

U.S. Department of Labor
Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



Notice of Unsafe or Unhealthful Working Conditions

To:
Central Arkansas Veterans Healthcare System John L.
McClellan Memorial Veterans Hospital
4300 WEST 7TH STREET
Little Rock, AR 72205

Inspection Number: 1093535
Inspection Date(s): 09/22/2015 - 02/24/2016
Issuance Date: 03/22/2016

Inspection Site:
4300 WEST 7TH STREET
Little Rock, AR 72205

The violation(s) described in this Notice 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 Notice of Unsafe and Unhealthful Working Conditions (Notice) describes violations of the Occupational Safety and Health Act of 1970, the Executive Order 12196, and 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters. You must abate the violations referred to in this Notice by the dates listed unless, within 15 working days (excluding weekends and Federal holidays) from your receipt of this Notice you request an Informal Conference with the US Department of Labor OSHA Area Office at the address shown above. Please refer to the enclosed publication "Federal Employer Rights and Responsibilities Following an OSHA Inspection" which outlines the appeals procedure for this Notice and which should be read in conjunction with this form.

Posting – The law requires that a copy of this Notice 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 the nature of the employer's operations, where it will be readily observable by all affected employees. This Notice 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.

Notification of Corrective Action – For each violation which you do not appeal, you must provide abatement certification to the Area Director of the OSHA office issuing the Notice 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 Notice 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 template abatement certification letter is enclosed with this Notice. In addition, where the Notice indicates that abatement documentation is required, 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.

Program Responsibilities - Section 19(a)(1) of the OSH Act requires the head of each Federal agency to comply with applicable occupational safety and health standards. The intent of this section and Executive Order 12196 is implemented through 29 CFR 1960.8(b). If you are cited for violations of applicable safety and health standards, you have also violated the program element 29 CFR 1960.8(b), which stipulates:

“The head of each agency shall comply with the Occupational Safety and Health Administration standards applicable to the agency.”

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 within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined please complete the enclosed “Notice to Employees” and post it where the Notice is posted. During such an informal conference you may present any evidence or views you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

If you are considering a request for an informal conference to discuss any issues related to the Notice, you must take care to schedule it early enough to allow time to appeal after the informal conference should you decide to do so. Please keep in mind that a written letter of intent to appeal must be submitted by the Agency’s National OSH Manager to the OSHA Area Director within 15 business days of your receipt of the OSHA Notice to request that OSHA’s Regional Administrator review the case.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and notice 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 notice. 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

An informal conference has been scheduled with the Occupational Safety and Health Administration (OSHA) to discuss the Notice of Unsafe or Unhealthful Working Conditions (Notice) issued on 03/22/2016. The conference will be held by telephone or at the OSHA office located at 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET – FEDERAL AGENCIES

Inspection Number: 1093535

Agency Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

Issuance Date: 03/22/2016

Employer Instruction: List the specific method of correction for each item on the enclosed notices that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211.** Failure to submit a timely certification of corrective action may result in a notification to your agency DASHO.

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

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

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

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

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

Notice 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

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.

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Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

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

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

29 CFR 1910.213(c) (2): Hand-fed circular ripsaw(s) were not furnished with a spreader to prevent material from squeezing the saw or being thrown back on the operator:

On or about November 4, 2015 and prior thereto, a Rockwell table saw located in the carpenter shop Room GD-114B was not equipped with a spreader. Employees operating the saw were exposed to the hazard of being struck by wood being thrown back.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016

U.S. Department of Labor
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Notice 1 Item 1b Type of Violation: **Serious**

29 CFR 1910.213(c)(3): Hand-fed rip saw(s) did not have non kickback fingers or dogs so located as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator:

On or about November 4, 2015 and prior thereto, a Rockwell table saw located in the carpenter shop Room GD-114B was not equipped with non-kickback fingers or dogs. Employees operating the saw were exposed to the hazard of being struck by wood being thrown back.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016



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Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

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

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

On or about September 23, 2015 and prior thereto, on the third floor rotating shafts on air handling equipment were not guarded, exposing employees working and walking in the area to the hazard of being caught by the rotating shafts.

- a. LRAC8 RF8
- b. LRAC23 RF19
- c. AC8EX
- d. AC30 EX=14

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

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

Notice 1 Item 3a Type of Violation: **Serious**

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

On or about September 23, 2015 and prior thereto, on the third floor, pulleys on air handling equipment were not enclosed on all sides, exposing employees working and walking in the area to the hazard of being caught between the belt and pulleys.

