

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



Citation and Notification of Penalty

To:
Douglas Stephen Plastics Inc
22-36 Green St
Paterson, NJ 07509

Inspection Number: 1267353
Inspection Date(s): 10/02/2017 -
Issuance Date: 03/20/2018

Inspection Site:
22-36 Green St
Paterson, NJ 07509

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

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

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

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

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

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

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

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

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/20/2018. The conference will be held by telephone or at the OSHA office located at 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1267353

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509
Issuance Date: 03/20/2018

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604**

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

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

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Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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 1910.22(d)(1): The employer did not ensure that walking-working surfaces were maintained in a safe condition;.

a) East Exit #4: Employees were exposed to trip and Fall hazards as they used an exterior 4 riser stairway with a broken step as an emergency exit, on or about 10/4/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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

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Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.28(b)(11)(ii): Each flight of stairs having at least 3 treads and at least 4 risers was not equipped with stair rail systems and handrails in accordance with Table D-2, Stairway Handrail Requirements:

a) East Exit #4: Employees were exposed to trip and Fall hazards as they used an exterior 4 riser stairway without any handrail, on or about 10/4/17.

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.

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

Inspection Number: 1267353
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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.27(a): Scaffolds used in general industry did not meet the requirements in 29 CFR part 1926, subpart L (Scaffolds) (Construction references: 1926.451(b)(1)(i) and 1926.451(e)(1)):

a) Platform New PI Machine: Employee fell down while working from a makeshift platform composed of metal platform and an unsecured flat piece of metal, on or about 9/21/17

b) Platform PI 6: Employees were exposed to trip and fall hazards as they worked from a makeshift platform composed of a wooden pallet and a piece of plywood with approximately 3" spacing, on or about 10/2/17

~~YYY~~c) Platform Grinder: Employees were exposed to trip and fall hazards as they worked from a makeshift platform composed of 8 stacked wooden pallets with approximately 3" spacing, on or about 10/4/17

d) Grinder Platform: Employees were exposed to fall hazards of approximately 38" as they access makeshift platform composed of 8 stacked wooden pallets without proper access, on or about 10/4/17

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$9977.00

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

Inspection Number: 1267353
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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

- a) East Exit #3: The Exit Door had a panic bar and a turn knob lock that was kept in the locked position during the 2nd and 3rd shifts, on or about 10/2/17.
- b) Glass Door Main Lobby: The Exit Door could only be opened by pushing a small green button located on the left frame, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
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Citation 1 Item 4 Type of Violation: **Serious**

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

- a) Repack Area Exit: The Exit Door was blocked by a pallet of merchandise, on or about 10/2/17
- b) West Wall Warehouse 1: Aisles were blocked with pallets of boxes along the North Wall resulting in less than 10 inches of clearance, on or about 10/2/17
- c) Glass Door Main Lobby: The swing of the Exit Door was limited to 24" by the floor carpet, on or about 10/4/17

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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

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Citation and Notification of Penalty

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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.

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE):

(a) Warehouse Area: A Hazard Assessment was not completed. Employees who operate the electric Hyster Power Industrial Trucks were adding water to the batteries which contain hazardous chemicals including, but not limited to sulfuric acid, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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

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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

a) Repack Area: Employees add water to the batteries of the Hyster electric Power Industrial Trucks which contain hazardous chemicals including but not limited to sulfuric acid; where appropriate protective eyewear was not required nor provided thus exposing employees to a chemical hazard to their eyes and face, on or about 10/2/17.

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.

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

Inspection Number: 1267353
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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

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

a) Repack Area: Employees adding water to the batteries of electric Hyster Power Industrial Trucks were not provided with suitable facilities for quick drenching or flushing of the eyes. Employees were exposed to sulfuric acid splashes. The employer did not provide emergency eye wash stations, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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

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Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.176(b): Storage of material created a hazard:

- a) Warehouse #1: Employees were exposed to struck-by and caught under hazards as they retrieved materials and moved improperly stacked carton boxes from the racks, on or about 10/2/17.
- b) Warehouse #2: Employees were exposed to struck-by and caught under hazards as they retrieved materials and moved improperly stacked carton boxes, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6652.00

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

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Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

a) Warehouse and Production Area: Employer did not evaluate power industrial truck operators that had been trained in December of 2013, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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: 1267353
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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.178(n)(4): Industrial truck driver(s) were not required to travel with the load trailing whenever the load obstructed forward view:

a) Warehouse and Production Area: Operators of Electric powered industrial trucks were traveling forward with two pallets high load with an obstructed forward view, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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: 1267353
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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s)

a) Warehouse and Production Area: Employees were exposed to struck-by/caught under hazards as Hyster Powered Industrial Trucks were operated with faulty lights and horns, on or about 12/1/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8315.00

