

U.S. Department of Labor
Occupational Safety and Health Administration
36 Triangle Park Drive
Cincinnati, OH 45246
Phone: 513-841-4132 Fax: 513-841-4114



Citation and Notification of Penalty

To:
Environmental Enterprises, Inc.
10163 Cincinnati-Dayton Rd.
Cincinnati, OH 45241

Inspection Number: 790741
Inspection Date(s): 12/18/2012 - 06/05/2013
Issuance Date: 06/18/2013

Inspection Site:
4650 Spring Grove Ave.
Cincinnati, OH 45232

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements 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 06/18/2013. The conference will be held by telephone or at the OSHA office located at 36 Triangle Park Drive, Cincinnati, OH 45246 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 790741

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232
Issuance Date: 06/18/2013

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, 36 Triangle Park Drive, Cincinnati, OH 45246**

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 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) A hearing conservation program was not implemented consisting of audiograms, requirements to wear hearing protectors when audiograms had not yet been received, and noise monitoring where employees were exposed to noise levels exceeding a dose of 50%, as indicated below:

(i) A Solidifier was exposed to occupational noise at a level of 89.7 dBA as an 8-hour Time-Weighted Average during a sampling period of 420 minutes, as revealed by monitoring conducted by OSHA on February 13, 2013. The employer did not obtain representative 8-hour Time-Weighted dosimeter data for this position. This employee had not received an audiogram and was not wearing hearing protection. Zero exposure was assumed for the unsampled portion of the shift.

(ii) A Machine Operator was exposed to occupational noise at a level of 88.7 dBA as an 8-hour Time-Weighted Average during a sampling period of 430 minutes, as revealed by monitoring conducted by OSHA on April 2, 2013. This employee had not received an audiogram and hearing protector use was voluntary. Zero exposure was assumed for the unsampled portion of the shift.

(iii) A Laborer was exposed to occupational noise at a level of 87.3 dBA as an 8-hour Time-Weighted Average during a sampling period of 440 minutes, as revealed by monitoring conducted by OSHA on April 2, 2013. This employee had not received an audiogram and hearing protector use was voluntary. Zero exposure was assumed for the unsampled portion of the shift.

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: 790741
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Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$3600.00

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

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

29 CFR 1910.106(d)(4)(iv): Ventilation. Every inside storage room was not provided with either a gravity or a mechanical exhaust ventilation system. Such system was not designed to provide for a complete change of air within the room at least six times per hour.

(a) On or about December 28, 2013, Area 701 of the Flammable Storage Room used to store approximately 526 gallons of flammable liquids, did not have a dedicated ventilation system designed to provide for a complete change of air within the room at least six times per hour.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

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 3 a Type of Violation: **Serious**

29 CFR 1910.120(p)(2): A hazard communication program meeting the requirements of 29 CFR 1910.1200, was not implemented as part of the employer's safety and health program:

(a) A hazard communication program was not fully developed and implemented to cover non-RCRA hazardous wastes and chemical products, in that multiple employees handling such wastes and chemical products did not demonstrate basic knowledge on how to obtain information on the applicable physical and health hazards of such substances when needed.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$4500.00

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

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

29 CFR 1910.1200(h)(3)(iv): Employee training did not include the details of the hazard communication program developed by the employer, including an explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information:

(a) Multiple employees had not received effective training regarding how to access material safety data sheets for non-RCRA hazardous wastes and chemical products.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 4 Type of Violation: **Serious**

29 CFR 1910.120(p)(4): A decontamination procedure meeting the requirements of 29 CFR 1910.120(k) was not developed and implemented:

(a) A decontamination procedure had not been fully developed and implemented regarding employee exposures to hazardous wastes (such as but not limited to lead, cadmium, inorganic arsenic, sodium chlorate) occurring within the hazardous waste treatment, storage, and disposal facility.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

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 5 a Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(A): The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), pre-emergency planning and coordination with outside parties:

- (a) The employer's written EPA emergency contingency plan did not sufficiently address pre-emergency planning and coordination with outside parties.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 b Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(B):The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), personnel roles, lines of authority, training, and communication.

(a) The employer's written EPA emergency contingency plan did not sufficiently address personnel roles, such as the identification of employees designated and trained to respond to emergencies.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 c Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(C): The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), emergency recognition and prevention.

(a) The employer's written EPA emergency contingency plan did not sufficiently address emergency recognition and prevention.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 d Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(D): The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), safe distances and places of refuge.

(a) The employer's written EPA emergency contingency plan did not sufficiently address safe distances and places of refuge.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 e Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(E): The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), site security and control.

(a) The employer's written EPA emergency contingency plan did not sufficiently address site security and control.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 f Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(G): The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), decontamination procedures.