- a. LRAC8 RF8
- b. LRAC23 RF19
- c. AC8EX
- d. AC30 EX=14

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 1 Item 3b Type of Violation: **Serious**

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o):

On or about September 23, 2015 and prior thereto on the third floor, inclined belts on air handling equipment were not enclosed on all sides, exposing employees working and walking in the area to the hazard of being caught between the belt and pulleys.

- a. LRAC8 RF8
- b. LRAC23 RF19
- c. AC8EX
- d. AC30 EX=14

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

Notice 1 Item 4a 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:

On or about September 23, 2015 and prior thereto, on the third floor oxygen and acetylene cylinders stored together on a cart did not have valve caps. This condition exposed employees working in the area to hazards associated with fire.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 1 Item 4b 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 on-half hour:

On or about September 23, 2015 and prior thereto, on the third floor oxygen and acetylene were stored together on a cart. This condition exposed employees working in the area to hazards associated with fire.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

On or about November 4, 2015 and prior thereto the knife switch disconnects for the following equipment in the Carpenter Shop were partially blocked:

- a. Rockwell table saw
- b. Wissota stand grinder
- c. Rockwell band saw

On or about November 4, 2015 and December 1, 2015 the knife switch disconnect for the following equipment on the North Loading Dock was partially blocked:

- d. Dock plates

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

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

On or about September 22, 2015, on the third floor, a breaker box labeled "NP Feed From GDQH" had four unused openings. This condition exposed employees opening or closing the breakers to the hazard of contacting energized electrical parts.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

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

Notice 1 Item 7a Type of Violation: **Serious**

29 CFR 1910.1030(d)(2)(i): Engineering and work practice controls were not used to eliminate or minimize employees exposure:

- a. Employees in the operating room used 25 gauge needles without needle safety devices when administering local anesthesia during surgery. Employees passing and reusing the 25 gauge needles and syringes were exposed to the hazard of being stuck by the contaminated needle.
- b. Employees in the operating room did not activate the needle safety device on 25 gauge needles used to administer local anesthesia during surgery after the initial use. The 25 gauge needles and syringes were used multiple times on the same case, exposing employees passing the needles and syringes to the hazard of being stuck with a contaminated needle.

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Notice 1 Item 7b Type of Violation: **Serious**

29 CFR 1910.1030(d)(2)(vii): Contaminated needles and other contaminated sharps were bent, recapped, or removed:

In the operating room, employees recapped 25 gauge contaminated needles used to give local anesthesia during surgery. Employees recapping contaminated needles were exposed to the hazard of being stuck by the contaminated needle.

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Notice 1 Item 8a Type of Violation: **Serious**

29 CFR 1910.1030(f)(3)(ii)(C): Results of the source individual's testing as a result of a post-exposure evaluation and follow-up of an exposure incident were not made available to the exposed employee, or the employee was not informed of applicable laws:

Employee's with occupational exposure incidents were not informed of the results of the source individual's testing.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 1 Item 8b Type of Violation: **Serious**

29 CFR 1910.1030(f)(3)(v): The post-exposure evaluation and follow-up of an exposure incident did not include counseling:

Employees who had an exposure incident were not provided a post-exposure evaluation and follow-up that included counseling.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 1 Item 8c Type of Violation: **Serious**

29 CFR 1910.1030(f)(5): The employer did not obtain or provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation:

On about December 1, 2015 and prior thereto, the employer did not provide employee's who had exposure incidents and a post-exposure evaluation with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 2 Item 1 Type of Violation: **Willful**

29 CFR 1910.333(a)(1): Live parts to which an employee was exposed were not deenergized before the employee worked on or near them:

On or about January 20, 2016 and prior thereto, employees removed and replaced electrical equipment and parts such as ballasts and outlets while they were energized. Employees were exposed to the hazard of contacting energized electrical parts and conductors.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

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

Notice 3 Item 1a Type of Violation: **Repeat**

29 CFR 1910.147(c)(4)(ii): The procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

- a. On or about September 22, 2015 and prior thereto, the employer did not have specific steps, procedures or techniques for deenergizing and locking out air handling equipment in the AC Shop.
- b. On or about November 4, 2015 and prior thereto, the employer did not have specific steps, procedures or techniques for deenergizing and locking out equipment such as steam sterilizers in the Equipment Repair Shop.

