

State of Tennessee

Department of Labor and Workforce Development
220 French Landing Drive
Nashville, TN 37243
Phone: 615-741-2793 Fax: 615-253-1623



Notice of Unsafe or Unhealthful Working Conditions

To:
The Honorable Randy Porter
County Mayor
Putnam County
and its successors
300 East Spring Street
Cookeville, TN 38501

Inspection Number: 1863700
Inspection Date (s): 12/05/2025
Issuance Date: 02/03/2026
Reporting ID: 0454733
CSHO ID: U8867
Optional Report: 024-2026

Inspection Site:
Solid Waste
1846 South Jefferson Avenue
Cookeville, TN 38506

The violation(s) described in this Notification of Violation is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

ATTN: Darrell Tucker, Maintenance Director

On 12/05/2025, an inspection of your establishment/workplace was conducted by the Tennessee Occupational Safety and Health Administration (TOSHA) pursuant to Tennessee Code Annotated §§ 50-3-101 through 50-3-918. This Notice of Violation(s) alleges violations of standards and/or rules promulgated under the provisions of the Code. These alleged violations must be corrected on or before the date indicated with each violation description.

EMPLOYER RESPONSIBILITIES

POST THIS NOTICE OF VIOLATION(S)

T.C.A. § 50-3-307(a)(4) and Department of Labor and Workforce Development Rules require this Notice of Violation(s) (or a copy) to be immediately posted at or near the location where each alleged violation occurred, or if not practicable, in a prominent place visible to all employees. This Notice of Violation(s) must remain posted until the alleged violations are corrected but for no less than three (3) working days. Equipment, referenced in this Notice of Violation(s), that is moved during the correction period, must have a copy of this Notice of Violation(s) attached.

CORRECT THE VIOLATIONS

You must correct each violation by the date listed in this Notice of Violation(s) unless you request an extension.

EXTENSION OF CORRECTION DATES

- 1) You may request an extension of the correction date(s) set forth in this Notice of Violation(s) when you cannot correct the alleged violation(s) by the date listed because of circumstances beyond your control. The request must be in writing and filed with the TOSHA area office supervisor no later than the end of the business day on the day after the original abatement date. The request must include the following information:
- a) Steps taken to-date to correct the cited conditions.
 - b) Additional time needed to achieve compliance.
 - c) The reasons additional time is necessary.
 - d) All interim steps being taken to safeguard employees against the cited hazard.
 - e) A dated certification that a copy of the request has been posted and, if appropriate, served on the authorized representative of affected employees.

The employer shall post a copy of the request in a conspicuous place for a period of twenty (20) calendar days. The area supervisor then has ten (10) days after the posting period to grant or deny the request and will inform the employer of such, in writing, by the end of the ten (10) day period.

To request an extension of correction date(s), please submit your request in writing to TOSHA.PublicSector@tn.gov or by fax to (615) 741-3325. If you have questions, please contact Mitchell Cothran, Manager of Public Sector, at (731) 423-5642.

NOTIFY TOSHA OF CORRECTIVE ACTION

You must notify TOSHA Public Sector in writing via email to TOSHA.PublicSector@tn.gov or fax (615) 741-3325, when correction of each alleged violation has been completed. Enclosed is the Abatement Certification Form to be used to report corrective action taken for each violation. Instructions for completing this form are also enclosed.

You must also notify your employees and their representatives (if represented) of corrective action taken by posting the Abatement Certification Form, or by other effective means.

For items identified in this Notice of Violation(s) as “**Abatement/Correction Documentation Required**”, you must include additional documentation such as photographs, receipts, work orders, etc. to verify the corrective action taken.

