

# News Release



U.S. Department of Labor  
Office of Public Affairs  
Chicago, Ill.  
Release Number: 10-1014-CHI

For Immediate Release  
Aug. 4, 2010  
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## **US Labor Department's OSHA fines Wisconsin grain cooperative \$721,000 after worker is engulfed in frozen soybeans** *OSHA issues warning letter to industry following series of similar incidents including suffocation last week of 2 teenagers in Illinois grain elevator*

**BURLINGTON, Wis.** – The U.S. Department of Labor's Occupational Safety and Health Administration has proposed fines of \$721,000 against Cooperative Plus Inc. in Burlington for violations of federal workplace safety standards. OSHA alleges that this employer, a farmer owned cooperative, exposed workers to the risk of being engulfed and suffocated in grain storage bins without proper equipment and procedures. In a near tragedy that occurred in February, a worker was trapped in soybeans up to his chest in 25 degree weather and ultimately rescued after a four hour ordeal.

"Cooperative Plus ignored long established safety standards for working safely in grain handling operations and knowingly exposed workers to possible suffocation. In this case, a worker almost died," said Secretary of Labor Hilda L. Solis. "Disregarding well-recognized standards places workers in this industry in serious danger and will not be tolerated."

In spite of clear OSHA standards, employers continue to put workers at risk of death by requiring them to enter grain storage bins without proper protection. The citations against Cooperative Plus are being issued one week after a separate and especially tragic incident in a grain elevator in Illinois in which two teenage workers, a 14- and a 19-year-old, were killed and a 20-year-old was hospitalized after being similarly engulfed in grain. In a third case last year, a South Dakota Wheat Growers Association worker was killed after being engulfed by grain in a wheat handling facility. In May, OSHA issued a fine of more than \$1.6 million against the South Dakota Wheat Growers Association.

In response to these and other events, OSHA is sending a strong letter to all grain elevator operators warning them not to allow workers to enter grain storage facilities without proper equipment, precautions and training. "We are putting these employers on notice," said Assistant Secretary of Labor for OSHA Dr. David Michaels. "OSHA will use the full extent of the law to ensure that any employer who violates these standards is held accountable for its lack of concern for worker safety."

Based on its investigation of the Cooperative Plus incident, OSHA has cited that employer for 10 willful violations. Two per- instance willful violations are for failing to provide workers entering grain storage bins with body harnesses and lifelines and to provide an observer while other workers entered the grain bins. A citation has been issued for each bin entry OSHA documented in which the employer failed to observe these requirements. OSHA also has issued additional willful violations that address the company's failing to ensure that safe procedures were implemented for entry into the bins; to prohibit workers from walking on the grain inside the bin; to provide rescue equipment for workers entering the bins and to implement an emergency action plan.

The company has 15 business days from receipt of its citations and proposed penalties to comply or contest the findings before the independent Occupational Safety and Health Review Commission. To report workplace accidents, fatalities or situations posing imminent danger to workers, call OSHA's toll-free hotline at 800-321-6742.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to assure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For general information, visit <http://www.osha.gov> and for a copy of the warning letter OSHA is sending to grain elevator operators, visit [http://www.osha.gov/asst-sec/Grain\\_letter.html](http://www.osha.gov/asst-sec/Grain_letter.html).

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