



1/21/2021

Oregon OSHA,

Consider this letter as Kirby Nagelhout Construction Company's (KNCC) written notice to appeal the citation that was issued on 12/31/20 during inspection #317727744(15).

The violation alleges that KNCC did not meet the following criteria:

OAR 437-00302501(1)(c): The employer did not keep objects that could fall far enough away from the edge of a higher level so that those objects would not go over the edge if they were accidentally displaced.

The above OAR 437-00302501(1)(c) and the citation KNCC was issued in association with it is inaccurate as stated above and on the attached citation. KNCC followed all guidance per OAR 437-00302501 and more specifically KNCC met and or exceeded OAR 437-00302501(1)(a) by installing engineered guardrail and oversized toeboard around the perimeter of the roof that met and or exceeded 1926.502(j) standards for falling object protection.

The above alleged violation is a partial reference to **ONE** of **THREE** means employers may use to protect workers from overhead hazards as per OAR 437-00302501. KNCC used overhead protection means from paragraph (a) of OAR 437-00302501 and all criteria needed for these means were met and or exceeded per OAR 437-00302501 and 1926.502(j) standards. Furthermore, as the citation is currently stated, "The employer did not keep objects that could fall far enough away from the edge of a higher level so that those objects would not go over the edge if they were accidentally displaced" is a partial reference to paragraph (c) of OAR 437-00302501 which in its full entirety states "Barricade the area to which objects could fall, prohibit employees from entering the barricaded area, and keep potential fall objects far enough from the edge of the higher level so that those objects would not go over the edge if they were accidentally displaced".

In general, means from paragraph (a) are viewed throughout the industry as the best means to use over those described in paragraph (c) and with a project of this size, it was not reasonably feasible to barricade around the entirety of the project and prohibit access to other employees as this would impede other project critical work that must commence simultaneously. Hence why means from paragraph (c) were not utilized to protect workers from overhead hazards.

In conclusion, KNCC finds the alleged violation to be inaccurate. OAR 437-00302501 clearly states that employers "must implement **ONE** of the following measures in accordance with the criteria in 1926.502(j)". KNCC met and or exceeded all criteria set forth in OAR 437-00302501 and 1926.502(j) standards.

See attached supporting documentation.

Thank You,

A handwritten signature in blue ink, appearing to read 'Jeshua Scheer', is written over a horizontal line.

Jeshua Scheer, Safety Director

PORTLAND
10180 SW NIMBUS AVE SUITE J3
PORTLAND, OR 97223
(503) 530-8420

BEND
63049 LOWER MEADOW DR
BEND, OR 97701
(541) 389-7119

PENDLETON
505 SW 16th St
PENDLETON, OR 97801
(541) 612-8575

FEB 4 21 OR OSHA 300



Citation and Notification of Penalty

To:
Jeff C Deswert, President
Kirby Nagelhout Construction Co
63049 Lower Meadow Dr
Bend, OR 97701

Inspection Number: 317727744(15)
Inspection Date(s): 08/04/2020-12/08/2020
Issuance Date: 12/31/2020
Optional Rpt Num: B1514-048-20
Employer ID No: 7973845-004

Inspection Site:
60925 15th St
Bend, OR 97702

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated.

In the interest of assuring a safe and healthy workplace, the Oregon Occupational Safety and Health Division (Oregon OSHA) conducted an inspection at a workplace under your control. During this inspection, violations of the Oregon Safe Employment Act and occupational health and/or safety rules were found.

This citation lists the violations and a date by which they must be corrected. If you are not able to correct the violations by the correction date, you must apply for an extension of the correction date by following the instructions outlined later in this citation. Oregon laws require that under certain conditions violations of occupational safety and health rules carry a civil penalty. If penalties have been assessed on this citation, they have been computed in conformity with Oregon Administrative Rules, Chapter 437, Division 1. If you want to appeal this citation, file your request for hearing within 30 calendar days as outlined on the next page. If you choose not to appeal this citation, it becomes a final order 30 calendar days after receiving it. You must abate the violations referred to in this Citation by the dates listed, and pay the proposed penalties.