EMPLOYER RIGHTS

INFORMAL CONFERENCE

You may request an informal conference to discuss the alleged violations. Informal conferences **must be held within twenty (20) days of the receipt of this Notice of Violation**. To schedule an informal conference, contact TOSHA Public Sector by email at TOSHA.PublicSector@tn.gov or fax (615) 741-3325. Twenty-four (24) hours prior to the informal conference post the “Notice to Employees of Informal Conference” and bring a copy of the notice to the informal conference. A copy of the notice is enclosed.

OBJECTION TO NOTICE

Any employer, employee or authorized representative(s) of employees of an employer to whom a notice has been issued may file a written declaration with the Commissioner advising him of objections to the terms or conditions of the notice. Employers, employees or authorized representative(s) of employees must file such declaration within twenty (20) days of receipt by the employer of the notice. A copy of this objection will be placed in the case file.

ADDITIONAL INFORMATION

For additional information, contact Mitchell Cothran, TOSHA Public Sector Manager, at TOSHA.PublicSector@tn.gov or 731-423-5642. Mailing Address: Department of Labor and Workforce Development, Division of Occupational Safety and Health, 220 French Landing Drive, Nashville, TN 37243-0655.

TOTAL VIOLATIONS

Serious	01
Other than Serious	00

ABATEMENT CERTIFICATION FORM

INSTRUCTIONS

- 1) Complete this form for each cited violation item as follows:
 - a) Enter the violation number and item number in the first column
 - b) Enter the date the item was corrected in the second column
 - c) Explain in detail how each cited violation item was corrected in the third column (See examples below)
- 2) You may request an extension of the correction date(s) set forth in this Notice of Violation(s) when you cannot correct the alleged violation(s) by the date listed because of circumstances beyond your control. The request must be in writing and filed with the TOSHA Manager of Public Sector no later than the end of the business day on the day after the original abatement date. The request must include the following information:
 - a) Steps taken to-date to correct the cited conditions.
 - b) Additional time needed to achieve compliance.
 - c) The reasons additional time is necessary.
 - d) All interim steps being taken to safeguard employees against the cited hazard.
 - e) A dated certification that a copy of the request has been posted and, if appropriate, served on the authorized representative of affected employees.

The employer shall post a copy of the request in a conspicuous place for a period of twenty (20) calendar days. The area supervisor then has ten (10) days after the posting period to grant or deny the request and will inform the employer of such, in writing, by the end of the ten (10) day period.
- 3) To request an extension of abatement/correction, please submit your request in writing to:
TOSHA.PublicSector@tn.gov or by fax to (615) 741-3325. If you have questions please contact Mitchell Cothran, Manager of Public Sector, at (731) 423-5642.
- 4) Mail, E-mail, or fax the completed form to the Area Office shown on the form
- 5) Contact the Public Sector Manager for additional information or if you have any questions
- 6) Additional copies can be obtained electronically at:
https://www.tn.gov/content/dam/tn/workforce/documents/Employees/SafetyHealth/TOSHA_Abatement_Form_2001.pdf

Examples of How to Complete the Form

Violation & Item #	Date Corrected	HOW CORRECTED
1/1	02/16/2008	<p>The unguarded band saw #1234 located in the maintenance area was fitted with a factory made guard purchased from Ajax Equipment Co. The unused portion of the blade is now fully enclosed in a metal guard. Employees have been trained in the proper use of safety equipment.</p> <p>(NOTE: This item was identified as "Abatement/Correction Documentation Required" - We have also enclosed photographs of the newly guarded saw and a copy of the purchase documents from Ajax Equipment the parts supplier.)</p>
2/1a	02/18/2008	A plumbed emergency eyewash and drench shower were installed by ABC Plumbing Co in the acid mixing area. Employees have been trained in the proper use and maintenance of this emergency equipment.
2/1b	02/24/2008	A written hazard communication program has been developed (copy enclosed). All employees have been trained about the haz com program and its components. They have also been trained in the proper use of the specific chemicals they may use in performing their jobs.
2/ 4	REQUEST EXTENSION OF ABATEMENT PERIOD	<p>We ordered deluge showers on 12/15/15 (P.O. #76) and were informed that they would be shipped 12/16/15. Request extension until 01/17/16. As an interim safety precaution, we temporarily provided rubber water hoses at faucets near the plating tanks. Personal protective equipment is mandatory for this area.</p> <p><i>I certify that a copy of this request was posted on the employees' bulletin board on (date) and that employees have been informed of their rights under the Act.</i></p> <p>OR</p> <p>We ordered deluge showers on 12/15/15 (P.O. #76) and were informed that they would be shipped 12/16/15. Request extension until 01/17/16. As an interim safety precaution, we temporarily provided rubber water hoses at faucets near the plating tanks. Personal protective equipment is mandatory for this area.</p> <p><i>I certify that a copy of this request was posted on the employees' bulletin board on (date) and that employees have been informed of their rights under the Act.</i></p>