(a) The employer's written EPA emergency contingency plan did not sufficiently address decontamination procedures, in that it did not directly address decontamination procedures for responding personnel.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 g Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(I): The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), emergency alerting and response procedures.

(a) The employer's written EPA emergency contingency plan did not sufficiently address emergency response procedures.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 h Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(J):The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), critique of response and follow-up.

(a) The employer's written EPA emergency contingency plan did not sufficiently address critique of response and follow-up.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 5 i Type of Violation: **Serious**

29 CFR 1910.120(p)(8)(ii)(K):The employer did not develop an emergency response plan for emergencies that addressed, to the extent not addressed in any specific program required in 29 CFR 1910.120(p), PPE and emergency equipment.

(a) The employer's written EPA emergency contingency plan did not sufficiently address PPE and emergency equipment.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

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 6 a Type of Violation: **Serious**

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

(a) The employer did not implement a housekeeping program outside of the breakroom, in that elevated surface contamination of lead was found in the areas indicated below, as revealed through wipe sampling conducted by OSHA:

(i) On or about January 15, 2013, the floor of the Inbound QA Area between rows A1023 and A1024 had a surface contamination of lead at 286 micrograms per square foot.

(ii) On or about January 15, 2013, the floor of the MET In-Transit Area in the 2nd aisle from the south wall had a surface contamination of lead at 416 micrograms per square foot.

(iii) On or about January 15, 2013, the floor of the QA Area near row A1603 had a surface contamination of lead at 1,393 micrograms per square foot.

(iv) On or about January 15, 2013, the floor in the approximate center of the QA Office had a surface contamination of lead at 221 micrograms per square foot.

(v) On or about December 19, 2012, the middle shelf of QA Tech #1 tool cart had a surface contamination of lead at 1367 micrograms per square foot.

(vi) On or about December 19, 2012, the middle shelf of QA Tech #2 tool cart had a surface contamination of lead at 3467 micrograms per square foot.

(vii) On or about December 19, 2012, the top of QA Tech #3 tool box had a surface contamination of 272 micrograms per square foot.

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

(vii) On or about December 19, 2012, the top of QA Tech #3 tool cart had a surface contamination of 2178 micrograms per square foot.

(ix) On or about December 19, 2012, the cot in the First Aid Room used by QA Tech #3 had a surface contamination of 269 micrograms per square foot.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 6 b Type of Violation: **Serious**

29 CFR 1910.1018(k)(1): All surfaces were not maintained as free as practicable of accumulations of inorganic arsenic:

(a) The employer did not implement a housekeeping program outside of the breakroom, in that elevated surface contamination of arsenic was found in the areas indicated below, as revealed through wipe sampling conducted by OSHA:

(i) On or about January 15, 2013, the floor of the Inbound QA Area between rows A1023 and A1024 had a surface contamination of arsenic of at least 28.9 micrograms per square foot.

(ii) On or about January 15, 2013, the floor of the MET In-Transit Area in the 2nd aisle from the south wall had a surface contamination of arsenic of at least 35.0 micrograms per square foot.

(iii) On or about January 15, 2013, the floor of the QA Area near row A1603 had a surface contamination of arsenic of at least 51.0 micrograms per square foot.

(iv) On or about January 15, 2013, the floor in the approximate center of the QA Office had a surface contamination of arsenic of at least 7.4 micrograms per square foot.

(v) On or about December 19, 2012, the right handle of QA Tech #1 tool cart had a surface contamination of arsenic of at least 5.99 micrograms per square foot.

(vi) On or about December 19, 2012, the left handle of QA Tech #1 tool cart had a surface contamination of arsenic of at least 2.88 micrograms per square foot.

(vii) On or about December 19, 2012, the middle shelf of QA Tech #1 tool cart had a surface contamination of arsenic of at least 53.06 micrograms per square foot.

(viii) On or about December 19, 2012, the handle of QA Tech #2 tool cart had a surface contamination of arsenic of at least 4.98 micrograms per square foot.

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

(ix) On or about December 19, 2012, the middle shelf of QA Tech #2 tool cart had a surface contamination of arsenic of at least 41.43 micrograms per square foot.

(x) On or about December 19, 2012, the top of QA Tech #3 tool box had a surface contamination of arsenic of at least 11.07 micrograms per square foot.

