d)(9)(i): Flammable and combustible liquids were not stored, handled, transported, and used in accordance with the requirements of subpart H of Part 1910.

(a) Dorothy Tract: On or about April 5, 2016, and times prior, an employee carried a gas and oil mix and bar oil to the cutting area in reused oil and chain bar lubricant containers that did not have spring-closing lids and spout covers.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$1200.00

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.266(e)(2)(vi): A chain saw was not started on the ground or where otherwise firmly supported:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, an employee drop starts a Stihl MS660 chainsaw with a 20 inch bar prior to cutting trees, limbs, and clearing brush.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/29/2016
\$2400.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.266(f)(2)(viii): An employee other than the operator was riding a mobile vehicle without the use of a seatbelt or other protection equivalent to that provided for the operator.

(a) Dorothy Tract: On or about April 5, 2016, and times prior, employees are permitted to ride as passengers on the John Deere 700H dozer from the landing to the cutting area without the use of an assigned seat and seatbelt.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/29/2016
\$2800.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.266(f)(3)(vii): Each machine manufactured after August 1, 1996, shall have a cab that is fully enclosed with mesh material with openings no greater than 2 inches (5.08 cm) at its least dimension. The cab may be enclosed with other material(s) where the employer demonstrates such material(s) provides equivalent protection and visibility. Exception: Equivalent visibility is not required for the lower portion of the cab where there are control panels or similar obstructions in the cab, or where visibility is not necessary for safe operation of the machine.

(a) Dorothy Tract: On or about April 5, 2016, and times prior, employees were performing logging operations with a John Deere 700H dozer that had the manufacture installed doors removed leaving openings on both sides of the operator station from the top of the ROPS structure to the floor of the dozer, exposing the employee to struck by hazards from trees and branches.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$2000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.266(h)(2)(v): The undercut was not of a size so the tree would not split and would fall in the intended direction.

(a) Dorothy Tract/Cutting Area: On or about April 5, 2016, and times prior, a tree feller required to hand fell trees did not have adequate undercuts as evidenced by a 34in. diameter red oak that was felled with a 5in. undercut and a 25in. diameter hickory that was felled with a 3 1/2 in. undercut.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$2000.00

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 13 a Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, a hazard communication plan was not implemented and maintained for employees onsite that were required to refuel and lubricate the equipment that they use on the site, such as, chainsaws, loader, dozers, and a skidder.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$1200.00

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 13 b Type of Violation: **Serious**

29 CFR 1910.1200(f)(6)(ii): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

(a) Dorothy Tract: On or about April 5, 2016, and times prior, an employee was utilizing improperly labeled secondary containers to store, handle and transport gasoline to and from the cutting area for the chainsaw.

Date By Which Violation Must be Abated:

08/02/2016

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 1 Item 13 c Type of Violation: **Serious**

29 CFR 1910.1200(h): Employees were not provided effective information and training as specified in 29 CFR 1910.1200(h)(1) and (2) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, employees working on the logging site required to refuel and lubricate equipment were not provided training on hazardous chemicals used, such as, gasoline, diesel fuel, bar oil, and other lubricants.

Date By Which Violation Must be Abated:

08/09/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 2 Item 1 Type of Violation: **Willful**

29 CFR 1910.266(i)(7)(i): The employer did not assure that each employee, including supervisors, had received first-aid and CPR training meeting at least the requirements specified in Appendix B:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, employees working on the logging site in a remote area performing logging operations did not have current First Aid and CPR training.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/09/2016
\$11000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
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Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 3 Item 1 Type of Violation: **Repeat**

29 CFR 1910.266(d)(1)(v): The employer did not assure that each employee wore foot protection, such as heavy-duty logging boots, that were waterproof or water repellant, and/or that covered and provided support to the ankle, and protected the employee from penetration by chain saws:

(a) Dorothy Tract/Cutting Area: On or about April 5, 2016, and times prior, an employee was wearing a leather boot that did not offer cut resistant protection while using a Stihl MS660 chainsaw with a 20" bar to fell trees, clear brush, and limb. Switchback Timber, LLC. was previously cited for a violation of this occupational safety and health standard or its equivalent standard Personal Protective Equipment, which was contained in OSHA inspection number 889464, citation number 1, item number 1 and was affirmed as a final order on April 10, 2013, with respect to a workplace located at Bald Knob, West Virginia.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/02/2016
Proposed Penalty:	\$4000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

Inspection Number: 1137861
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.266(f)(1)(iii): The employer did not ensure operating and maintenance instructions were available in each vehicle:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, the operators manual for the John Deere 640G skidder was not on the equipment and/or on the jobsite.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 4 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.266(i)(1): The employer did not provide training for each employee, including supervisors, at no cost to the employee:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, training is not provided for the employees working on the logging site as evident by the lack of personal protective equipment, fire extinguishers and first aid kits missing, employees not wearing seatbelts in equipment and inadequate undercuts during felling of trees.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/09/2016
\$400.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
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Issuance Date: 07/21/2016



Citation and Notification of Penalty

Company Name: Switchback Timber, Inc.
Inspection Site: RR 3, Dorothy, WV 25060

Citation 4 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.266(i)(11): The employer did not hold safety and health meetings as necessary and at least each month for each employee:

(a) Dorothy Tract: On or about April 5, 2016, and times prior, monthly safety and health meetings were not held with employees that are required to perform logging operations on a logging site.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/02/2016
\$400.00

A handwritten signature in black ink, appearing to read "Prentice Cline", written over a horizontal line.

Prentice Cline
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.