ABATEMENT CERTIFICATION FORM

MANAGER OF PUBLIC SECTOR

Tennessee Department of Labor and Workforce Development
Division of Occupational Safety and Health
220 French Landing Drive
Nashville, TN 37243-1002

SUBMITTED BELOW IS THE ACTION(S) TAKEN TO CORRECT THE ALLEGED VIOLATION(S) LISTED ON THE “Notice of Unsafe or Unhealthful Working Conditions”

Putnam County - Solid Waste, 300 East Spring Street, Cookeville, TN 38501

Violation & Item #	Date Corrected	How Corrected

A COPY OF THE VIOLATION(S) WAS (WERE) POSTED AS REQUIRED BY TENNESSEE CODE ANNOTATED §50-3-307(a)(4).

Employer Official's Signature

Job Title

Date



State of Tennessee
Department of Labor and Workforce Development
Division of Occupational Safety and Health (TOSHA)

**NOTICE TO EMPLOYEES
OF
INFORMAL CONFERENCE**

An informal conference has been scheduled with TOSHA to discuss the Notice of Violation(s). The conference will be held at the TOSHA office located at 220 French Landing Drive, Nashville, TN 37243-1002 on _____ (date) at _____ (time). Employees and/or representatives of employees have a right to attend an informal conference. Post this notice twenty-four (24) hours prior to the informal conference. A copy of this notice must be brought to the informal conference.

State of Tennessee

Department of Labor and Workforce Development
220 French Landing Drive
Nashville, TN 37243
Phone: 615-741-2793 Fax: 615-253-1623

Inspection Number: 1863700
CSHO ID: U8867
Optional Report #: 024-2026
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**Notice of Unsafe or Unhealthful working Conditions**

Company Name: Putnam County - Solid Waste
Inspection Site: 1846 South Jefferson Avenue Cookeville, TN 38506

Violation 1 Item 1 Type of Violation: Serious

TCA 50-3-105(1): Each employer shall furnish to each of its employees conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to its employees in that employees were exposed to physical harm, such as a struck-by hazard:

The employer failed to provide employees with safety instructions when offloading a roll off dumpster. Employees were exposed to a front-end loader lifting the gate on a roll-off dumpster causing the truck to roll forward.

This hazard was most recently documented on December 5, 2025, at the Putnam County Recycling Center located at 1846 South Jefferson Avenue, Cookeville, TN 38506, when an employee tried to stop an uncontrolled heavy-duty truck and was crushed between a retaining wall and the heavy-duty truck. The employee succumbed to her injuries.

Among other methods, one feasible and acceptable abatement method is to provide instructional training to all employees on the safe operation of each motor vehicle, as explained in the owner's manual operating instructions. This would include instructing drivers to:

- a) Always set the parking brake fully and make sure that the gearshift is securely latched in P (Park) or neutral (automatic transmission) or in 1st gear (manual transmission) as instructed in the owner's manual.
- b) Use choke blocks on the rear tires when parked on an incline.
- c) Never use a front-end loader to assist in latching a roll-off dumpster gate.