These conditions exposed employees to hazards associated with the unexpected energization of the equipment or release of stored energy.

Notice 1, Item 2, 29 CFR 1910.147.(c)(4)(ii) as required by 29 CFR 1960.8(b): The employer failed to develop written procedures that clearly and specifically outlined the authorization, rules, and techniques to be utilized for the control of hazardous energy. The employer was cited for a violation of the same standard and same hazard on October 1, 2012, Inspection 604833, October 25, 2012 of final order, and was abated by developing written procedures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016

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Notice 3 Item 1b Type of Violation: **Repeat**

29 CFR 1910.147(c)(6)(i): The employer did not conduct an annual or more frequent inspection of the energy control procedure to ensure that the procedure and requirements of this standard were followed:

On or about December 1, 2015 and prior thereto, at the Boiler Plant inspections of the energy control procedures had never been conducted for equipment such as but not limited to Boiler #1, Boiler #2 and Boiler #3. This condition exposed employees to hazards associated with the unexpected energization of the equipment or release of stored energy.

Notice 1, Item 3, 29 CFR 1910.147(c)(6)(i) as required by 29 CFR 1960.8(b): The employer failed to conduct annual or more frequent inspections of the energy control procedure to ensure that the procedure and requirements were followed. The employer was cited for a violation of the same standard and same hazard on October 1, 2012, Inspection 604833, October 25, 2012 of final order, and was abated by conducting periodic procedures and obtaining training.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

Notice 3 Item 2 Type of Violation: **Repeat**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with electrical protective equipment that was appropriate for the specific parts of the body that needed to be protected and for the work being performed:

On or about December 17, 2015 and prior thereto, electronics technicians and AC shop employees troubleshoot equipment such as but not limited to energized Variable Frequency Drives (VFD) exposing them to the hazard of contacting energized electrical parts and conductors and arc flash. Employees wore employer supplied uniforms made of a synthetic and cotton blended fabric that were not appropriate and did not meet the requirements of National Fire Protection Association (NFPA) 70E. Employees were not provided and did not use personal protective equipment for their torso, arms, hands, eyes, face and extremities.

Notice 2, Item 1, 29 CFR 1910.335(a)(1) as required by 29 CFR 1960.8(b): The employer failed to provide and require the use of electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed. The employer was cited for a violation of the same standard and same hazard on February 6, 2014, Inspection 942765, February 20, 2014 of final order, and was abated by providing and requiring the use of electrical personal protective equipment.

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Notice 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.30(a): A separate OSHA 300 Log for each establishment was not maintained:

On or about December 31, 2015 and prior thereto, the employer maintained one OSHA 300 Log for calendar year 2015 that included injuries and illnesses for CAVHS John L McClellan Memorial Veterans Hospital located in Little Rock, Arkansas and CAVHS Eugene J. Towbin Healthcare Center located in North Little Rock, Arkansas. The employer did not maintain separate OSHA 300 Logs for each facility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 04/05/2016

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Notice 4 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points:

On or about November 4, 2015 and prior thereto, the exit access from the area where the desk was located to the work area of the carpenter shop was approximately 23 inches in width. Employees exiting the area where the desk was located were exposed to the hazard of a delayed exit due to the width of the exit access.

Date by which Violation must be Abated: Corrected During Inspection

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Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital

Inspection Site: 4300 WEST 7TH STREET, Little Rock, AR 72205

Notice 4 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.212(a)(5): Exposure of blades. When the periphery of the blades of a fan is less than seven (7) feet above the floor or working level, the blades shall be guarded. The guard shall have openings no larger than one-half (1/2) inch:

On or about September 23, 2015 and prior thereto an exhaust fan located in the F and G Substation on the 3rd floor had an opening in the expanded metal guard, exposing employees walking and working in the area to the hazard of contacting the rotating blades.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016

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Notice of Unsafe and Unhealthful Working Conditions

Company Name: Central Arkansas Veterans Healthcare System John L. McClellan Memorial Veterans Hospital
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Notice 4 Item 4 Type of Violation: **Other-than-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):

On or about September 23, 2015, on the third floor, the variable frequency drive was located in an uncovered electrical box. The VFD was not energized at the time and the disconnect was not locked out.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/29/2016



Carlos M. Reynolds
Area Director