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: 1267353
Inspection Date(s): 10/02/2017 -
Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

a) Production Area: Employees were exposed to struck by hazards while cleaning using a compressed air nozzles that were putting out pressure ranging from approximately 54Lbs to 80 Lbs of pressure, on or about 10/2/17.

b) Shop Area: Employees were exposed to struck by hazards while cleaning using a compressed air nozzle that were putting out pressure ranging from approximately 68Lbs to 94 Lbs of pressure, on or about 12/1/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6652.00

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: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, employee training and periodic inspections 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 shall be isolated from the energy source and rendered inoperative:

- a) Production Area: Employees were exposed to amputation and electrical shock/burn hazards as they performed maintenance and other operations on equipment such as the Grinder. The equipment was not Locked Out & Tagged Out. Employer did not establish an energy control procedure for electric/hydraulic/pneumatic energy sources while employees performed services during such work operations, on or about 10/2/17.
- b) Production Area: Employees were exposed to amputation and electrical shock/burn hazards as they performed maintenance and other operations on equipment such as PI 3. The equipment was not Locked Out & Tagged Out. Employer did not establish an energy control procedure for electric/hydraulic/pneumatic energy sources while employees performed services during such work operations, on or about 10/4/17.
- c) Production Area: Employees were exposed to amputation, thermal burns and electrical shock/burn hazards as they performed maintenance and other operations on equipment such as M5. The equipment was not Locked Out & Tagged Out. Employer did not establish an energy control procedure for electric/hydraulic/pneumatic energy sources while employees performed services during such work operations, on or about 10/5/17.
- d) Production Area: Employees were exposed to amputation and electrical shock/burn hazards as they performed maintenance and other operations on equipment such as PI 2. The equipment was not Locked Out & Tagged Out. Employer did not establish an energy control procedure for electric/hydraulic/pneumatic energy sources while employees performed services during such work operations, on or about 10/11/17

Define and Implement:

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: 1267353
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Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

Program
Procedure
Hardware
Inspection
Training

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$116402.00

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: 1267353
Inspection Date(s): 10/02/2017
Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

a) Warehouse and Production Area: Employer did not provide training for employees operating Hyster Electric fueled Power Industrial Trucks, on or about 10/2/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$99770.00

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: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509

Citation 2 Item 3 Type of Violation: **Willful**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

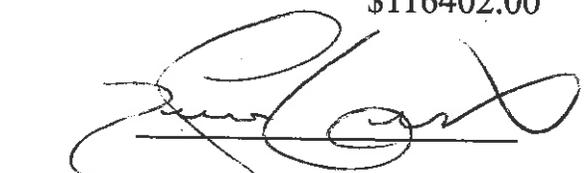
- a) Production Area: Employees were exposed to amputation hazards as they operated thermoplastic equipment such as the: PI 5 without guards, on or about 10/2/17

- a) Production Area: Employees were exposed to amputation hazards as they operated thermoplastic equipment such as the: M3 without guards or interlock switches, on or about 10/4/17

- a) Production Area: Employees were exposed to amputation hazards as they operated thermoplastic equipment such as the: M4 without guards or interlock switches, on or about 10/5/17

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$116402.00


Lisa Levy
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



INVOICE / DEBT COLLECTION NOTICE

Company Name: Douglas Stephen Plastics Inc
Inspection Site: 22-36 Green St, Paterson, NJ 07509
Issuance Date: 03/20/2018

Summary of Penalties for Inspection Number	1267353
Citation 1, Serious	\$89801.00
Citation 2, Willful	\$332574.00
TOTAL PROPOSED PENALTIES	\$422375.00

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

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

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

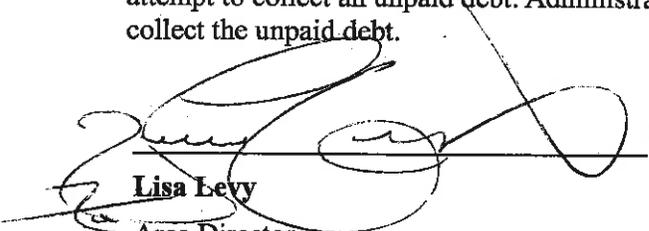
account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



Lisa Levy
Area Director

3/20/18

Date

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



Citation and Notification of Penalty

To:
Douglas Stephen Plastics, Inc.
22-36 Green Street
Paterson, NJ 07509

Inspection Number: 1268998
Inspection Date(s): 10/11/2017 - 10/11/2017
Issuance Date: 03/20/2018

Inspection Site:
22-36 Green Street
Paterson, NJ 07509

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

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

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

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

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

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

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

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

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/20/2018. The conference will be held by telephone or at the OSHA office located at 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1268998

