



Citation and Notification of Penalty

To:
NVP HOSPITALITY DESIGN LLC
and its successors
801 Moreau Street
Ste. Genevieve, MO 63670

Inspection Number: 316090224
Inspection Date(s): 01/18/2012-
Issuance Date: 06/20/2012

Inspection Site:
801 Moreau Street
Ste. Genevieve, MO 63670

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 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 page 5 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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.

ABATEMENT CERTIFICATION

William D. McDonald, Area Director
U.S. Department of Labor - OSHA
1222 Spruce Street
Room 9.104
St. Louis, MO 63103
Phone: (314)425-4249

NVP HOSPITALITY DESIGN LLC
801 Moreau Street
Ste. Genevieve, MO 63670

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

I attest that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement activities described in this certification.

Signature

Typed or Printed Name



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/20/2012. The conference will be held at the OSHA office located at 1222 Spruce Street, Room 9.104, St. Louis, MO, 63103 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.106(e)(2)(iii): Area(s) in which flammable or combustible liquids were transferred from one tank or container to another container were not separated from other operations in the building(s) by adequate distance or by construction having adequate fire resistance. Drainage or other means were not provided to control spills:

- 1) Warehouse (Receiving/Shipping), for the employee who dispensed VF 180 thinner from a 55-gallon drum adjacent to logging in inventory. Separation and protection were not provided.
- 2) Decorating Department, for the employee who dispensed VF 180 thinner from a 5-gallon container on the table where the employee also mixed and matched flammable and combustible inks. Separation and protection were not provided.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated: 08/06/2012
Proposed Penalty: \$ 3600.00



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

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

29 CFR 1910.133(a)(1): Protective eye equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment:

- 1) Eye protection was not worn by glue operators who used Adhesin 33-1556 (white glue), employee(s) at the wash station who used emulsion remover to remove emulsion on the screen and then power washed the emulsion screen, and employee(s) who used corrosive chemicals (i.e. Rusty Red-B, Rusty Yellow-B, and TriBrown C-1) to make decorative copper plates (tip ons).

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated: 08/06/2012
Proposed Penalty: \$ 3600.00



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.136(a): The employer did not ensure that each affected employee used protective footwear when working in areas where there was a danger of foot injuries due to falling or rolling objects, or objects piercing the sole.

- 1) The operator(s) of the CM Series 627, 1/4 ton capacity, monorail underhung crane lifted rolls of vinyl material weighing approximately 100 pounds, while wearing sneakers.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, or monitoring results, and photographs or videos which you believe will be helpful. The certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:

08/06/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.151(c) Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for emergency use.

- a) Warehouse, for the employee who charged the battery of the Raymond Walk Behind Tractor (SN #2144) approximately once/week and added water to the battery, an approved eyewash was not available for immediate emergency use.
- b) White Glue area, two 1-gallon containers of corrosive Oxidizing Solution Rusty Red B-1, one 1-gallon container of corrosive Rusty Yellow-B, one 1-gallon container of corrosive Antiquing Solution Tri Brown C-1 and one 1/2 gallon container of ammonia were used to make decorative plates (i.e. copper tip on). An approved eyewash was not available for immediate emergency use.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, or monitoring results, and photographs or videos which you believe will be helpful. The certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/17/2012
Proposed Penalty: \$ 4500.00



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace, a written hazard communication program which at least describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

- 1) For employees who used chemicals including but not limited to Adhesin 33-1556 (white glue), plasticized PVC film, emulsion remover (Stencil Remover Powder), fork truck battery acid, VF180 thinner and corrosives (Rusty Red B-1, Rusty Yellow-B and Antiquing Solution Tri Brown C-1), a written hazard communication program had not been developed.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, or monitoring results, and photographs or videos which you believe will be helpful. the certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/06/2012
Proposed Penalty: \$ 2700.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.1200(f)(5)(i): The employer did not ensure that each container of hazardous chemical(s) in the workplace was labeled, tagged, or marked with the identity of the hazardous chemical(s) contained therein:

- 1) Shipping area, a safety can of VF180 thinner was not labeled with its identity.
- 2) Decorator area, a 5-gallon container of VF180 thinner was not labeled with its identity.
- 3) White glue area, a SUN detergent container containing Adhesin 33-1556 (white glue) was not labeled with its identity.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, or monitoring results, and photographs or videos which you believe will be helpful. the certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:

08/06/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemical(s) in the workplace was labeled, tagged, or marked with the appropriate hazard warnings:

- 1) Shipping area, a safety can of VF180 thinner was not labeled with the appropriate hazard warning.
- 2) Decorator area, a 5-gallon container of VF180 thinner was not labeled with the appropriate hazard warning.
- 3) White glue area, a SUN detergent container containing Adhesin 33-1556 (white glue) was not labeled with the appropriate hazard warning.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, or monitoring results, and photographs or videos which you believe will be helpful. the certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:

08/06/2012



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

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

- 1) For employees who used chemicals including but not limited to Adhesin 33-1556 (white glue), plasticized PVC film, fork truck battery acid, emulsion remover (Stencil Remover Powder), VF180 thinner and corrosives (Rusty Red B-1, Rusty Yellow-B, Antiquing Solution Tri Brown C-1), hazard communication training (and material safety data sheet training) had not been conducted.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, or monitoring results, and photographs or videos which you believe will be helpful. the certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:

08/06/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment had been performed through a written certification that identified the workplace evaluated; the person certifying that the evaluation had been performed; the date(s) of the hazard assessment; and, which identified the document as a certification of hazard assessment:

- 1) The workplace hazard assessment was not certified.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated: 08/06/2012
Proposed Penalty: \$ 0.00

A handwritten signature in black ink that reads "William D. McDonald".

William D. McDonald
Area Director

Occupational Safety and Health Administration
1222 Spruce Street
Room 9.104
St. Louis, MO 63103
Phone: (314)425-4249 FAX: (314)425-4289



INVOICE/ DEBT COLLECTION NOTICE

Summary of Penalties for Inspection Number 316090224

Citation 1, Serious	= \$	14400.00
Citation 2, Other	= \$	0.00
TOTAL PROPOSED PENALTIES	= \$	14400.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

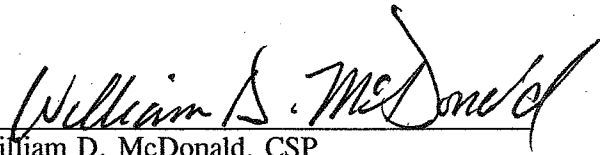
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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 3%. 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 D. McDonald, CSP
Area Director

6-20-12

Date

Corrective action taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: NVP HOSPITALITY DESIGN LLC
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670
Issuance Date: 06/20/2012

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return this page with the signed Informal Settlement Agreement to: U.S. Department of Labor - Occupational Safety and Health Administration, 1222 Spruce Street, Room 9.104, St. Louis, MO 63103.

NAME OF COMPANY OFFICIAL

DATE

TITLE

NOTE: 29 USC 666.(g): Whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six months or both.

POSTING: A copy of the completed Corrective Action Worksheet should be posted for employee review.