ABATEMENT VERIFICATION REQUIRED**Date By Which Violation Must be Abated:****March 05, 2026**

Mitchell Cothran

Mitchell Cothran, Manager of Public Sector
Division of Occupational Safety and Health

Putnam County
Inspection Date: 12/05/25
Inspection# 1863700
UPA # 2377067

Investigative Summary

Introduction:

On December 5, 2025, I received a call from [Witness Identity/Identifiable Information TCA 50-3-302(d)] informing me that Putnam County had a fatality. He informed me that a Putnam County truck driver had an accident yesterday and succumbed to her injuries overnight while in the hospital. I notified Mitch Cothran, Public Sector Manager, of the fatality, and he asked me to investigate. I met with [Witness Identity/Identifiable Information TCA 50-3-302(d)] at his office and started the investigation. We went to the Putnam County recycling center and spoke with [Witness Identity/Identifiable Information TCA 50-3-302(d)] who described the accident that had taken place. I took photos of the accident site and of the truck that was involved in the accident. I took witness statements from [Witness Identity/Identifiable Information TCA 50-3-302(d)] [Witness Identity/Identifiable Information TCA 50-3-302(d)]

Employee:

Name: Jennifer Ellison
Age: 46
Occupation: Truck Driver
Type of Event: Crushed by

Supervisor:

[Witness Identity/Identifiable Information]

Observed By:

[Witness Identity/Identifiable Information TCA 50-3-302(d)]

Scope of Job:

The employee was a roll-off dumpster truck driver. The employee drives to Putnam County properties, picking up roll-off dumpsters, then transporting them to the Putnam County Recycling Center. Once at the Putnam County recycling center, the employee empties the roll-off dumpster and takes it back to the property where it was picked up from.

Investigative Findings

A fatality investigation was conducted on December 5, 2025. The accident involved a truck driver who works for the Putnam County Solid Waste Department. The employee drove a 2018 Western Star heavy duty truck that carries a roll-off refuse dumpster. The employee drives to various remote recycling centers belonging to Putnam County. She picks up full dumpsters from remote sites, unloads them at the Putnam County Solid Waste Recycling Center, then returns them back to the remote recycling center where she had picked them up from. The employee normally conducts 4 to 5 loads a day.

On the morning of December 4, 2025, the employee was working on her 2nd load of the morning. She went to a remote recycling center located in Algood, TN. She picked up a loaded dumpster and proceeded to the Putnam County Recycling Center to unload the dumpster. She backed her truck to the refuse building. The truck was on a slight incline where she allegedly initiated her parking brake. She exited the truck to open the dumpster gate and unloaded the material. After unloading the dumpster her gate would not lock in place. She asked the front-end loader to push on the gate to help with locking her gate in place. This is normal practice and is known by the employer. When the front-end loader pushed onto the gate, the truck started rolling forward and downhill. The victim ran after the truck and tried to reenter the vehicle to stop it. The truck hit a retaining wall, crushing the employee between the retaining wall and the truck. The truck continued to roll downhill and stopped when it hit a parked truck. The front-end loader and another operator tried to render aid. 911 was called and an ambulance arrived at the scene. The employee was taken to the hospital. The employee succumbed to her injuries at the hospital.

Conclusion

It was determined during the investigation that the employee could have allowed her truck to continue to roll, allowing it to stop on its own. The employee should not have tried to reenter the vehicle to stop the truck. This led to the fatal accident. It was stated in an interview that the emergency brakes were initiated. After the accident the vehicle was inspected for a defective brake system and was determined to be operating as it should.

Recommendations

During the closing conference it was recommended truck drivers are to place vehicles in park before exiting the truck. When trucks are on an inclined surface and the driver must exit the truck and put wheel chocks in front of the rear tires. When difficulties arise locking dumpster gates do not use a front-end loader to assist in closing the gate. Defective locks on dumpster gates are to be repaired or replaced.