

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
45-17 Marathon Parkway  
Little Neck, NY 11362  
Phone: 718-279-9060 Fax: 718-279-9057



## Citation and Notification of Penalty

**To:**  
JUNIPER ELBOW CO. INC.  
and its successors  
72-15 METROPOLITAN AVENUE  
Middle Village, NY 11379

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015

**Inspection Site:**  
72-15 METROPOLITAN AVENUE  
Middle Village, NY 11379

*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](http://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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/09/2015. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1051239**

Company Name: JUNIPER ELBOW CO. INC.

Inspection Site: 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

Issuance Date: 09/09/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.36(c)(1): Each exit discharge did not lead directly outside or to a street, walkway, refuge area, public way, or open space with access to the outside.

(a) 72-15 Metropolitan Street - The rear exit lead to an open space that did lead to a street or public way. The open space was enclosed by chain link fence; on or about 04/01/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/05/2015  
\$4950.00

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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**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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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 2 a** 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) 69th Street - The second exit out of the building was marked 'Not An Exit' and was locked; 04/02/15.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$ 1,000.00 AS PER 29 CFR 1903.19.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$6930.00

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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

(a) 69th Street - The fire exit was erroneously marked 'Not An Exit'. This was one of two ways to get out of the building; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:

09/21/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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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 3 a** Type of Violation: **Serious**

29 CFR 1910.107(f)(3): Sprinklers protecting spraying areas were not kept as free from deposits as practical by cleaning daily if necessary.

(a) 78th Street Spray Booth - The sprinklers completely covered by an accumulation of deposits; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated: 09/21/2015  
Proposed Penalty: \$4950.00

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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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.107(g)(2): All spraying areas were not kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary:

(a) 78th Street Spray Booth - The walls were covered by an accumulation of deposits; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:

09/21/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

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**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

(a) 72-15 Metropolitan Ave., T's and Y's Department - The metal shear had a guard which was bent back exposing the point of operation; on or about 04/01/15.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$ 1,000.00 AS PER 29 CFR 1903.19.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/21/2015

Proposed Penalty:

\$6930.00

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:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.217(e)(1)(i): Records of mechanical power press inspections and the maintenance work performed were not maintained:

- (a) 72-15 Metropolitan Ave., T's and Y's Department - 6 Full Revolution Punch Presses; 04/10/15.
- (b) 78th Street, Punch Press Area - Several Punch Presses; 04/02/15.
- (c) 69th Street - Warco 100 Punch Press; 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated: 10/05/2015  
Proposed Penalty: \$2970.00

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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.219(b)(1): Flywheel(s) with parts seven feet or less above floor(s) or platform(s) were not guarded in accordance with the requirements specified in 29 CFR 1910.219(b)(1)(i) through (b)(1)(iv)(a):

(a) 72-15 Metropolitan Ave., Precision Department - The flywheel on the access cover hole press was not guarded; on or about 04/01/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/21/2015  
\$4950.00

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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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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 7 a** Type of Violation: **Serious**

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

(a) 69th Street Annex - The Metal Spinning Machine had a belt and pulley that were not guarded; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:	10/05/2015
Proposed Penalty:	\$4950.00

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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs 42 inches or less from the floor level were not fully enclosed by guards conforming to requirements specified in 29 CFR 1910.219(m) and (o):

(a) 69th Street Annex - The Metal Spinning Machine had a belt and pulley that were not guarded; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:

09/21/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

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**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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**Citation 1 Item 8** 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) 72-15 Metropolitan Ave, Machine Shop - Each Lath operator used a compressed air gun that did not have a relief fitting at the tip; on or about 04/01/15.