An effective Safety and Health program not only assures the correction of cited violations, it also requires actions to prevent violations from recurring. Through continued cooperation of employers, employees and Oregon OSHA, a safe and healthful workplace for all Oregon employees can be achieved.

Michael D. Wood, Administrator
Oregon OSHA

COPY

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited has (have) been abated, or for 3 working days (excluding weekends and holidays), whichever is longer.

Penalty PAYMENT - Penalties are due 20 days after the citation becomes final order (which is 30 days after receipt of this citation, unless appealed). Either make your check or money order payable to "Department of Consumer & Business Services (DCBS)", and mail to **DCBS, Fiscal Services Section, PO Box 14610, Salem OR 97309-0445**, or pay online at <http://osha.oregon.gov/rules/enf/Pages/citations.aspx#req>. Please include the Inspection Number on the remittance and return a copy of the invoice with payment. Oregon OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if they do not exist.

Employer APPEAL Rights - To appeal a citation, you must clearly state in writing that you are requesting a hearing on the citation and specify the alleged violation(s) contested and the grounds upon which you consider the citation, proposed penalty(ies), or correction period to be unlawful. The request for an appeal must be filed within **30** calendar days of receipt of the citation. You can file an appeal in writing or on-line at <http://osha.oregon.gov/rules/enf/Pages/citations.aspx#req>. An appeal is considered filed on the date of the postmark, if mailed, or on the date of receipt if transmitted by other means. If mailed, the appeal letter should be sent to: **Oregon OSHA, PO Box 14480, Salem OR 97309-0405**.

A request for an informal conference alone is not an appeal of a citation, and any unresolved issues discussed at an informal conference will not be forwarded for appeal unless there is a timely request for hearing filed. **If you do not request a hearing within the required time frame, this citation will become a final order that is not subject to review by any agency or court.**

IMPORTANT NOTE: Appealing a serious violation or the reasonableness of the correction date does not automatically extend the correction date. You may apply for an extension of the correction date through Oregon OSHA or request an expedited hearing on the issue of the correction date with the Workers' Compensation Board Hearings Division (Oregon Revised Statute 654.078(6)).

Letter of Corrective Action - You are required to complete and mail the enclosed Letter of Corrective Action to the appropriate field office on or before the latest correction date on the citation. Please provide a detailed explanation and supporting documentation (if necessary), such as drawings or photographs of corrected violations, purchase or work orders, air sampling results, etc.

EXTENSION of Correction Date - To apply for an extension for correcting a violation, go online to submit a written request to <http://osha.oregon.gov/rules/enf/Pages/citations.aspx#req>, or submit a written request to the **office listed on the "Letter of Corrective Action"** and include:

- (1) Employer name and address.
- (2) The location of the place of employment.
- (3) The inspection number and optional report number.
- (4) The violation number for which the extension is sought.
- (5) The reason for the request.
- (6) All available interim steps being taken to safeguard employees against the cited hazard during the requested extended correction period.
- (7) The date by which you propose to complete the correction.
- (8) A statement that a copy of the request for extension has been posted as required by OAR 437-001-0275(2)(d) and (j) or for at least 10 days, whichever is longer; and, if appropriate, provided to the authorized representative of affected employees; and, certification of the date upon which the posting or service was made.

Your request must be postmarked or received by the Department no later than the correction date of the violation for which the extension is sought.

COPY

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint with the Bureau of Labor & Industries (BOLI) no later than 90 days after the discrimination occurred.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date is unreasonable. The objection letter must be mailed to Oregon OSHA and postmarked within 30 calendar days of the receipt by the employer of this Citation and Notification of Penalty.

Adopting Federal Rules by Reference - Whenever federal rules have been adopted by reference, the federal rule number has been noted in the citation. If information is needed regarding the Oregon standard, contact the Oregon OSHA field office addressed at the top of the first page of this citation.