Company Name: Douglas Stephen Plastics, Inc.
Inspection Site: 22-36 Green Street, Paterson, NJ 07509
Issuance Date: 03/20/2018

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604**

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: Douglas Stephen Plastics, Inc.
Inspection Site: 22-36 Green Street, Paterson, NJ 07509

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.9(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

a) Grinding Area: An employee who feed scrap plastic material into the hatch section of a Rotogran granulator grinding machine, was exposed to a continuous noise level at 172.8% of the allowable 8-hour time weighted average sound level (90dBA). The equivalent dBA level of 172.8% is approximately 93.9 dBA. The sampling was performed during 495 minutes during one shift. The employer did not administer a continuing effective hearing conservation program, thus exposing employees to irreversible hearing loss, on or about 10/11/17.

b) Utility Area: An employee who removes scrap plastic material from thermoforming GN Machines and conducts minor repairs/adjustments to thermoforming machines, was exposed to a continuous noise level at 86.1% of the allowable 8-hour time weighted average sound level (90dBA). The equivalent dBA level of 86.1% is approximately 88.9 dBA. The sampling was performed during 490 minutes during one shift. The employer did not administer a continuing effective hearing conservation program, thus exposing employees to irreversible hearing loss, on or about 10/11/17.

For compliance purposes, ensure that a minimally effective hearing conservation program consists of the following items:

- a. A baseline audiogram for all employees exposed to noise levels equal to or in excess of the standard.
- b. Annual audiograms for each overexposed employee.
- c. Analysis of audiogram results with retesting and/or referral to an otolaryngologist or qualified physician when a standard threshold shift occurs. A standard threshold shift is an average shift in either ear of 10 dB or more at 2000, 3000, and 4000 hertz.
- d. Where insert ear plugs or custom-molded devices other than self-fitted, malleable plugs are utilized, individual employee fitting shall be conducted by a trained person, and employees shall be instructed in the care and use of the devices.
- e. A training program shall be instituted and occur on an annual basis.

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: 1268998
Inspection Date(s): 10/11/2017 - 10/11/2017
Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics, Inc.
Inspection Site: 22-36 Green Street, Paterson, NJ 07509

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/04/2018
\$6652.00

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: 1268998
Inspection Date(s): 10/11/2017 - 10/11/2017
Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics, Inc.
Inspection Site: 22-36 Green Street, Paterson, NJ 07509

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

29 CFR 1910.95(i)(2)(ii)(A): The employer did not ensure that hearing protectors are worn by any employee who is exposed to an 8-hour time-weighted average of 85 decibels or greater and has not yet had a baseline audiogram established pursuant to 29 CFR 1910.95(g)(5)(ii):

b) Utility Area: An employee who removes scrap plastic material from thermoforming GN Machines and conducts minor repairs/adjustments to thermoforming machines, was exposed to a continuous noise level at 86.1% of the allowable 8-hour time weighted average sound level (90dBA). The equivalent dBA level of 86.1% is approximately 88.9 dBA. The sampling was performed during 490 minutes during one shift. The employer did not ensure that hearing protection was worn, thus exposing employees to irreversible hearing loss, on or about 10/11/17.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6652.00

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: 1268998
Inspection Date(s): 10/11/2017 - 10/11/2017
Issuance Date: 03/20/2018



Citation and Notification of Penalty

Company Name: Douglas Stephen Plastics, Inc.
Inspection Site: 22-36 Green Street, Paterson, NJ 07509

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.95(l)(1): The employer did not make available to affected employees or their representatives copies of 29 CFR 1910.95 and did not post a copy in the workplace:

a) Plant-Wide: The employer did not provide and post a copy of the noise standard for affected employees, on or about 10/11/7.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/06/2018

Proposed Penalty:

\$0.00


Lisa Levy
Area Director

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
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



INVOICE / DEBT COLLECTION NOTICE

Company Name: Douglas Stephen Plastics, Inc.
Inspection Site: 22-36 Green Street, Paterson, NJ 07509
Issuance Date: 03/20/2018

Summary of Penalties for Inspection Number	1268998
Citation 1, Serious	\$13304.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$13304.00

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

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

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

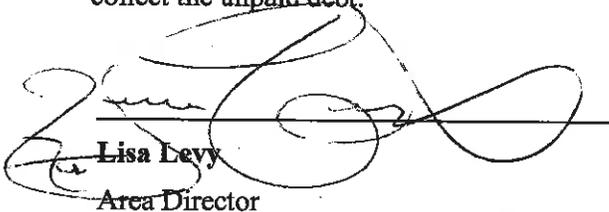
account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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


Lisa Levy
Area Director

3/20/18
Date