



Department of Energy

Washington, DC 20585

July 30, 2025

Mr. Patrick M. Covey
Chairman, President and Chief Executive Officer
The Davey Tree Expert Company DBA Cortese Tree Specialists
1500 North Mantua Street
Kent, Ohio 44240

WEL-2025-03

Dear Mr. Covey:

The Office of Enforcement has completed an investigation into an August 11, 2023, event that resulted in a worker injury on the Oak Ridge Reservation (ORR) in Tennessee. At the time of the event, East Tennessee Mechanical Contractors, Inc. had subcontracted The Davey Tree Expert Company, doing business as Cortese Tree Specialists (Davey), to remove hazardous trees on the ORR. On the day of the event, Davey workers were removing a 57-foot-long decayed tree limb using rigging equipment and a chainsaw near the Lindsay-Bleu (Gallaher) cemetery on the ORR. During the final cut, a section of the limb broke apart, striking and injuring a Davey worker. The injured worker was transported to the hospital and later succumbed to their injuries on August 18, 2023.

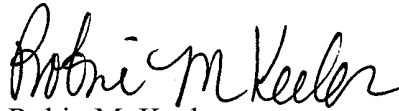
Davey has indicated that it adheres to the latest arboricultural-related standards (e.g., ANSI® Z133 - 2017 *American National Standard for Arboricultural Operations – Safety Requirements*), trains workers on a proprietary safety program (i.e., *Davey Tree Safety and Training Manual*), and administers a career development program for their arborists (i.e., *Qualified Residential Arborist “C” Training*). However, the Office of Enforcement’s investigation identified several concerns with workplace practices at the time of the event that should be addressed in Davey’s training programs to ensure adherence to ANSI® Z133-2017. Specifically,

- Escape paths were not cleared of obstructions and objects that would hinder retreat. For example, a brush pile was directly behind the tree in the path of potential escape and a barbed wire fence was between the tree and cemetery.
- The *Davey Residential Operations Job Plan/Briefing* did not identify decay as a hazard, and forces and strains from rigging equipment were applied to the decayed branch, increasing the potential for the branch to break and fall on workers below.
- Cuts were made to the rigged, decayed limb at ground level using a top-handle chainsaw. Per the manufacturer’s instruction manual, the top-handle chainsaw is designed especially for tree surgery and cutting tasks in the crowns of living trees and should not be used for any other purposes, due to the risk of accidents.

The Office of Enforcement has elected to issue this Enforcement Letter under Title 10 Code of Federal Regulations Part 851, *Worker Safety and Health Program*, to emphasize to Davey the critical importance of adhering to safe work practices at Department of Energy (DOE) sites. The issuance of this Enforcement Letter reflects the DOE's decision not to pursue further enforcement activity against Davey at this time.

This letter imposes no requirements on Davey, and no response is required. If you have any questions, please contact me at (301) 903-7707, or your staff may contact Ms. Shannon Holman, Director, Office of Worker Safety and Health Enforcement, at (301) 903-0100.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin M. Keeler". The signature is fluid and cursive, with the first name "Robin" and last name "Keeler" being more prominent than the middle initial "M".

Robin M. Keeler
Acting Director
Office of Enforcement
Office of Enterprise Assessments

cc: Stacey Greenwell, The Davey Tree Expert Company
Trey Wheeler, SC-OSO