

U.S. Department of Labor
Occupational Safety and Health Administration
299 Cherry Hill Road
Suite 103
Parsippany, NJ 07054
Phone: 973-263-1003 Fax: 973-299-7161



Citation and Notification of Penalty

To:
BENNETT HEAT TREATING AND BRAZING CO.,
INC.
and its successors
690 FERRY STREET
Newark, NJ 07105

Inspection Number: 1131611
Inspection Date(s): 02/23/2016 - 04/15/2016
Issuance Date: 07/08/2016

Inspection Site:
690 FERRY STREET
Newark, NJ 07105

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

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment

to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/08/2016. The conference will be held by telephone or at the OSHA office located at 299 Cherry Hill Road, Suite 103, Parsippany, NJ 07054 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1131611

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105
Issuance Date: 07/08/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 299 Cherry Hill Road, Suite 103, Parsippany, NJ 07054**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Typed or Printed Name

Date

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1131611
Inspection Date(s): 02/23/2016 - 04/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.22(a)(2): Floor(s) of workroom(s) were not maintained in a clean and, so far as possible, a dry condition.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to slip hazards as the concrete floor in Bay 3 was covered with water in the area just east of the black oxide coating tank.

Violation was observed on or about 2/23/2016.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/20/2016
\$3500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.22(d)(1): On every building or other structure, or part thereof, used for mercantile, business, industrial or storage purposes, the loads approved by the building official were not marked on plates of approved design and securely affixed in a conspicuous place in each space to which they relate.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to a lunch room / break room where the roof of that area was used for storing old files and materials. The roof of that area is not conspicuously marked for load capacity.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$2800.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards:Note: Toeboards are only required when persons can pass, there is moving equipment or there is equipment with which falling materials could create a hazard.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to fall hazards as the area used for archived record storage on the roof of the lunch room / break room did not have standard railings to protect workers from a fall hazard of 8 feet 10 inches to a concrete floor.

Observation was made on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$4900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards were not guarded with a standard railing and toe board.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to fall hazards as Oil Tank 313 which is approximately 6 feet to 8 feet deep has an unguarded leading edge where no standard railing and toe board are in place to prevent employees from falling into the tank.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$4900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.37(a)(2): Exit routes must be arranged so that employees will not have to travel toward a high hazard area, unless the path of travel is effectively shielded from the high hazard area by suitable partitions or other physical barriers.

a) Worksite was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to fire hazards in that the east exit in Bay 2 had egress that lead employees to a storage area for flammable compressed gases that were stored right outside of this exit door.

Violation was observed on or about 1/29/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$2800.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to obstructed egress in the main aisle of Bay 2 that was largely obstructed by the covers for the nitride furnaces impeding access to exits in the event of an emergency.

Violation was observed on or about 1/29/2016.

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$2800.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit".

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to an Exit Sign that had a damaged sign that did not clearly identify the exit at the east end of Bay 2.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$2800.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.141(b)(1)(i): Potable water was not provided in all places of employment, for drinking, washing of the person, cooking, washing of foods, washing of cooking or eating utensils, washing of food preparation or processing premises, and personal service rooms.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to unsanitary conditions in an employee restroom that had contaminated dark brown water flowing out of the hot water tap preventing them from using warm to hot water to wash their person.

Violation was observed on or about 2/23/2016.

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$2800.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to a decontamination shower that was not properly marked and believed to be removed from service. Corrosive chemicals were part of the processes employees regularly worked with.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$4900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.157(g)(3): Employees who have been designated to use fire fighting equipment as part of the emergency action plan were not provided training in the use of the appropriate equipment.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were required to use fire extinguishers located throughout the facility though they have not had fire extinguisher training.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$4200.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.178(l)(2)(ii): The employer did not ensure that each operator had successfully completed the training consisting of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were using forklifts when they were not properly trained. Training elements did not include practical training and evaluation of operator's performance.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.184(e)(2)(ii): Makeshift link(s) or fastener(s) formed from bolts, or other such attachment(s) were used to connect links or fastenings on alloy steel chain sling(s).

