

## AKOSH NARRATIVE REPORT

**Godspeed, Inc. d.b.a.**

**Ward Cove Dock Group, LLC**

CSHO: Jennings, Paul / Douglas, Rachel A.

**Inspection 1580754 / UPA 1867458**

CSHO ID: S9975 / I4435

### HEALTH NARRATIVE

#### **Worksite Location**

Ward Cover Dock Group, LLC (“The Mill”)  
7559 North Tongass Highway  
Ketchikan, Alaska 99901

#### **Parent Company**

Godspeed, Inc.  
1975 Discovery Drive  
Fairbanks, Alaska 99709

**Inspection Date:** February 22, 2022    **Type:** Unprogrammed – Related    **Closing Conference:** May 13, 2022

#### **AKOSH Representative**

##### Name

Paul Jennings

Rachel A. Douglas

##### Title/Position

Safety CSHO

Health CSHO

Related Inspection 1580718

#### **Management Representatives**

##### Name

AJ Slagle, Jr.

Jennifer Black

John Binkley

##### Title/Position

Maintenance Manager

Human Resources Manger

Chairman, Godspeed, Inc. / President, Ward Cove Dock Group, LLC

#### **Union Representatives**

##### Name

None

##### Title/Position

#### **History:**

On February 16, 2022, Chief Williamson assigned CSHO Rachel Douglas, to gather information on a complaint of alleged safety and health violations at Ward Cove Dock Group, LLC located at 7559 North Tongass Highway, Ketchikan, Alaska 99901: also known as “The Mill at Ward Cove”, or “The Mill”. After collecting information from the Complainant and discussing the findings with Chief Williamson, and myself, Rachel and I were directed to travel to Ketchikan to conduct an on-site inspection regarding the items on the Notice of Alleged Safety or Health Hazards included employee exposures to hazards in the worksite including, but not limited to:

1. Air contaminants causing respiratory illness and injury.

The air contaminants of concern were asbestos due to the age of The Mill, and respirable crystalline silica due to the grinding and replacement of the brick mortar and bricks.

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This was a CERCLA site, so an Interagency Referral form was completed and sent to the EPA for the disturbance/removal of asbestos containing material. Upon review, Alyson Skeens determined that this was a false alarm for asbestos.

Ward Cove is the site of the historic Ketchikan Pulp Mill is located 7 miles north of downtown Ketchikan, operated from 1954 until 1997, and was a significant economic contributor to Ketchikan and Southeast Alaska. In 2019, John Binkley partnered with others to form Ward Cove Dock Group, LLC to purchase and repurpose The Mill, which is a CERCLA designated and remediated Superfund site. Under EPA and AKDEC oversight, Ward Cove Dock Group, LLC, built an eco-friendly floating dock that can accommodate two cruise ships at a time and up to six ships a day while maintaining the sand cap and remediated eco-system. The Mill is being repurposed as a visitor's welcome center where they can purchase merchandise; learn the history of The Mill; book land and water excursions; and travel to Ketchikan's other attractions.

### **Opening Conference:**

On February 22, 2022, Officer Rachel Douglas (Rachel) and I arrived at Ward Cove Dock Group, LLC (Ward Cove) at 13:30 hours and met with AJ Slagle, Jr. (AJ), Maintenance Manager, in his office. We introduced ourselves, presented our credentials, provided our business cards and explained the purpose of our arrival. AJ was new to Ward Cove so called Jennifer Black (Jennifer), Human Resources Manager, who recommended that he call John Binkley (John), Chairman of Godspeed, Inc. and President of Ward Cove Dock Group, LLC. AJ called John, then asked Rachel and I to leave the office to speak privately with John. At 13:55 hours, AJ asked us to come back into the office, called John back using his cell phone and put the call on the phone's speaker. Rachel and I introduced ourselves, explained the purpose of our arrival and requested permission to conduct an inspection. John sounded agitated as he stated that he did not understand why we were there because all the asbestos was taken care of and then asked what authority we had to access his property. Rachel and I explained our authority and the purpose of the inspection, which included asbestos and silica; however, John began speaking over the conversation. I asked again for permission to conduct the inspection. John stated that he contacted Orlin, the cement contractor, who will contact us to arrange and appropriate time when we could come back to conduct the inspection. I explained the laws regarding giving prior notice, which upset John further. Rachel and I asked again if we could conduct the inspection. John said, no. Rachel and I let him know that our next step was to acquire a warrant through the court to conduct the inspection. John said, okay.

We exited Ward Cove at 14:10 hours and traveled to an open area to park and call Chief Williamson to request a warrant. After providing our statements for the warrant, we traveled to the Alaska State Trooper Station located at 7366 North Tongass Highway, Ketchikan, Alaska 99901, where we requested assistance in accessing the warrant, and utilizing their email and notary. While waiting for the warrant, we researched and identified the masonry contractor as Orlin Cochran, owner of Dun Right, LLC, and Dun Right Masonry, LLC. After collecting the warrant, we left the Trooper Station at 15:30 hours. As we neared the hotel, Rachel said her cell phone was dead. When she recharged it she forwarded an email from John received at approximately 14:30 hours stating that, after he had calmed down, he changed his mind and that we had his permission to conduct the inspection at the Mill and talk to the contractor. The email was also forwarded to Chief Williamson, which we discussed the following morning, February 23, 2022, with Rachel. We decided it would be appropriate to serve the warrant then conduct the inspection.

