

U.S. Department of Labor

Occupational Safety and Health Administration
1030 St. Georges Avenue
Suite 205, Plaza 35
Avenel, NJ 07001
Phone: 732-750-3270 Fax: 732-750-4737



Citation and Notification of Penalty

To: Mr. Greg Torchiana, President
Bentley Laboratories, LLC
and its successors
111 Fieldcrest Ave
Edison, NJ 08837

Inspection Number: 1001216
Inspection Date(s): 10/16/2014 - 01/16/2015
Issuance Date: 02/19/2015

Inspection Site:
111 Fieldcrest Ave
Edison, NJ 08837

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 \$50,000 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 02/19/2015. The conference will be held by telephone or at the OSHA office located at 1030 St. Georges Avenue, Suite 205, Plaza 35, Avenel, NJ 07001 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1001216

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837
Issuance Date: 02/19/2015

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, 1030 St. Georges Avenue, Suite 205, Plaza 35, Avenel, NJ 07001**

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

Date

Typed or Printed Name

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



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

Bentley Laboratories, LLC/Edison, NJ - Throughout the warehouse/Production Area: The line-of-sight to an exit was not clearly visible. Employer failed to post signs along the exit access in order to indicate the direction of travel to the nearest emergency exit door.

Condition observed on or about October 16, 2014.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$3600.00

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

Inspection Number: 1001216
Inspection Date(s): 10/16/2014 - 01/16/2015
Issuance Date: 02/19/2015



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

Bentley Laboratories, LLC/Edison, NJ - Throughout the facility: The employer failed to provide an educational program to all employees to familiarize them with the general principles of fire extinguisher use.

Condition observed on or about October 16, 2014.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.95(c)(1): A continuing, effective hearing conservation program, as described in 29 CFR 1910.95 (c) through (n) was not instituted, when employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels:

Bentley Laboratories, LLC/Edison, NJ - Production Area: The employer did not provide a continuing effective Hearing Conservation Program for employees exposed to noise levels above 85 dBA. Employee working in the production area and operating tube filler #5 was exposed to continuous noise levels of 88.65 dBA for an 8-hour TWA, which is equivalent to dose of 83.01%. This level exceeded OSHA Action Level of 85 dBA. Sampling time was 448 minutes. Zero exposures were assumed for all unsampled time periods.

Condition observed on or about October 16, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/26/2015
Proposed Penalty:	\$3600.00



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.133(a)(1): Protective eye equipment was not required where there was a reasonable probability of eye or face injury from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation, that could be prevented by such equipment:

Bentley Laboratories, LLC/Edison NJ - Throughout the facility: The employer did not ensure that each affected employee used appropriate eye or face protection when exposed to eye or face hazards:
a) when cleaning equipment on the compounding platform (incident occurred on August of 2014)
b) when working with corrosive such as but not limited to sodium hydroxide in pre-weigh room

Condition observed on or about October 16, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/26/2015
Proposed Penalty:	\$5400.00



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

Bentley Laboratories, LLC/Edison, NJ- Production Area: The employer did not develop and implement a written respiratory protection program with required worksite-specific procedures and elements for employees who are required to wear the following respirators:

- 1) full face respirator
- 2) half face respirator
- 3) filtering face piece respirator (N95)

Condition observed on or about October 16, 2014.

Date By Which Violation Must be Abated:	03/26/2015
Proposed Penalty:	\$2700.00



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or was required to use the respirator in the workplace:

Bentley Laboratories, LLC/Edison, NJ- Production Area: Employees who are required to wear respirator, were not provided a medical evaluation prior to the use of the respirator in the workplace. Employees are required to wear the following respirators:

- 1) full face respirator
- 2) half face respirator
- 3) filtering face piece respirator (N95)

Condition observed on or about October 16, 2014.

Date By Which Violation Must be Abated:

03/26/2015

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

Inspection Number: 1001216
Inspection Date(s): 10/16/2014 - 01/16/2015
Issuance Date: 02/19/2015



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.134(k)(3): Training was not provided prior to requiring employees to use a respirator in the workplace:

Bentley Laboratories, LLC/Edison, NJ- Production Area: The employer did not provide comprehensive and understandable training to employees required to use respirators at the work place.

Condition observed on or about October 16, 2014.

Date By Which Violation Must be Abated:

03/26/2015

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: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

Bentley Laboratories, LLC/Edison, NJ - Production Area: The employer did not develop energy control procedure to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment was isolated from the energy source and rendered inoperative.

Equipment to include but not limited to:

- Kettles by Lee Industries
- Fillers by Kentex

Condition noted on/or about October 16, 2014.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6300.00



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation:

Bentley Laboratories, LLC/Edison, NJ- Production Area: The employer did not train authorized employees about the type and magnitude of the energy sources available at the workplace. The energy control devices are being used on equipment such as but not limited to:

- Kettles by Lee Industries
- Fillers by Kentex

Condition noted on/or about October 16, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/16/2015
Proposed Penalty:	\$6300.00

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

Inspection Number: 1001216
Inspection Date(s): 10/16/2014 - 01/16/2015
Issuance Date: 02/19/2015



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.147(c)(7)(i)(B): Affected employees were not instructed in the purpose and use of the energy control procedure:

Bentley Laboratories, LLC/Edison, NJ- Production Area: The employer did not provide training on lockout/tagout to all employees who work in an area where energy control devices are being used on equipment such as but not limited to:

- Kettles by Lee Industries
- Fillers by Kentex

Condition noted on/or about October 16, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/16/2015

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: 1001216
Inspection Date(s): 10/16/2014 - 01/16/2015
Issuance Date: 02/19/2015



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

Citation 1 Item 7 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:

Bentley Laboratories, LLC/Edison, NJ - Pre-weigh Area: Eye wash facility was not provided within the work area for immediate use. Employees are using corrosives such as but not limited to Sodium Hydroxide.