(xi) On or about December 19, 2012, the top of QA Tech #3 tool cart had a surface contamination of arsenic of at least 30.38 micrograms per square foot.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 6 c Type of Violation: **Serious**

29 CFR 1910.1018(k)(4): A written housekeeping and maintenance plan for inorganic arsenic which lists the appropriate frequencies for carrying out housekeeping operations and for cleaning and maintaining dust collection equipment was not kept and available for inspection by the Assistant Secretary:

- (a) There was no written housekeeping and maintenance plan for inorganic arsenic that listed the appropriate frequencies for carrying out housekeeping operations, cleaning and maintaining any dust collection equipment where surface contamination of arsenic was located in the following areas, as revealed through wipe sampling conducted by OSHA:
- (i) On or about December 19, 2012, the right handle of the mobile cart for QA Tech #1 had a surface contamination of at least 5.99 micrograms per square foot.
- (ii) On or about December 19, 2012, the left handle of the mobile cart for QA Tech #1 had a surface contamination of at least 2.88 micrograms per square foot.
- (iii) On or about December 19, 2012, the middle shelf of the mobile cart for QA Tech #1 had a surface contamination of at least 53.14 micrograms per square foot.
- (iv) On or about December 19, 2012, the top of the toolbox for QA Tech #3 had a surface contamination of at least 11.07 micrograms per square foot.
- (v) On or about December 19, 2012, the top shelf of the mobile cart for QA Tech #3 had a surface contamination of at least 30.38 micrograms per square foot.
- (vi) On or about December 19, 2012, the handle of the mobile cart for QA Tech #2 had a surface contamination of at least 9.98 micrograms per square foot.
- (vii) On or about December 19, 2012, the middle shelf of the mobile cart for QA Tech #2 had a surface contamination of at least 41.43 micrograms per square foot.

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

- (viii) On or about December 19, 2012, a lid for a drum located in the MET Transit area had a surface contamination of at least 1.18 micrograms per square foot.
- (ix) On or about December 19, 2012, a lid for a drum located in the QA Inbound area had a surface contamination of at least 1.068 micrograms per square foot.
- (x) On or about December 19, 2012, a lid for a drum located in the main plant QA area had a surface contamination of at least 2.32 micrograms per square foot.
- (xi) On or about January 15, 2013, the floor of the Inbound QA Area between rows A1023 and A1024 had a surface contamination of at least 28.9 micrograms per square foot.
- (xii) On or about January 15, 2013, the floor of the MET In-Transit area in the 2nd aisle from the south wall had a surface contamination of at least 35.0 micrograms per square foot.
- (xiii) On or about January 15, 2013, the floor of the QA Area near row A1603 had surface contamination of at least 51.86 micrograms per square foot.
- (xiv) On or about January 15, 2013, the floor in the center of the QA office had a surface contamination of at least 7.4 micrograms per square foot.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 6 d Type of Violation: **Serious**

29 CFR 1910.1027(k)(1): All surfaces shall be maintained as free as practicable of accumulations of cadmium.

(a) The employer did not implement a housekeeping program outside of the breakroom, in that surface contamination of cadmium was found in the areas indicated below, as revealed through wipe sampling conducted by OSHA:

(i) On or about December 19, 2012, the right handle of QA Tech #1 tool cart had a surface contamination of cadmium at 3.15 micrograms per square foot.

(ii) On or about December 19, 2012, the left handle of QA Tech #1 tool cart had a surface contamination of cadmium of 1.81 micrograms per square foot.

(iii) On or about December 19, 2012, the middle shelf of QA Tech #1 tool cart had a surface contamination of cadmium of 22.51 micrograms per square foot.

(iv) On or about December 19, 2012, the handle of QA Tech #2 tool cart had a surface contamination of cadmium of 1.47 micrograms per square foot.

(v) On or about December 19, 2012, the middle shelf of QA Tech #2 tool cart had a surface contamination of cadmium of 24.11 micrograms per square foot.

(vi) On or about December 19, 2012, the top of QA Tech #3 tool box had a surface contamination of cadmium of 15.80 micrograms per square foot.

(vii) On or about December 19, 2012, top of QA Tech #3 tool cart had a surface contamination of cadmium of 36.34 micrograms per square foot.

(viii) On or about January 15, 2013, the floor of the Inbound QA Area between rows A1023 and A1024 had a surface contamination of cadmium at 11.2 micrograms per square foot.

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: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

(ix) On or about January 15, 2013, the floor of the MET In-Transit Area in the 2nd aisle from the south wall had a surface contamination of cadmium at 17.6 micrograms per square foot.

(x) On or about January 15, 2013, the floor of the QA Area near row A1603 had a surface contamination of cadmium at 31.4 micrograms per square foot.

