Cal/OSHA Cites Shar-Craft Inc. $82,090 for Accident in Confined Tank Space That Seriously Injured Worker

Bakersfield—Cal/OSHA cited industrial service provider Shar-Craft Inc. following an investigation of a flash fire inside a metal tank that resulted in serious burns to an industrial painter. Cal/OSHA cited the employer for knowingly using an unauthorized electric lamp while the painter was working in an explosive atmosphere, for not having a permit to work in a confined space and for not having the proper ventilation or protective equipment for such a hazardous space, among other violations. Total proposed penalties are $82,090.

On December 17, 2013, the worker was spraying a flammable coating on the inside walls of a large steel tank when a fire was ignited by a portable halogen light. The 37-year-old Shafter man was rescued but spent three days in the Burn Unit of the San Joaquin Community Hospital.

“This was a preventable accident,” said Christine Baker, Director of the Department of Industrial Relations (DIR). “The employer was aware that working inside the confined space was dangerous but did not take the required steps to avoid putting workers at serious risk.” The Division of Occupational Safety and Health, known as Cal/OSHA, is a division of DIR.

Confined spaces are defined as large enough for workers to enter, but have limited openings for exit and entry, with a potential for hazards related to the atmosphere and space. They are found in multiple industries, and include water and sewer pipes, boilers, silos, kilns, vaults, tunnels and pumping stations. They can also be deadly. In 2011, there were seven confined space fatalities in California; one fatality and two injuries resulted from attempted rescues. In response, Cal/OSHA launched a confined space emphasis program in 2012 to raise awareness of these hazards and ensure employers follow proper safeguards. This safety program includes training in identifying hazards, creating a safety plan and rescue procedures.
Cal/OSHA’s investigation found Shar-Craft Inc. did not meet the requirements for working in a confined space. Cal/OSHA cited the Shafter-based company on June 16 for one willful serious accident-related violation and three serious violations related to the lack of required entry permit for confined spaces, lack of proper equipment and inadequate training for employees working in the tank. Twelve additional citations were issued for a range of general violations, including failure to report the serious work-related injury within eight hours of the accident (which was reported four days later).

“The purpose of requiring confined space entry permits is to prevent trouble before work begins,” said Cal/OSHA Acting Chief Juliann Sum. “This case involved flammable vapors that needed to be monitored and diluted to safe levels, and a lamp approved for this type of operation was required to avoid bringing a source of ignition into a flammable atmosphere.”

For more resources on creating safe working conditions in confined spaces, or to learn about California workplace health and safety standards, visit the Cal/OSHA website. The Cal/OSHA Consultation Program provides free and voluntary assistance to employers and employee organizations to help improve health and safety programs. Employers are encouraged to call (800) 963-9424 for assistance from the Cal/OSHA Consultation Program.

Employees with work-related questions or complaints may call the toll-free California Workers’ Information Line at (866) 924-9757 for recorded information, in English and Spanish.

Additional information about Cal/OSHA is available on our website as well as on Facebook and Twitter.

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