On February 23, 2022, Rachel and I returned to Ward Cove and served the warrant to AJ Slagle, Jr., at 09:40 hours. We completed the opening conference worksheet and, again, requested copies of the asbestos

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documentation and Ward Cove's safety and health programs. AJ stated that he would talk with Jennifer to get those documents to us.

### **Walkaround:**

Before beginning the walk around inspection, Rachel and I asked if there were any hazards that we needed to be aware of and if additional PPE was required. AJ stated that there were no hazards that required additional PPE.

We drove from the office to Mill and began our walk around at approximately 10:00 hours. We began in the main mill area, which will be used the welcome center containing a historical section and kiosks with food, merchandise, other vendors. The area was covered with dust and larger pieces of brick and mortar along the exterior wall. Rachel collected samples and I addressed safety concerns with AJ. As we continued through the area, AJ discussed how the asbestos was cleared by another contractor and the guy now, Orlin, is grinding out the mortar and replacing it, and replacing some of the bricks. AJ showed us his temporary work area where he is building furniture and displays for the welcome center. AJ brought out his 3M half face tight fitting respirator that he wears voluntarily because he has COPD. While Rachel and AJ discussed respiratory protection, medical fitness, and fit testing; I inspected the construction equipment, scaffolding and electrical issues. Rachel and I asked where the masonry crew was today. AJ stated that he was not sure and does not know why they are not working. AJ stated that the crew was there yesterday when we arrived but does not know why they are not there working when they should be. Rachel and I took lunch from 12:30 – 13:15 hours then returned to The Mill at 13:30 hours to conduct employee interviews in the warehouse area. Before beginning each interview, Rachel and I presented our credentials; provided our business cards; and explained the purpose of our visit, employee confidentiality and Whistleblower rights. AJ returned at approximately 16:30 hours to lock The Mill. I had AJ walk me through a storage area called the Ballfield and so Rachel could finish the last employee statement. AJ stated that he would be the point of contact, so we again asked for the documentation on the asbestos and safety and health programs. AJ said he would get with Jennifer to get all that to us. We exited The Mill at 16:45 hours.

On February 24, 2022, Rachel and I took some samples to the Ketchikan Airport to ship some samples to Anchorage.

I transferred this case file to CSHO Rachel Douglas before my resignation. Transfer effective March 29, 2022.

### **FROM CSHO DOUGLAS' NARRATIVE:**

#### **Closing Conference:**

On May 13, 2022, at 14:00 hours, a Closing Conference was held via telephone with AJ Slagle, Jr. During the conference the 9 items on the closing conference worksheet were read aloud with an emphasis on employee Whistleblower protections and the 15 working day time limit. I explained and encouraged the use of consultation and training available through AKOSH. AJ and I talked about Ward Cove's responsibility to conduct hazard assessments, and to inform and protect their employees from identified hazards present at Ward Cove and hazards brought into Ward Cove by contractors, vendors, or other entities. The hazard in this case: Orlin Cochran, Owner of Dun Right, was performing masonry repair exposing Ward Cove employees to

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masonry dust and debris. We also discussed how important it is to write and fully implement safety and health programs immediately. Copies of the closing conference, employer responsibilities, OSHA consultation fact sheet, request for consultation, workers compensation memo, and safety websites were provided via email.

### **Evaluation of Safety and Health Program(s):**

<b>Code:</b>	<b>0 = Nonexistent</b>	<b>1 = Inadequate</b>	<b>2 = Average</b>	<b>3 = Above Average</b>
A. Written Program:	X			
B. Communication to Employee:	X			
C. Enforce Program:	X			
D. Safety Program:	X			
E. Health Program:	X			
F. Injuries Investigated:	X			
G. Preventative or Corrective Action:	X			

### **Conclusion:**

#### **Asbestos Sample Results:**

The results of the five samples analyzed by Atlas (ATC) located at 383 Industrial Way, #300, Anchorage, Alaska 99501, were negative for asbestos fibers.

#### **Silica Sample Results:**

The results of the five samples analyzed by OSHA Salt Lake Technical Center located at 8660 South Sandy Parkway, Sandy, Utah 84070, were positive for silica at 10%.

Based on the inspection findings, sampling, review of employer information and employee interviews it is recommended that the following citations be issued:

#### Health Inspection 1580718

1. The employer's failure to conduct a silica exposure assessment of each employee who is or may reasonably be expected to be exposed to respirable crystalline silica.
2. The employer's failure to provide employees with notification of assessment results.
3. Failure to maintain OSHA 300 logs, 300A summaries and 301 injury and illness incident reports.

#### Safety Inspection 1580754

1. The employer's failure to ensure that electrical equipment is not installed and or used in accordance with any instructions included in the listing or labeling of the electrical equipment.
2. The employer's failure to ensure if there is a defect or evidence of damage that might expose an employee to injury, the defective or damaged item shall be removed from service, and no employee may use it until repairs and tests necessary to render the equipment safe have been made.

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### Notes:

The warrant certificate of service was completed by Officer Rachel Jennings immediately after putting the warrant into AJ Slagle, Jr.'s hands. A copy of the certificate of service was not provided for the case file.

The OSHA 300/300A provided was for Alaska Commercial Contractors, not Ward Cove Dock Group, LLC.