

NARRATIVE SUMMARY

Establishment Name:	Inspection Number:
Five Star Plastering, Inc.	317388650
Management Contacted:	Title:
Tom Blythe	Owner/President
Information on Injured(s) Covered by Workers' Compensation - Yes	
Daniel Pohl (EE#1) and Joshua Shetley (EE#2)	Occupation/Title
EE#1 Daniel Pohl	General Laborer
EE#2 Joshua Shetley	General Laborer
ER#1 Tom Blythe	Owner/President
ER#2 John Alberts	Foreman/Leadman
W#1 Kevin Bland	Booster President

INTRODUCTION

On July 17, 2014 at 3:50 pm, the Division learned of an occupationally-related accident that involved overhead high-voltage electrical power lines. The accident occurred at Mission Viejo High School, located at 25025 Chrisanta Dr. in Mission Viejo, and the employees were transported to Mission Hospital. The employees involved in the accident were employed by Five Star Plastering when the accident occurred and were engaged in erecting and painting a metal scaffold for the high school's football booster program, in which the school intended to use for hanging a large school banner for advertisement purposes. The owner of Five Star Plastering, Inc. is also a member and a Vice President of booster club.

REPORTING REQUIREMENTS:

The Division was notified by the Orange County Fire Authority on July 17, 2014, at 3:50 pm. W#1 who was at the accident site reported to the Division on behalf of the employer on July 17, 2014, at 5:32pm. W#1 is the President of the Mission Viejo High School football booster club.

CONDITIONS AND FACTORS LEADING TO ACCIDENT:

The owner of Five Star Plastering, Inc. (ER#1) met with the high school football booster's president (W#1) prior to the accident and agreed upon a location to erect scaffolding to hang a banner for the school's football program. ER#1 remembered a few weeks after having a meeting with the W#1 that this mutually agreed upon assignment was to be completed and contacted his crew and requested they erect a scaffold at Mission Viejo High School. The head superintendent was in Los Angeles at the time and was not able to be at the work site to supervise the scaffold being erected. ER#1 was available and met with the three-man crew and provided instruction on what needed to be performed. No formal hazard assessment was conducted by ER#1 and no special precautions were taken by the employer to ensure the work site was safe and free of hazardous conditions. A foreman (ER#2) was onsite and took

NARRATIVE SUMMARY

over when ER#1 left the work site approximately 45 minutes into the scaffold erection.

The scaffold was being erected directly under a 12,000 volt (12kV) electrical line. The employees were directed to erect a metal scaffold high enough to clear the sound barrier masonry wall next to Interstate 5 in order to allow for the approximately 6 foot by 50 foot banner to be prominently displayed to drivers passing by high school's football field.

Measurements to determine the distance from the overhead power lines were not taken, to ensure the employees erecting the scaffold would be at a safe distance. Additionally, personal protective equipment was not provided to effectively eliminate the overhead hazards. Furthermore, notification was not made to the operators of the high-voltage lines, again to ensure they would be de-energized or ensure additional safety measures were taken to prevent injury.

CAUSES AND CONCLUSIONS:

At the time of the accident, the highest scaffold planks were at a height of 17 feet 4 inches above the surrounding grade and the guardrails were approximately 42 – 45 inches above the planks. The high voltage electrical power lines were approximately 3 feet above the metal guardrail, when the employees made contact with the overhead electrical power line.

ER#1 and ER#2 failed to adequately and effectively evaluate the worksite to identify unsafe conditions, prior to employees completing the third stage of the scaffold. The high-voltage 12kV electrical power lines were in plain view and had bright orange warning and postings on the power poles indicating they were high voltage power lines.

Employees were directed by both ER#1 and ER#2 to erect a metal scaffold directly under energized high-voltage (12kV) electrical power lines and as a result of the lack of adequate training, personal protective equipment and close proximity to the overhead high voltage lines, EE#1 suffered fatal injuries and EE#2 suffered serious electrical burns requiring hospitalization and multiple surgeries.

ACCIDENT RELATED CITATIONS ISSUED: (5)

The Division issued a Serious Accident-Related Citation for each of the following violations:

- T8 CCR 1637(q) General Requirements.
- T8 CCR 2946(a) Provisions for Preventing Accidents Due to Proximity to Overhead Lines.
- T8 CCR 2946(b)(2) Provisions for Preventing Accidents Due to Proximity to Overhead Lines.
- T8 CCR 2948 Notification to the Operators of High-Voltage Lines and Responsibility for Safeguards.
- T8 CCR 3381(C)(2)(C) Head Protection.

NARRATIVE SUMMARY

<i>Prepared By: CSE, IH</i>		Date: 1/15/15
<i>Reviewed By: District Manager</i>		Date: 1/15/15
<i>Reviewed By: Sr. SE/IH</i>		Date:
<i>Regional Manager</i>		Date: 1/15/15