(b) 78th Street, Dembars Area - At the Bridgeport Milling Machine the operator was using an air gun that did not have a relief fitting at the tip; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:

09/21/2015

Proposed Penalty:

\$4950.00

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:** 1051239  
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**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not protected from the rays by noncombustible or flameproof screens or shields:

(a) 69th Street - Employees working in the press brake area were not visually protected from adjacent arc welding operations; on or about 04/02/15.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM IN THE ACCORDANCE WITH 29 CFR 1903.19

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$2970.00

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:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

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

(a) 72-15 Metropolitan Ave. Machine Shop - The rear exit was partially blocked by a rack of metal rods; on or about 04/01/15

(b) 69th Street Annex, Elbow Room - The fire stairwell was used to store chairs and other materials; on or about 04/02/15.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$ 1,000.00 AS PER 29 CFR 1903.19.

Juniper Elbow Inc. WAS PREVIOUSLY CITED FOR A SERIOUS VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 29 CFR 1910.37(a)(3), WHICH WAS CONTAINED IN THE OSHA INSPECTION NUMBER 599778, CITATION #1, ITEM #1 b, ISSUED ON 01/14/2013. THE CITATION BECAME FINAL ORDER ON 02/08/13.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/21/2015
Proposed Penalty:	\$9900.00



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

(a) 72-15 Metropolitan Ave. - At the rear of the machine shop a fire extinguisher was sitting on a table; on or about 04/01/15.

(b) 72-15 Metropolitan Ave. - In the marine warehouse a fire extinguisher was missing where it was supposed to be mounted; on or about 04/02/15.

(c) 69th Street Annex - In the elbow room a fire extinguisher was mounted but not identified; on or about 04/02/15.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$ 1,000.00 AS PER 29 CFR 1903.19.

~~Juniper Elbow Co. Inc. WAS PREVIOUSLY CITED FOR A SERIOUS VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 29 CFR 1910.157(c)(1), WHICH WAS CONTAINED IN THE OSHA INSPECTION NUMBER 494679, CITATION #02, ITEM #02, ISSUED ON 11/27/2012. THE CITATION BECAME FINAL ORDER ON 12/12/2012.~~

Juniper Elbow Co. Inc. WAS PREVIOUSLY CITED FOR A SERIOUS VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 29 CFR 1910.157(c)(1), WHICH WAS CONTAINED IN THE OSHA INSPECTION NUMBER 313429714, CITATION 02, ITEM 02, ISSUED ON 04/25/2011. THE CITATION BECAME FINAL ORDER ON 05/19/2011.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/21/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Occupational Safety and Health Administration

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**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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Proposed Penalty:

\$990.00

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:** JUNIPER ELBOW CO. INC.  
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**Citation 2 Item 3** Type of Violation: **Repeat**

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 rotating parts:

(a) In the machine shop - Lathes used to turn metal were not provided with chuck guards; on or about 04/01/15.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$ 1,000.00 AS PER 29 CFR 1903.19.

Juniper Elbow Co. Inc. WAS PREVIOUSLY CITED FOR A SERIOUS VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 29 CFR 1910.212(a)(1), WHICH WAS CONTAINED IN THE OSHA INSPECTION NUMBER 551959, CITATION 01, ITEM 01 b, ISSUED ON 11/27/2012. THE CITATION BECAME FINAL ORDER ON 12/27/2012.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/21/2015
Proposed Penalty:	\$9900.00

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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

29 CFR 1910.141(a)(5): Enclosed workplaces were not so constructed, equipped, and maintained as to prevent the entrance or harborage of rodents, insects, or other vermin:

(a) 72-15 Metropolitan Ave., Warehouse - The compressor platform was littered with bird droppings and a bird was observed in the space between the ceiling and the top of the north wall; on or about 04/01/15.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/28/2015  
\$0.00

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:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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**Citation 3 Item 2** Type of Violation: **Other-than-Serious**

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

(a) 78th Street and other locations - Procedures for machines such as but not limited to the Hydraulic Press Brake and Snap Lock Part Machine were not developed; on or about 04/02/15.

