

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



09/24/2014

Mr. Abner Shmuel, Owner
CHOICE CABINETRY LLC
61 5TH ST
Somerville, NJ 08876

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 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. Abner Shmuel, Owner
CHOICE CABINETRY LLC
and its successors
61 5TH ST
Somerville, NJ 08876

Inspection Number: 965097
Inspection Date(s): 03/25/2014 - 05/30/2014
Issuance Date: 09/24/2014

Inspection Site:
61 5TH ST
Somerville, NJ 08876

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 09/24/2014. 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: 965097

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876
Issuance Date: 09/24/2014

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: CHOICE CABINETS LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

29 CFR 1910.1052(d)(1)(i): Where methylene chloride was present in the workplace, the Employer did not determine each employees exposure by taking personal breathing zone air samples that are representative of each employees exposure:

a) Choice Cabinetry LLC, Somerville, NJ site, Glue Room: The Employer did not determine each employee's exposure to methylene chloride (MC) by taking representative personal breathing zone air sampling. Employee sprayed F-268NF adhesive, which contains 50%-60% MC.

Violation occurred on/or about May 30, 2014.

Abatement Note: General methods of control applicable for the circumstances include, but are not limited to the following:

- 1) Design and implement effective local exhaust ventilation systems for work stations where employees handle products containing methylene chloride (MC) such as, but not limited to F-268NF adhesive, which contains 50%-60% MC.
- 2) Use approved equipment, which incorporates local exhaust ventilation to reduce and/or eliminate the liberation of spray adhesive into employees breathing zone, eyes and skin.
- 3) Develop and implement a maintenance program for all local exhaust systems.
- 4) Implement a continuing, effective housekeeping program to remove adhesive containing methylene chloride from all work surfaces such as, but not limited to floors, fixtures, equipment, work tables, etc.
- 5) Perform an 8-hour time weighted average (TWA) and 15 minute short term exposure limit (STEL) air monitoring/sampling to assure the adequate protection and controls. Air monitoring should be representative of the employees exposure, in which the employee sampled is expected to have the highest MC exposure. The 15 minute STEL sampling should be taken during the highest likely 15-minute exposure of the operation for the employee.
- 6) Provide adequate personal protective equipment and the needed training for the use, care and limitation of such equipment.
- 7) Provide employee training on the hazards of methylene chloride and implement medical surveillance program for workers who use methylene chloride containing adhesive.

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: 965097
Inspection Date(s): 03/25/2014 - 05/30/2014
Issuance Date: 09/24/2014



Citation and Notification of Penalty

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2014
Proposed Penalty:	\$5390.00

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: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

29 CFR 1910.1052(j)(1)(i): The employer did not make medical surveillance available for employees who were or potentially were exposed to methylene chloride at or above the action level on 30 or more days per year, or above the 8-hour time weighted average permissible exposure limit or the short term exposure limit on 10 or more days per year:

a) Choice Cabinetry LLC, Somerville, NJ site Glue Room: An employee spraying adhesive on wood and vinyl/laminate using F-268NF product, which contains 50%-60% methylene chloride (MC) was exposed to methylene chloride at an 8-hour TWA of 16.58 ppm, which is 1.33 times over the OSHA Action Level of 12.5 ppm. The employee uses F-268NF in the same manner on a daily basis more than 30 days per year. The Employer did not make medical surveillance available to the employee.

Violation occurred on/or about May 30, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2014
Proposed Penalty:	\$5390.00

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: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

29 CFR 1910.1052(h)(1): Where needed to prevent methylene chloride (MC)-induced skin or eye irritation, the Employer did not provide clean protective clothing and equipment resistant to MC, at no cost to the employee, and/or did not ensure that each affected employee used it:

a) Choice Cabinetry LLC, Somerville, NJ site Glue Room: Employee spraying adhesive F-268NF, which contains 50%-60% MC was not wearing appropriate personal protective equipment (PPE) such as gloves and clothing that is impervious to MC.

Violation occurred on/or about May 30, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2014
Proposed Penalty:	\$5390.00



Citation and Notification of Penalty

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

29 CFR 1910.1052(i)(2): The employer did not provide appropriate eyewash facilities within the immediate work area for emergency use where employees eye might foreseeably contact solutions containing 0.1 percent or greater Methylene Chloride (MC) (i.e. by spalsehes, spills to improper work practices):

a) Choice Cabinetry LLC, Somerville, NJ site Glue Room: Employee spraying adhesive F-268NF, which contains 50%-60% MC was not provided with appropriate eyewash facilities within the immediate work area for emergency use.

