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# OSHA Regional News Release

**U.S. Department of Labor**  
**Office of Public Affairs****Region 6**

April 6, 2016

**OSHA fines New Orleans tank cleaner \$226K for willful, repeat violations  
after worker death, injuries while they cleaned rail tanker  
*Fourth time Dedicated TCS failed to address dangerous confined space hazards***

**NEW ORLEANS** - An air quality test and harnesses properly tethered to a lifeline for rescue might have prevented tragedy for three workers overcome by a lack of oxygen inside a rail tanker on Oct. 8, 2015 in New Orleans, federal workplace safety and health investigators have determined.

The U.S. Department of Labor's Occupational Safety and Health Administration found Dedicated TCS LLC failed to test the atmosphere inside the tanker before the three employers entered the tank, and to mandate that the workers attach a lifeline to their harnesses to allow a rescue. One of the workers died, and other two were hospitalized in the incident.

OSHA has cited Dedicated TCS for the same confined space violations three times before at its locations in Illinois. In April 2012, the agency issued eight serious violations at the company's location in Channahon. In May 2012, inspectors found nine serious and two willful violations at its Lansing location. In July 2014, an investigation in Channahon found four serious and seven repeat violations.

Dedicated TCS faces \$226,310 in fines for two willful, three repeat and four serious violations for exposing workers to hazardous health conditions in New Orleans.

Willful violations include failing to:

- Test atmospheric conditions within a confined space before allowing workers to enter.
- Evaluate a rescuer's ability to respond in a timely manner and function appropriately while rescuing entrants from confined spaces.

Serious violations include failing to:

- Have a complete respiratory protection program.
- To medically evaluate and fit test employees before allowing them to use respirators.

Repeat violations include failing to:

- Take all necessary steps to guarantee safe entry into a confined space
- Provide fixed points or mechanical devices for retrieving workers from a permit-required space.
- Verify and check appropriate entry conditions on a permit before letting workers enter a confined space.

"Dedicated TCS continues to ignore crucial safety procedures for working in confined space. This is the fourth time OSHA has found this employer in violation of federal safety standards," said Dorinda Folsie, OSHA's area director in Baton Rouge. "Sadly, the company's inaction has cost a man his life."

Link to citations for Dedicated TCS: [http://www.osha.gov/ooc/citations/DedicatedTCSLLC\\_1098071.pdf](http://www.osha.gov/ooc/citations/DedicatedTCSLLC_1098071.pdf)\*

Dedicated TCS LLC is a tank cleaning service with about 55 employees in Louisiana and Illinois. The company has 15 business days from receipt of its citations to comply, request an informal conference with OSHA's area director, or contest the citations and penalties before the independent Occupational Safety and Health Review Commission.

To ask questions, obtain compliance assistance, file a complaint or report workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call OSHA's toll-free hotline at 800-321-OSHA (6742) or the agency's Baton Rouge Area Office at 225-298-5458.

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