Date By Which Violation Must be Abated: 10/27/2015  
Proposed Penalty: \$0.00

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**Kay Gee**  
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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
45-17 Marathon Parkway  
Little Neck, NY 11362  
Phone: 718-279-9060 Fax: 718-279-9057



**INVOICE /  
DEBT COLLECTION NOTICE**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379  
**Issuance Date:** 09/09/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1051239</b>
<b>Citation 1, Serious</b>	<b>\$44550.00</b>
<b>Citation 2, Repeat</b>	<b>\$20790.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$65340.00</b>

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](http://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



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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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.

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**Kay Gee**  
Area Director

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Date

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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
45-17 Marathon Parkway  
Little Neck, NY 11362  
Phone: 718-279-9060 Fax: 718-279-9057



**Citation and Notification of Penalty**

**To:**  
JUNIPER ELBOW CO. INC.  
and its successors  
72-15 METROPOLITAN AVENUE  
Middle Village, NY 11379

**Inspection Number:** 1074309  
**Inspection Date(s):** 06/30/2015 - 08/07/2015  
**Issuance Date:** 09/09/2015

**Inspection Site:**  
66-67 69th Street  
Middle Village, NY 11379

*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.



### **Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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**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](http://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



### **Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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



**NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE**

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/09/2015. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on \_\_\_\_\_ at \_\_\_\_\_.

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



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1074309**

Company Name: JUNIPER ELBOW CO. INC.  
Inspection Site: 66-67 69th Street, Middle Village, NY 11379  
Issuance Date: 09/09/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 45-17 Marathon Parkway, Little Neck, NY 11362**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

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Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

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Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

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Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

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Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

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Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

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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

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

**Inspection Number:** 1051239  
**Inspection Date(s):** 04/01/2015 - 04/02/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.

**Inspection Site:** 72-15 METROPOLITAN AVENUE, Middle Village, NY 11379

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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:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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

29 CFR 1910.95(k)(1): The employer did not train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with the requirements of 29 CFR 1910.95(k):

(a) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted two employees performing grinding and hammering work on ship doors and components to be exposed to continuous noise at a level of 243% (97.1 dBA 8-hour TWA) and 202% (96.3 dBA 8-hour TWA) daily dose, respectively, without training in noise exposure and hearing conservation.

(b) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted an employee performing grinding and welding work on ship doors and components to be exposed to continuous noise at a level of 71% (88.3 dBA 8-hour TWA) without training in noise exposure and hearing conservation

Ensure that all employees exposed to noise at or above an 8-hour time-weighted average of 85 decibels receive training which covers the following topics:

- The effects of noise on hearing;
- The purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instructions on selection, fitting, use, and care; and
- The purpose of audiometric testing, and an explanation of the test procedures

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/13/2015
Proposed Penalty:	\$4950.00

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:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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

29 CFR 1910.243(c)(4): Other portable grinders. The maximum angular exposure of the grinding wheel periphery and sides for safety guards used on other portable grinding machines shall not exceed 180 deg. and the top half of the wheel shall be enclosed at all times.

(b) On or about 6/30/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

CSHO recreated that employer had allowed an employee to use Milwaukee angle grinder with the guard completely removed to grind steel ship door frames, exposing the employee to the unprotected, rotating wheel.

(b) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer allowed employee to use Milwaukee 4.5 inch angle grinder with the guard completely removed to grind steel ship door frames, exposing the employee to the unprotected, rotating wheel.

Ensure that each grinder has an appropriate guard for the wheel in use and that the guard is adjusted to an angle which keeps it between the point of operation and the user.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/15/2015
Proposed Penalty:	\$4950.00



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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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 2 Item 1 a** Type of Violation: **Repeat**

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program, as described in paragraphs (c) through (o) of this section, whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels:

(a) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted two employees performing grinding and hammering work on ship doors and components to be exposed to continuous noise at a level of 243% (97.1 dBA 8-hour TWA) and 202% (96.3 dBA 8-hour TWA) daily dose, respectively, without including those employees in a continuing, effective hearing conservation program.