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to caught under / caught between hazards as a makeshift link formed from tie wire that was used to connect links or fastenings on an alloy steel chain sling was used to lift the lids on the first nitride furnace in Bay 2.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to struck by hazards in that compressed gas cylinders did not have valve protection caps on the cylinders in the outside storage area at the east end of Bay 2.

Violation was observed on or about 1/29/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$3500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to oxygen, acetylene and propane compressed gas cylinders that were stored in close proximity to each other creating a situation that may likely cause or accelerate fire.

Violation was observed on or about 1/29/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/20/2016
Proposed Penalty: \$3500.00



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by Subpart S of Part 1910, live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the means identified in paragraphs (A), (B), (C), and (D) of 29 CFR 1910.303(g)(2)(i).

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of a exposed electrical components in switch boxes near the Die Quench area close to the east bay door of Bay 2.

Violation was observed on or about 2/23/2016.

b) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of open electrical boxes next to the Endothermic Generator 3 were wiring and live components were unguarded and could present shock or electrocution hazards to employees.

Violation was observed on or about 2/23/2016.

c) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of an open electrical box on Furnace 823 were electrical wiring is exposed and could expose employees to shock or electrocution hazards.

Violation was observed on or about 2/23/2016.

d) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of an open electrical box in the employee locker room in Bay 2 where wiring is exposed and employees could come in contact with shock or

See pages I through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

electrocution hazards. The wiring has all been painted black in this box so it is difficult to tell which is positive and which is neutral.

Violation was observed on or about 2/23/2016.

e) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of an open electrical box at the base of the ammonia tank outside of the building to the north along Raymond Blvd.

Violation was observed on or about 2/23/2016.

f) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of a safe occupied indicator light in the main office area that had no lens cover on it to keep employees from accidentally coming in contact with live electrical components.

Violation was observed on or about 2/23/2016.

g) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of an open electrical box in the employee locker room in Bay 2 where wiring is exposed and employees could come in contact with shock or electrocution hazards. The wiring has all been painted black in this box so it is difficult to tell which is positive and which is neutral.

Violation was observed on or about 2/23/2016.

h) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards in the form of an open electrical box near the Die

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1131611
Inspection Date(s): 02/23/2016 - 04/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Quench area in Bay 2 where wiring is exposed and employees could come in contact with shock or electrocution hazards. The wiring and contacts have all been painted blue.

Violation was observed on or about 2/23/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$7000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure.

a) Work site was located at 690 Ferry Street, Newark, NJ 07105.

Employees were exposed to electrical hazards due to electrical extension cords being used as permanent wiring at the north wall of Bay 2 along the pipe feeds for the ammonia tank. Extension cords were secured to the pipes so that the connections did not fail.

Violation was observed on or about 4/15/2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2016
Proposed Penalty:	\$2800.00

A handwritten signature in black ink, appearing to read "Kris Hoffman", written over a horizontal line.

Kris Hoffman
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
299 Cherry Hill Road
Suite 103
Parsippany, NJ 07054
Phone: 973-263-1003 Fax: 973-299-7161



INVOICE / DEBT COLLECTION NOTICE

Company Name: BENNETT HEAT TREATING AND BRAZING CO., INC.
Inspection Site: 690 FERRY STREET, Newark, NJ 07105
Issuance Date: 07/08/2016

Summary of Penalties for Inspection Number	1131611
Citation 1, Serious	\$63000.00
TOTAL PROPOSED PENALTIES	\$63000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

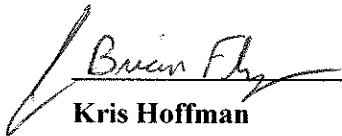
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

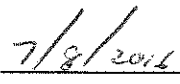
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Kris Hoffman
Area Director



Date