



Citation and Notification of Penalty

Company Name: Lorz Construction
Inspection Site: 731 East 34th Avenue, West Fargo, ND 58078

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

29 CFR 1926.451(a)(6): Scaffolds were not constructed in accordance with the design by a qualified person:

OR IN THE ALTERNATIVE

Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to fall hazards:

(a) On or about April 28, 2015, for the employee who sustained serious injuries while performing shingling roof activities, when an elevated work platform attached to a Caterpillar telehandler, model TH360B tipped over. The work platform extended more than 28 inches outside the front load bearing tires on each side at 731 East 34th Avenue, West Fargo, North Dakota.

(b) On or about April 28, 2015, for the employee who sustained serious injuries while performing shingling roof activities when, the elevated work platform attached to a Caterpillar telehandler, model TH360B tipped over. The work platform floor dimensions extended more than 22 inches beyond two times the load center distance at 731 East 34th Avenue, West Fargo, North Dakota.

Abatement Note: Among other methods, one feasible and acceptable abatement method to correct the hazard would be to follow the American National Standards Institute (ANSI) B56.6-2005 SAFETY STANDARD FOR ROUGH TERRAIN FORKLIFT TRUCKS, paragraph 8.24 Platforms for Elevating Personnel and specifically 8.24.1(b) for platform dimensions which states: Floor dimensions which shall not exceed two times the load center distance listed on the rough terrain forklift truck nameplate, measured parallel to the longitudinal center plane of the truck, nor have a width greater than the overall width of the truck [measured across the load bearing tires plus 10 in. (250 mm) on either side]. Minimum space for each person on the platform shall not be less than 18 in. (450 mm) in either direction.

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

Inspection Number: 1061552
Inspection Date(s): 05/01/2015 - 05/01/2015
Issuance Date: 10/22/2015



Citation and Notification of Penalty

Company Name: Lorz Construction
Inspection Site: 731 East 34th Avenue, West Fargo, ND 58078

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 11/03/2015 |
| Proposed Penalty: | \$35000.00 |

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: 1061552
Inspection Date(s): 05/01/2015 - 05/01/2015
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Citation and Notification of Penalty

Company Name: Lorz Construction
Inspection Site: 731 East 34th Avenue, West Fargo, ND 58078

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

29 CFR 1926.451(c)(2)(v): Fork-lifts used to support scaffold platforms were moved horizontally while the platform was occupied:

(a) On or about April 28, 2015, for the employee who sustained serious injuries while performing shingling roof activities, when the elevated work platform attached to a Caterpillar telehandler, model TH360B tipped over at 731 East 34th Avenue, West Fargo, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 11/03/2015 |
| Proposed Penalty: | \$35000.00 |

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U.S. Department of Labor
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Citation 1 Item 3 Type of Violation: **Willful**

29 CFR 1926.451(g)(1): Each employee on a scaffold more than 10 feet above a lower level was not protected from falling to that lower level by fall protection established in accordance with paragraphs (g)(1)(i) through (vii) of this section:

(a) On or about April 28, 2015 and at times prior to that date, for the employees exposed to an approximate 30 foot fall hazard while performing shingling roof activities from an elevated work platform attached to a Caterpillar telehandler, model TH360B at 731 East 34th Avenue, West Fargo, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

11/03/2015
\$35000.00

A handwritten signature in black ink, appearing to read "Eric R. Brooks", written over a horizontal line.

Eric R. Brooks
Area Director

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