
NEWS

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FOR IMMEDIATE RELEASE
December 4, 2013

The Arizona Division of Occupational Safety and Health Issues Citations to the Arizona State Forestry Division

As a result of its investigation of the Yarnell Hill Fire, the Arizona Division of Occupational Safety and Health (ADOSH) has issued three citations to the Arizona State Forestry Division (ASFD) resulting from violations of its duty under A.R.S. § 23-403(A) to provide to its employees a safe workplace free from recognized hazards. The citations against ASFD allege that it mismanaged the fire when it failed to prioritize the safety of firefighters over the protection of non-defensible structures and property, failed to develop the necessary action plans and fire analysis, and failed to provide necessary and key incident command personnel.

Notwithstanding the brave and determined work of the firefighters on the ground, ADOSH concluded that the actions of ASFD on June 29, 2013 and June 30, 2013, resulted in firefighters being unnecessarily and unreasonably exposed to the deadly hazards of wildland firefighting, the most catastrophic being the entrapment, burn-over, and death of 19 members of the Granite Mountain Interagency Hotshot Crew. ADOSH classified the citation alleging that ASFD failed to prioritize the safety of firefighters over the protection of non-defensible structures and property as willful serious.

“Investigations to determine whether occupational safety and health violations have occurred are critical to the protection of employee safety and health. There are lessons that can be learned from this horrible tragedy and we owe it to the firefighters who died, and to those that risked their lives fighting the Yarnell Hill Fire, to do so” said Bill Warren, ADOSH Director.

Representing one of the largest penalties assessed by ADOSH to date, total penalties assessed against ASFD are \$559,000, which includes an additional penalty of \$25,000 for each employee that died and that is to be paid to the employee’s dependents or the employee's estate if the employee did not have any dependents. ASFD has 15 working days to contest the citations and assessed penalties before the Industrial Commission of Arizona.

Documents related to the ADOSH investigation into the Yarnell Hill Fire are available at <https://sites.google.com/site/yarnellhillinformation/>