Posting on the Internet - Federal OSHA publishes information on all inspections and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

If you would like to discuss this citation, call the Oregon OSHA office in your area:

Portland 503-229-5910
Eugene 541-686-7562

Salem 503-378-3274
Bend 541-388-6066

Medford 541-776-6030

COPY

Oregon OSHA

Oregon Department of Consumer and Business Services

Inspection Number: 317727744(15)

Inspection Date(s): 08/04/2020-12/08/2020

Issuance Date: 12/31/2020



Citation and Notification of Penalty

Optional Rpt Num: B1514-048-20

Company Name: Kirby Nagelhout Construction Co

Inspection Site: 60925 15th St Bend, OR 97702

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

OAR 437-003-2501(1)(c): The employer did not keep objects that could fall far enough away from the edge of a higher level so that those objects would not go over the edge if they were accidentally displaced:

a) From approximately February 2020 to August, 4, 2020, the employer did not ensure that employees directly below roofing activities were protected from the struck-by hazards of falling roofing related objects by either a barricade, canopy structure, toe-board, screens or guardrails capable of eliminating the hazard of those objects, should they fall, to the employees below. A Garlock Little Giant Trailer had been used from approximately February 2020 to move roofing materials on an approximately 3:12 pitched roof, both parallel and perpendicular to the roof's edge, carrying multiple loads weighing up to approximately 906 pounds, while employees worked in areas directly below. On August 4, 2020, control of a Garlock Little Giant Trailer on the roof above, carrying a bunk of Atlas vented nail base insulation with a combined weight of approximately 1,106 pounds, was lost. The lost trailer and associated load broke through the installed manufactured guardrail that was not designed to withstand such weights, falling approximately 45 feet 2 inches into quadrant E, in a location where employees and subcontractors walked and worked to access quadrant I of the construction project at the Caldera High School construction project located at 60925 15th St., in Bend, Oregon.

THIS VIOLATION WAS COMPLIED WITH AT THE TIME OF INSPECTION

Proposed Penalty: \$2,450.00

Total Proposed Penalty: \$2,450.00

COPY

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



OREGON OSHA INSPECTION SUPPLEMENT



1. IMIS no.: 317727744 2. Opt rpt no.: B1514-048-20 3. Emp. no.: 7973845

4. Date: 8/4/20 Time on site: 9am Time out: 10:30 Travel time: .5
8/5/20 2:10 pm 4:02 pm .5
8/7/20 8am 3:30pm .5

5. Total inspection time: _____ 6. Legal entity: Corporation Partnership Sole

7. Legal name: Kirby Nagelhout Construction Co.

8. DBA: _____ E-mail: _____

9. Phone: 541-385 7119 Cell/fax: _____

10. Site address: 60925 15th St. Bend OR 97702.

11. Mailing address: 63019 Lower meadow Dr. Bend OR 97701

12. Employed in establishment: 121 Covered by inspection: 15 Employed in Oregon: 121 13. Statewide average DART: 2.4

14. OSHA 300 Logs:	year <u>2019</u>		year <u>2018</u>		year <u>2017</u>	
	H	I	H	I	H	I
	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4</u>	<u>0</u>

Hours worked each year: 240633 60340 233847

DART rate: 0.83 0 3.42

Formula: $H + I \times 200,000 \div \text{hours worked} = \text{DART rate}$

15. Type of operation: General Contractor 16. SIC: 1542 17. NAICS: 236220

18. Management representatives:	Title	Opening	Insp.	Closing
<u>Alec Hansen</u>	<u>Project Superintendent</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Jesse Oatman</u>	<u>General Superintendent</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Jeshua Scheer</u>	<u>Safety Director</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. Employee representatives:	Title	Opening	Insp.	Closing
<u>JMW</u>	_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

20. Photos taken: Yes No Video: Yes No Audio: N/A (# of tapes) 10/21

21. Workers' comp. insurance carrier: SAIF Number: A754452202

22. Union name/address: N/A

23. Does employer lease any employees? Yes No Leasing co. name: N/A

24. Citation copies: N/A

COMPLIANCE OFFICER: Jarrod Bohn DATE: 8/4/20

Print name

Oregon Department of Consumers and Business Services
 Oregon Occupational Safety and Health Division (OR-OSHA)