(b) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted an employee performing grinding and welding work on ship doors and components to be exposed to continuous noise at a level of 71% (88.3 dBA 8-hour TWA) without including that employee in a continuing, effective hearing conservation program.

Juniper Elbow Co., Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 651418, citation number 1, item number 1a and was affirmed as a final order on 8/8/2013, with respect to a workplace located at 69-66 78th Street, Middle Village, NY 11379.

Include all employees whose exposure to continuous noise exceeds 85 dBA 8-hour TWA (50% allowable daily dose) in a continuing, effective hearing conservation program which includes the following elements:

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:** 1074309  
**Inspection Date(s):** 06/30/2015 - 08/07/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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1. Noise monitoring
2. Audiometric testing
3. Training
4. Record keeping
5. Provision of hearing protective devices

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/13/2015
Proposed Penalty:	\$9900.00

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:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceed the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

(a) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted two employees performing grinding and hammering work on ship doors and components to be exposed to continuous noise at a level of 243% (97.1 dBA 8-hour TWA) and 202% (96.3 dBA 8-hour TWA) daily dose, respectively, without having included employees performing those tasks at this facility in a monitoring program.

(b) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted an employee performing grinding and welding work on ship doors and components to be exposed to continuous noise at a level of 71% (88.3 dBA 8-hour TWA) without having included employees performing those tasks at this facility in a monitoring program.

Juniper Elbow Co., Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 651418, citation number 1, item number 1b and was affirmed as a final order on 8/8/2013, with respect to a workplace located at 69-66 78th Street, Middle Village, NY 11379.

Ensure that personal noise monitoring is performed to identify employee positions where exposure might equal or exceed an 8-hour time-weighted average of 85 decibels

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

10/13/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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

29 CFR 1910.95(g)(5)(i): The employer did not establish, within 6 months of an employee's first exposure at or above the action level, a valid baseline audiogram against which subsequent audiograms can be compared:

(a) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted an employee performing grinding and hammering work on ship doors and components to be exposed to continuous noise at a level of 243% (97.1 dBA 8-hour TWA) and 202% (96.3 dBA 8-hour TWA) daily dose, without having established a baseline audiogram, despite the employee having worked in the position for one year.

(b) On or about 7/7/2015, at job site at 66-67 69th Street, Middle Village, N.Y.

Employer permitted an employee performing grinding and welding work on ship doors and components to be exposed to continuous noise at a level of 71% (88.3 dBA 8-hour TWA) without having established a baseline audiogram, despite the employee having worked in the position for four years.

Juniper Elbow Co., Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 651418, citation number 1, item number 1c and was affirmed as a final order on 8/8/2013, with respect to a workplace located at 69-66 78th Street, Middle Village, NY 11379.

All employees exposed to noise at or above the action level of 85 decibels must be including in an audiometric testing program, including having a baseline audiogram, with which later audiograms can be compared, administered within six months of that employees first exposure to noise at or above the action level.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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:** 1074309  
**Inspection Date(s):** 06/30/2015 - 08/07/2015  
**Issuance Date:** 09/09/2015



**Citation and Notification of Penalty**

**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379

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Date By Which Violation Must be Abated:

10/13/2015

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**Kay Gee**  
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  
45-17 Marathon Parkway  
Little Neck, NY 11362  
Phone: 718-279-9060 Fax: 718-279-9057



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** JUNIPER ELBOW CO. INC.  
**Inspection Site:** 66-67 69th Street, Middle Village, NY 11379  
**Issuance Date:** 09/09/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1074309</b>
<b>Citation 1, Serious</b>	<b>\$9900.00</b>
<b>Citation 2, Repeat</b>	<b>\$9900.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$19800.00</b>

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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](http://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.

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**Kay Gee**

Area Director

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Date