Violation occurred on/or about May 30, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2014
Proposed Penalty:	\$5390.00



Citation and Notification of Penalty

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

Citation 2 Item 1 a Type of Violation: **Willful**

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:

- a) Choice Cabinetry LLC, Somerville, NJ site Throughout Production Areas: A written Hazard Communication program was not developed and implemented where employees are exposed to chemicals, including but not limited to the following:
- Methylene Chloride (50%-60%), 1,1,1,2-Tetrafluoroethane contained in F-268NF,
 - Lt. Aliphatic Hydrocarbon Solvent, Ethanol, 2-Propanol, 1-Butanol, 2-Methyl-1-propanol, etc. contained in Sherwin Williams Sher-Wood Pre-Catalyzed Lacquer Topcoat, Dull Rubbed Effect,
 - Toluene, Methanol, Acetone contained in Fast Thinner of Houghton Chemical Corporation
 - Hexane, Toluene, Acetone, Ethyl Ethyl Ketone, etc. contained in Richelieu Lion Grip R517
 - etc.

Violation occurred on/or about March 25, 2014.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$53900.00

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: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

Citation 2 Item 1 b Type of Violation: **Willful**

CFR 1910.1200(h)(1): Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(2) and (3) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area.

a) Choice Cabinetry LLC, Somerville, NJ site Throughout facility: Employees were not provided information/training on the handling of hazardous chemicals used within the facility. Employees work with chemicals such as, but not limited to the following:

- Lt. Aliphatic Hydrocarbon Solvent, Ethanol, 2-Propanol, 1-Butanol, 2-Methyl-1-propanol, etc. contained in Sherwin Williams Sherwood Pre-Catalyzed Lacquer Topcoat, Dull Rubbed Effect,
- Toluene, Methanol, Acetone contained in Fast Thinner of Houghton Chemical Corporation
- Hexane, Toluene, Acetone, Ethyl Ethyl Ketone, etc. contained in Richelieu Lion Grip R517
- etc.

Violation occurred on/or about March 25, 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: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

Citation 2 Item 1 c Type of Violation: **Willful**

29 CFR 1910.1052(l)(1): The employer did not provide information and training for each affected employee prior to or at the time of initial assignment to a job involving potential exposure to methylene chloride:

a) Choice Cabinetry LLC, Somerville, NJ site, Glue Room: The employer did not provide information and training to employees exposed to Methylene Chloride as required by the Methylene Chloride Standard, prior to or at the time of work assignment. Employees use adhesive spray F-268NF product, which contains 50-60% of Methylene Chloride.

Violation occurred on/or about May 30, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2014



Citation and Notification of Penalty

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

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 equaled or exceeded an 8 hour timeweighted average sound level (TWA) of 85 dBA:

a) Choice Cabinetry LLC, Somerville, NJ site Spray Finish Room: The Employer did not provide a continuing, effective Hearing Conservation Program for employees exposed to noise levels above 85 dBA. An employee working in the Spray Finishing Room was exposed to continuous noise level of 89.06 dBA for an 8-hour TWA, which is equivalent to a dose of 87.83%. This exposure exceeds the Action Level of 85 dBA. Sampling time was 401 minutes. Zero exposures was assumed for all unsampled time periods.

Violation occurred on/or about May 30, 2014.

The Choice Cabinetry LLC was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.95(c)(1) which was contained in OSHA Inspection Number 315638700, Citation #1, Item #1, and affirmed as a final order on February 21, 2012, with respect to a workplace located at 61 5th Street, Somerville, NJ 08876.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10780.00



Citation and Notification of Penalty

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

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

Citation 3 Item 2 a Type of Violation: **Repeat**

29 CFR 1910.134(c)(1): The employer did not establish and implement a written respiratory protection program with worksite-specific procedures for required respirator use:

a) Choice Cabinetry LLC, Somerville, NJ site - Glue Room: The Employer did not establish and implement a written respiratory protection program for employees required to wear half-face respirators such as, but not limited to MSA Advantage 420 with GME P100 cartridges, etc. during spraying of stains such as, but not limited to Sherwin Williams Sherwood pre-Catalyzed Lacquer Topcoat, Dull Rubbed Effect, etc. and adhesives such as F-268NF.

Violation occurred on/or about March 25, 2014.

The Choice Cabinetry LLC was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.134(c)(1) which was contained in OSHA Inspection Number 315638700, Citation #1, Item #4a, and affirmed as a final order date on February 21, 2012, with respect to a workplace located at 61 5th Street, Somerville, NJ 08876.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2014
Proposed Penalty:	\$10780.00



Citation and Notification of Penalty

Company Name: CHOICE CABINetry LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

Citation 3 Item 2 b Type of Violation: **Repeat**

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 was fit tested or was required to use the respirator in the workplace:

a) Choice Cabinetry LLC, Somerville, NJ site Glue Room and Spray Finishing Room: Employees who are required to wear half-face respirators such as, but not limited to MSA Advantage 420 with GME P100 cartridges, etc. were not provided medical evaluations prior to the use of the respirator in the workplace.

Violation occurred on/or about March 25, 2014.

The Choice Cabinetry LLC was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.134(e)(1) which was contained in OSHA Inspection Number 315638700, Citation #1, Item #4b, and affirmed as a final order on February 21, 2012, with respect to the workplace located at 61 5th Street, Somerville, NJ 08876.