Fatality/Catastrophe Report

Tue Dec 08, 2020 08:56 AM

Establishment Information:

Employer ID:	8544595-000	Fatality/Catastrophe No:	101702519
Establishment Name:	River Roofing Bend LLC		
Location Address:	697 SE Glenwood Dr Bend, OR 97702		
Site Phone:	(541)383-3569	Site Fax:	
Mailing Address:	697 SE Glenwood Dr Bend, OR 97702		
Event Address: (If Different)	60925 15th St Bend, OR 97702		

Industry & Ownership:

Type of Business:	ROOFING		
Primary NAICS:	238160 - Roofing Contractors		
Ownership:	Private Ownership	No. of Employees:	40

Receipt Information:

Reported By:	Jeshua Scheer		
Job Title:	Kirby Nagelhout Constrction		
Date and Time:	8/4/2020 8:01:01 AM	Phone:	

Event Information:

Event Classification:	Death		
Event Type:	A - Fatality		
Date and Time:	8/4/2020 6:59:00 AM		
Num. of Fatalities	Num. of Hospitalized	Num. of Non-Hospitalized	Number Unaccounted for
1	0	0	0

Preliminary Description:	A roofing contractor fell 40 feet to concrete when a rubber tire cart, loaded with 14 sheets of 5/8 cross vent plywood , pulled by the victim, lost control and pulled the victim off a 3:12 sloped roof. The victim was pronounced deceased at the commercial construction site due to injuries sustained from the fall.
---------------------------------	---

Inspection:

Insp Number	Supervisor Assigned		CSHO Assigned	
317727743	H9954	HALFMAN , BRIAN	B1514	BOHN , JARRODD
317727744	H9954	HALFMAN , BRIAN	B1514	BOHN , JARRODD

Oregon Department of Consumers and Business Services
Oregon Occupational Safety and Health Division (OR-OSHA)



Accident/Fatality Intake Form

12/8/2020 8:26:14 AM

Intake Date: 8/4/2020 8:01:01 AM

Accident Site

Address/Location: 60925 15th St
City/State/Zip: Bend, OR, 97702

Report Number: 2020-356
FAT/CAT Number: 101702519
Investigation Number: 202617131

Injury/Treatment

Accident Date: 8/4/2020 6:59:00 AM Employer Knowledge: 8/4/2020 6:59:00 AM
Date of Death: 8/4/2020 7:05:00 AM

Description of Accident: A roofing contractor fell 40 feet to concrete when a rubber tire cart, loaded with 14 sheets of 5/8 cross vent plywood, pulled by the victim, lost control and pulled the victim off a 3:12 sloped roof. The victim was pronounced deceased at the commercial construction site due to injuries sustained from the fall.

Type of Injury: Death
Mechanism of Injury: Fall from heights
Hospital:
Address/City:
Contact:
Email:

Hospitalized:? Treated:?
Number of Employees: 1
Hospitalized: 0
Inj No Hosp: 0
Fatal Count: 1
Unaccounted for: 0

Employer Intake

Employer Name: Kirby Nagelhout Construction Co
Contact Name: Jeshua Scheer
Phone: 541-389-7119
Email: JeshuaS@kirbynagelhout.com
Nature of Business: Commerical General Contractor
Site Address: 60925 15th St
Site City/State/Zip: Bend, OR 97702
Mailing Address: 63049 Lower Meadow Dr
Mailing City/St/Zip: Bend, OR 97701

Establishment/Employer

Emp-Loc Number: 7973845 - 000
Establishment Name: Kirby Nagelhout Construction Co
Site Street: 20635 Brinson Blvd
Site City/State/Zip: Bend, OR 97701
Mailing Street: 63049 Lower Meadow Dr
Mailing City/State/Zip: Bend, OR 97701

Legal Entity: CORPORATION
Contact Numbers
TELEPHONE: 541-385-7119
FAX:

Employer Intake

Employer Name: River Roofing Bend LLC

Contact Name: Iden Asato

Phone: 541-480-2704

Email: Iden@roverroofingbend.com

Nature of Business: Roofing Contractor

Site Address: 60925 15th St

Site City/State/Zip: Bend , OR 97702

Mailing Address: 778 NE 11th St

Mailing City/St/Zip: Redmond , OR 97756

Establishment/Employer

Emp-Loc Number: 8544595 - 000

Establishment Name: River Roofing Bend LLC

Site Street: 697 SE Glenwood Dr

Site City/State/Zip: Bend, OR 97702

Mailing Street: 697 SE Glenwood Dr

Mailing City/State/Zip: Bend, OR 97702

Legal Entity: LLC

Contact Numbers

TELEPHONE: 541-383-3569

FAX:

Worker/Employer

Name: James Andrew Bickers

Phone: 541-480-3752

Address: 63700 Crooked Rock Dr

E-Mail:

City/State/Zip: Bend , OR 97703

Gender: Male

Age: 38

Occupation: Roofing Technician

Notes: Mary and William Bickers (James' parents) 541-350-7019

Others Notified

 State Police County Sheriff Local Police Fire Department Health Department Hazmat Other 0 Medical Examiner**Witness Information**

Department of Consumer and Business Services

Oregon Occupational Safety and Health Division



Investigation Summary

Tue Dec 08, 2020 08:25 AM

Reporting ID	Investigation Summary Number	OSHA-36 Number	OSHA-36 Establishment Name
1054115	202617131	101702519	Kirby Nagelhout Construction Co
Event Date	08/04/2020	Event Time	06:59 AM

Inspection Number/ Establishment Name	317727744 Kirby Nagelhout Construction Co
Injured/Deceased	
Sex	
Age	
Injury	
Nature	
Part of Body	
Source of Injury	
Event Type	
Environmental Factor	
Human Factor	
Task	
Substance Code	
Occupational Code	

Abstract:

A roofing contractor fell 40 feet to concrete when a rubber tire cart, loaded with 14 sheets of 5/8 cross vent plywood, pulled by the victim, lost control and pulled the victim off a 3:12 sloped roof. The victim was pronounced deceased at the commercial construction site due to injuries sustained from the fall.

Department of Consumer and Business Services
Oregon Occupational Safety and Health Division



Investigation Summary

Tue Dec 08, 2020 08:25 AM

Tue Dec 08, 2020 08:25 AM
Investigation No. 202617131

CONSTRUCTION ACCIDENT INFORMATION

Project Level Information

Type of Construction	
End-use Type of Construction Site	
If a building site, number of stories (in feet):	
If a non-building structure, height (in feet):	0

Department of Consumer and Business Services

Oregon Occupational Safety and Health Division



Investigation Summary

Tue Dec 08, 2020 08:25 AM

Reporting ID	Investigation Summary Number	OSHA-36 Number	OSHA-36 Establishment Name
1054115	202617131	101702519	River Roofing Bend LLC
Event Date	08/04/2020	Event Time	06:59 AM

Inspection Number/ Establishment Name	317727743 River Roofing Bend LLC
Injured/Deceased	James Andrew Bickers
Sex	Male
Age	38
Injury	Fatality
Nature	Other
Part of Body	Abdomen
Source of Injury	Other
Event Type	Fall (from elevation)
Environmental Factor	Materials handling equipment or method
Human Factor	Equipment in use not appropriate for operation or process
Task	Not Regularly Assigned
Substance Code	
Occupational Code	Roofers

Abstract:

A roofing contractor fell 40 feet to concrete when a rubber tire cart, loaded with 14 sheets of 5/8 cross vent plywood, pulled by the victim, lost control and pulled the victim off a 3:12 sloped roof. The victim was pronounced deceased at the commercial construction site due to injuries sustained from the fall.