Condition observed on/or about October 16, 2014

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/26/2015
Proposed Penalty:	\$5400.00

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: 1001216
Inspection Date(s): 10/16/2014 - 01/16/2015
Issuance Date: 02/19/2015



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by rotating parts, in-running nip points.

Bentley Laboratories, LLC/Edison, NJ - Bentley Laboratories, LLC/Edison, NJ - Platform Area: Equipment such as Kettles equipped with side sweeper (by Lee Industries) which are used in the compounding area for mixing were not provided with machine guarding to prevent accidental contact during operation.

Condition noted on/or about October 16, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/16/2015
Proposed Penalty:	\$6300.00

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: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

Bentley Laboratories, LLC/111 Fieldcrest Ave, Edison, NJ - Throughout the facility: Employer did not implement a written hazard communication program for employees required to use and exposed to chemicals such as but not limited to:

- flammables (Isopropyl Alcohol 70%, Bulk Sugar Lychee EDP)
- corrosives (Microcare ITL, Sodium Hydroxide)
- toxic chemicals (ZLOSOIL479139D)

Condition observed on/or about October 16, 2014

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5400.00



Citation and Notification of Penalty

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837

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

29 CFR 1910.1200(h): Employees were not provided effective information and training as specified in 29 CFR 1910.1200(h)(1) and -2 on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced in:

Bentley Laboratories, LLC/Edison, NJ - Throughout the facility: The employer did not provide employees with effective information and training on hazardous chemicals used in the workplace. Employees use chemicals such as but not limited to:

- flammables (Isopropyl Alcohol 70%, Bulk Sugar Lychee EDP)
- corrosives (Microcare ITL, Sodium Hydroxide)
- toxic chemicals (ZLOSOIL479139D)

Condition observed on/or about October 16, 2014

Date By Which Violation Must be Abated:

Corrected During Inspection

Patricia Jones
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Avenue
Suite 205, Plaza 35
Avenel, NJ 07001
Phone: 732-750-3270 Fax: 732-750-4737



INVOICE / DEBT COLLECTION NOTICE

Company Name: Bentley Laboratories, LLC
Inspection Site: 111 Fieldcrest Ave, Edison, NJ 08837
Issuance Date: 02/19/2015

Summary of Penalties for Inspection Number	1001216
Citation 1, Serious	\$45000.00
TOTAL PROPOSED PENALTIES	\$45000.00

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 \$50,000 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.

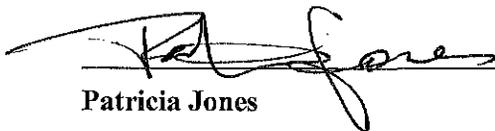
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Patricia Jones
Area Director

2/19/15

Date

U.S. Department of Labor Occupational Safety and Health Administration
1030 St. Georges Avenue,
Suite 205, Plaza 35
Avenel, NJ 07001
Phone: 732-750-3270 Fax: 732-750-4737



02/19/2015

Mr. Greg Torchiana, President
Bentley Laboratories, LLC
111 Fieldcrest Ave
Edison, NJ 08837

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dated together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

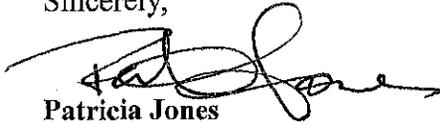
As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia Jones', written over a horizontal line.

Patricia Jones
Area Director
PJ/bw

Enclosures

U.S. Department of Labor

**Occupational Safety and Health
Avenel Area Office
1030 St. Georges Ave.
Plaza 35, Suite 205 Avenel, NJ 07001
Tel : (732) 750-3270
Fax : (732) 750-4737
www.osha.gov**



February 19, 2015

Mr. Robert LaSalle, President
United Food & Commercial Workers
Local #312
100 Wood Ave., South, Suite 209
Edison, N.J. 08830

Dear Mr. LaSalle:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. If you have any questions about the enclosed citations and penalties, I would welcome further discussion in person or by telephone.

Also enclosed is a letter which has been sent to the employer offering the opportunity for an informal conference. If the employer request an informal conference, you will be given the opportunity to participate. During the informal conference you may present any evidence or views which you believe should be considered in the settlement of this case.

Under the Act employees have a right to contest the abatement dates assigned. If you have any problem with these dates, please feel free to contact me for an informal conference where this issue or others which you may have can be discussed.

If you desire to have an informal conference to discuss the abatement dates, please keep in mind that a written letter of intent to contest the abatement dates must be submitted to the Area Director within 15 working days of receipt of the citation by the employer. The running of this contest period is not interrupted by an informal conference. Therefore, you must take care to schedule the informal conference early enough in the 15-day period to allow time to contest subsequent to the informal conference, should you decide to do so.

Sincerely,

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

Patricia Jones
Area Director
PJ/bw
Enclosures