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876

Citation 3 Item 2 c Type of Violation: **Repeat**

29 CFR 1910.134(k)(1): The employer did not ensure that employees were provided with effective training when employees were required to wear respirators, and did not ensure that employees could demonstrate knowledge as required in (k)(1)(i)-(k)(1)(vii):

a) Choice Cabinetry LLC, Somerville, NJ site Glue Room and Spray Finishing Room: Employees, who are required to wear half-face respirators such as, but not limited to MSA Advantage 420 with GME P100 cartridges, etc. were not provided with effective training that was comprehensive and understandable.

Violation occurred on/or about March 25, 2014.

The Choice Cabinetry LLC was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.134(e)(1) which was contained in OSHA Inspection Number 315638700, Citation #1, Item #4c, and affirmed as a final order on February 21, 2012, with respect to the workplace located at 61 5th Street, Somerville, NJ 08876.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2014

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

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: CHOICE CABINETRY LLC
Inspection Site: 61 5TH ST, Somerville, NJ 08876
Issuance Date: 09/24/2014

Summary of Penalties for Inspection Number	965097
Citation 1, Serious	\$21560.00
Citation 2, Willful	\$53900.00
Citation 3, Repeat	\$21560.00
TOTAL PROPOSED PENALTIES	\$97020.00

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

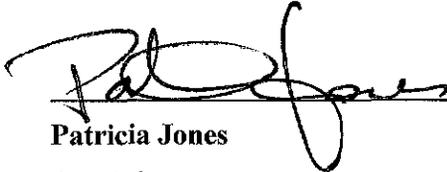
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

9/24/14

Date

U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Ave.
Suite 205
Avenel, NJ 07001
Phone: (732)750-3270 FAX: 17321750-4737
OSHA Website Address: <http://www.osha.gov>



Notification of Failure to Abate Alleged Violations

To: Mr. Abner Shmuel, Owner
Choice Cabinetry, LLC
and its successors
61 5th Street
Somerville, NJ 08876

Original Inspection Number: 315638700
Original Inspection Date: 6/15/2011-9/22/2011

Inspection Number: 300121332
Inspection Date(s): 3/25/2014-9/24/2014
Issuance Date: 9/24/2014

Inspection Site:
61 5th Street
Somerville, NJ
08876

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.

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon reinspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court of agency. Issuance of this Notification 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, if contested, unless the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 09/24/2014 . The conference will be held at the OSHA office located at 1030 St. Georges Ave., Suite 205, Avenel, NJ, 07001 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

U.S. Department of Labor
Occupational Safety and Health Administration
Notification of Failure to Abate Alleged Violation



Original Inspection: 315638700
Original Inspection Dates: 6/15/2011-9/22/2011

Inspection: 300121332
Inspection Dates: 3/25/2014-9/24/2014
Issuance Date: 9/24/2014

Company Name: Choice Cabinetry LLC
Inspection Site: 61 5th Street, Somerville, NJ 08876

Citation 1 Item 1

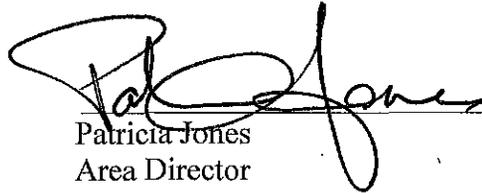
29 CFR 1910.107(b)(5)(i): There were no visible gauge(s), audible alarm(s) or pressure activated device(s) installed on paint spray booth(s) to indicate or insure that the required air velocity was maintained:

- a) Choice Cabinetry LLC, Somerville, NJ site – Spray Finish Room: The walk-in spray booth did not have visible gauges or audible alarm installed to indicate or insure that the required air velocity is maintained.

Violation occurred on/or about May 30, 2014.

Additional Penalty:

\$27,720.00


Patricia Jones
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
1030 St. Georges Ave.
Suite 205
Avenel, NJ 07001
Phone: (732)750-3270 FAX: (732)750-4737
OSHA Website Address: <http://www.osha.gov>



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Choice Cabinetry LLC
Inspection Site: 61 51st Street, Somerville, NJ 08876
Issuance Date: 09/24/2014
Opt. Insp. Nr:

Summary of Penalties for Inspection Number	315638700
Follow-up Inspection Number	300121332
TOTAL ADDITIONAL PROPOSED PENALTIES	\$27,720.00

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.

OSHA does not agree to any restrictions or conditions put on any check or money order for less than 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.

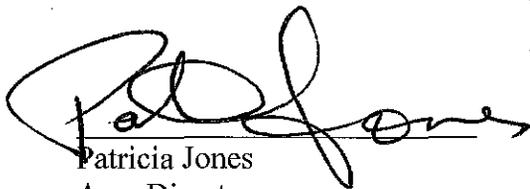
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

9/24/14
Date