Department of Consumer and Business Services

Oregon Occupational Safety and Health Division



Investigation Summary

Tue Dec 08, 2020 08:25 AM

Tue Dec 08, 2020 08:25 AM

Investigation No. 202617131

CONSTRUCTION ACCIDENT INFORMATION

Project Level Information

Type of Construction	
End-use Type of Construction Site	
If a building site, number of stories (in feet):	
If a non-building structure, height (in feet):	40

INSPECTION NARRATIVE

317727744

Date of Inspection: 8/4/20

Legal Name: Kirby Nagelhout Construction Co.

Site Address: 60925 15th St. Bend, OR 97702

Inspection Type: Fatality

Optional Report No: B1514-048-20

Purpose:

This inspection was opened in response to an fatality investigation (inspection 317727744 – River Roofing Bend LLC) where one employee fell approximately 45 feet 2 inches to a concrete surface from the roof of the new Caldera High School construction project. Kirby Nagelhout Construction Co. (KNCC) was the general contractor of the multi-employer construction site. It was determined at the time of the inspection that KNCC was both the controlling and exposing employer to the hazard created by River Roofing Bend LLC by the use of a roofing cart used on the 3:12 pitch roof.

Background Information:

KNCC is a mid size construction company that employs a total of 121 employee is the state of Oregon. At the time of the inspection, KNCC was the general contractor, self performing only a few small aspects such as rough and finish carpentry, for the construction of the 260,000 sq. ft. high school building. KNCC management reported they employed a total of 15 employees for the site. The remainder of the work force were subcontractors.

Inspection Activities / Observations:

A full opening conference was conducted, on site, with Alec Hansen, Jesse Oatman (KNCC site superintendents), Jeshua Scheer (KNCC safety director) and representatives for River Roofing Bend LLC where credentials, the nature and scope of the inspection were provided.

The safety compliance officer (SCO) was escorted to the scene of the incident where one employee was decease due to a fall of 45 feet 2 inches. The initial scene was documented by the SCO. The SCO returned to the site the following day to investigate the roof and the area of the incident after the location was made safe to inspect. A total of 6 KNCC employees were interviewed throughout the inspection process.

Both KNCC and River Roofing reported that they did not identify the use of a roofing carts on a 3:12 pitched roof as a hazard. The manufacturer's operator's manual was found stored on the cart involved in the incident and clearly stated that the cart was intended for flat roofs only.

KNCC employees traveled through the area and entered into the building by the use of a scaffold stair tower in the location directly below where the cart broke through the guardrail system and fell from the roof.

More details relating to the incident that occurred on 8/4/20 at the Caldera High School construction site in Bend can be found in inspection 317727743 – River Roofing Bend LLC.

A full closing conference was provided to Alec, Jesse and Jeshua, by phone, on 12/8/20 where the inspection findings and the items on the closing conference checklist were covered.

Conclusion:

One alleged violation was proposed concerning the fatality investigation on the multi-employer work site:

01-001 OAR 437-003-2501(1)(c)

The employer did not keep objects that could fall far enough away from the edge of a higher level so that those objects would not go over the edge if they were accidentally displaced:

From approximately February 2020 to August, 4, 2020, the employer did not ensure that employees directly below roofing activities were protected from the struck-by hazards of falling roofing related objects by either a barricade, canopy structure, toeboard, screens or guardrails capable of eliminating the hazard of those objects, should they fall, to the employees below. A Garlock Little Giant Trailer had been used from approximately February 2020 to move roofing materials on an approximately 3:12 pitched roof, both parallel and perpendicular to the roof's edge, carrying multiple loads weighing up to approximately 906 pounds, while employees worked in areas directly below. On August 4, 2020, control of a Garlock Little Giant Trailer on the roof above, carrying a bunk of Atlas vented nail base insulation with a combined weight of approximately 1,106 pounds, was lost. The lost trailer and associated load broke through the installed manufactured guardrail that was not designed to withstand such weights, falling approximately 45 feet 2 inches into quadrant E in a location where employees and subcontractors walked and worked to access quadrant I of the construction project at the Caldera High School construction project located at 60925 15th St. in Bend, Oregon.

Probability / Severity and Penalty Amount:

Probability: Medium

Severity: Death

Penalty Amount: \$3,600.00

Narrative prepared by:

Jarrodd E.W. Bohn