(xi) On or about January 15, 2013, the floor in the approximate center of the QA Office had a surface contamination of cadmium at 3.9 micrograms per square foot.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 6 e Type of Violation: **Serious**

29 CFR 1910.1450(e)(3)(ii): The Chemical Hygiene Plan did not include the criteria that the employer would use to determine and implement control measures to reduce employee exposure to hazardous chemicals including engineering controls, the use of personal protective equipment and hygiene practices:

- (a) The employer's "Lab Chemical Hygiene Plan" did not include specific housekeeping procedures sufficient to remove surface contamination from work surfaces and equipment, in that wipe sampling conducted by OSHA revealed elevated surface contamination as indicated below:
- (i) On or about March 8, 2013, the lab counter near the sink had a surface contamination of lead at 87 micrograms per square foot, and had a surface contamination of cadmium of 6.11 micrograms per square foot.
 - (ii) On or about March 8, 2013, the left hood on the east wall of the lab had a surface contamination of lead at 110 micrograms per square foot, and had a surface contamination of arsenic of at least 16.63 micrograms per square foot.
 - (iii) On or about March 8, 2013, the 4th shelf from bottom of sample disposal shelves had a surface contamination of lead at 531 micrograms per square foot, and had a surface contamination of arsenic of at least 33.88 micrograms per square foot, and had a surface of cadmium at 33.96 micrograms per square foot.
 - (iv) On or about March 8, 2013, the bottom shelf of the lab cart had a surface contamination of lead at 4016 micrograms per square foot, and had a surface contamination of arsenic of at least 70.48 micrograms per square foot, and had a surface contamination of cadmium at 111.29 micrograms per square foot.

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Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

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 7 a Type of Violation: **Serious**

29 CFR 1910.1030(c)(1)(ii)(A): The employer's Exposure Control Plan did not include the exposure determination required by 29 CFR 1910.1030(c)(2):

(a) The exposure control plan did not contain an exposure determination for employees with occupational exposure including technicians, laborers, and sorters, in that these positions were exposed to puncture injury hazards from uncapped needles within multiple waste streams.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/05/2013
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 7 b Type of Violation: **Serious**

29 CFR 1910.1030(c)(1)(ii)(B): The employer's Exposure Control Plan did not include the schedule and method of implementation for paragraphs (d) Methods of Compliance, (e) HIV and HBV Research Laboratories and Production Facilities, (f) Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-up, (g) Communication of Hazards to Employees, and (h) Recordkeeping:

(a) The exposure control plan did not include the schedule and method of implementation for hepatitis B vaccination, post-exposure evaluation and follow-up, communication of hazards to employees, and recordkeeping.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 7 c Type of Violation: **Serious**

29 CFR 1910.1030(c)(1)(ii)(C): The employer's Exposure Control Plan did not include the procedure for the evaluation of circumstances surrounding exposure incidents, as required by 29 CFR 1910.1030(f)(3)(i):

(a) The exposure control plan did not include a procedure for the evaluation of circumstances surrounding exposure incidents including the documentation of the route(s) of exposure and the circumstances under which the exposure occurred.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 7 d Type of Violation: **Serious**

29 CFR 1910.1030(f)(1)(i): The employer did not make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure:

(a) The hepatitis B vaccination series was not made available to employees with occupational exposure including technicians, laborers, and sorters who have experienced needle sticks from various hazardous waste streams and employees assigned to perform functions as first responders.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **08/05/2013**



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 2 Item 7 e Type of Violation: **Serious**

29 CFR 1910.1030(g)(2)(i): The employer shall train each employee with occupational exposure in accordance with the requirements of this section. Such training must be provided at no cost to the employee and during working hours. The employer shall institute a training program and ensure employee participation in the program.

(a) Employees with occupational exposure such as, but not limited to, technicians, laborers, and sorters had not been provided information and training regarding the hazards and protective measures associated with exposure to bloodborne pathogens.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2013



Citation and Notification of Penalty

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(g)(1)(i)(A): The employer permitted respirators with tight-fitting facepieces to be worn by employees who had facial hair that came between the sealing surfaces of the facepiece and the face or that interfered with valve function

(a) The employer permitted a Treatment Tank Operator to have a beard while wearing a half-face respirator.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/15/2013
\$0.00

A handwritten signature in blue ink, appearing to read "William Wilkerson", written over a horizontal line.

William Wilkerson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
36 Triangle Park Drive
Cincinnati, OH 45246
Phone: 513-841-4132 Fax: 513-841-4114



INVOICE / DEBT COLLECTION NOTICE

Company Name: Environmental Enterprises, Inc.
Inspection Site: 4650 Spring Grove Ave., Cincinnati, OH 45232
Issuance Date: 06/18/2013

Summary of Penalties for Inspection Number	790741
Citation 2, Serious	\$30600.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$30600.00

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 or endorsements put on any check or money order 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.



William Wilkerson

Area Director



Date