

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
507 N. Sam Houston Parkway E.  
Suite 400  
Houston, TX 77060  
Phone: 281-591-2438 Fax: 281-999-7457



## Citation and Notification of Penalty

**To:**  
Watco Mechanical Services  
17000 Premium Dr.  
Hockley, TX 77447

**Inspection Number:** 587438  
**Inspection Date(s):** 08/19/2012 - 12/04/2012  
**Issuance Date:** 02/15/2013

**Inspection Site:**  
17000 Premium Dr.  
Hockley, TX 77447

*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 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](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 02/15/2013. The conference will be held at the OSHA office located at 507 N. Sam Houston Parkway E., Suite 400, Houston, TX 77060 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 587438**

Company Name: Watco Mechanical Services  
Inspection Site: 17000 Premium Dr., Hockley, TX 77447  
Issuance Date: 02/15/2013

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, 507 N. Sam Houston Parkway E., Suite 400, Houston, TX 77060**

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  
\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
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 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:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

OSH ACT of 1970 Section (5)(a)(1): The employer does not furnish to each of their employees a place of employment which is free from the recognized hazard of combustible dust from equipment and the increased risk of fire, deflagration, and/or explosion which is likely to cause death or serious physical harm.

This violation occurred on or about August 20, 2012, in the interior blast building where the dust collection system was insufficient to control fugitive dust during blasting operations exposing employees to potential dust explosion and fire hazards.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation describing the actions that it is taking to ensure that the equipment is maintained and operated in a manner that minimizes the escape of dust during blasting operations.

Among other feasible abatement methods to correct the hazard, one method is to implement the requirements specified in the 2006 NFPA 654: Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids, Section 8.2.1.1.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/18/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.22(a) (1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition.

The employer does not ensure that all places of employment are kept in a clean and orderly condition. This violation occurred on or about August 20, 2012, in the interior blast building where an accumulation of Class II dust was on horizontal surfaces such as, but not limited to, floors, structural members and deflectors exposing employees to dust explosion, deflagration and fire hazards.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that all places of employment are kept in a clean and orderly condition.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/18/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.134(h) (3) (iii): Air and oxygen cylinders of self-contained breathing apparatuses were not maintained in a fully charged state:

The employer does not ensure that air and oxygen cylinders of self-contained breathing apparatuses are maintained in a fully charged state.

a) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (SCH229715-E11C) maintained for emergency use was empty exposing employees to inhalation hazards.

b) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (DOT-E10915-4500) maintained for emergency use was not fully charged exposing employees to inhalation hazards.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that air and oxygen cylinders of self-contained breathing apparatuses are maintained in a fully charged state.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/25/2013  
\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.145(c) (3): Safety instruction sign(s) were not used where there was a need for general instructions and suggestions relative to safety measure(s):

The employer does not ensure that safety instruction signs are used where there is a need for general instructions relative to safety measures. This violation occurred on or about August 20, 2012, in the interior blast building where warning signs to alert employees to the hazards of combustible dust were not posted, exposing employees to dust explosion, deflagration and fire hazards.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that safety instruction signs are used where there is a need for general instructions relative to safety measures.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$3300.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(d) (1): Under the permit-required confined space program required by 29 CFR 1910.146(c) (4), the employer did not implement the measures necessary to prevent unauthorized entry:

The employer's confined space program does not ensure that measures necessary to prevent unauthorized entry are implemented. This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars with bottom gates open to perform abrasive blasting.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the measures necessary to prevent unauthorized entry into hopper cars with bottom gates open is implemented.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(d) (2): Under the permit-required confined space program required by 29 CFR 1910.146(c) (4), the employer did not identify and evaluate the hazards of permit spaces before employees entered:

The employer does not ensure that the hazards of performing abrasive blasting inside hopper rail cars with bottom gates open are identified and evaluated before employees enter. This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars with bottom gates open to perform abrasive blasting without identifying and evaluating the hazards of the space.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the hazards of hopper cars with bottom gates open are identified and evaluated before employees enter.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(d)(3): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations:

The employer's confined space program does not ensure that the means, procedures and practices necessary for safe permit entry operations are implemented. This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars with bottom gates open for blasting operations without implementing appropriate entry procedures.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the means, procedures and practices necessary are developed and implemented for entry into hopper cars with bottom gates open.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(d) (4) (iii): Under the permit-required confined space program required by 29 CFR 1910.146(c) (4), the employer did not provide at no cost to the employees communications equipment necessary:

The employer does not ensure that employees are provided with communication equipment.

- a) This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars for abrasive blasting without providing communication equipment.
- b) This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering tank cars for abrasive blasting operations without providing communication equipment.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided with communication equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/04/2013  
\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(d) (6): Under the permit-required confined space program required by 29 CFR 1910.146(c) (4), the employer did not provide at least one attendant outside the permit space into which entry was authorized for the duration of entry operations:

The employer does not ensure that there is at least one attendant outside the permit space for the duration of the entry operations.

- a) This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars for blasting operations without providing an attendant.
- b) This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering tank cars for blasting operations without providing an attendant.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that there is at least one attendant outside the permit space for the duration of the entry operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(d)(9): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces:

The employer does not ensure that procedures for summoning rescue and emergency services for rescuing entrants from permit spaces is developed and implemented.

- a) This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars for blasting operations without developing procedures for summoning rescue and ensuring the availability of rescue and emergency services.
- b) This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering tank cars for blasting operations without developing procedures for summoning rescue and ensuring the availability of rescue and emergency services.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that procedures for summoning rescue and emergency services for rescuing entrants from permit spaces is developed and implemented.

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

**Inspection Number:** 587438  
**Inspection Date(s):** 08/19/2012 - 12/04/2012  
**Issuance Date:** 02/15/2013



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$5500.00

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:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.146(h) (1): The employer did not ensure that all authorized entrants knew the hazards that could be faced during entry, including information on the mode, sign or symptoms, and consequences of the exposure:

The employer does not ensure that the entrants know the hazards that could be faced during entry into hopper cars with bottom gates open. This violation occurred on or about August 20, 2012, in the interior blast building where employees were exposed to inhalation, fire and struck-by hazards when entering hopper cars for blasting operations without knowing the hazards that they could be faced when entering the hopper cars.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the entrants know the hazards that could be faced during entry into hopper cars with bottom gates open.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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**Citation 1 Item 12** Type of Violation: **Serious**

29 CFR 1910.146(j) (1): The employer did not ensure that each entry supervisor knew the hazards that could be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure:

The employer does not ensure that the entry supervisor knows the hazards that could be faced during entry into hopper cars with bottom gates open. This violation occurred on or about August 20, 2012, in the interior blast building where the entry supervisor was not aware of the inhalation and fire hazards of abrasive blasting operations for hopper rail cars with bottom gates open.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the entry supervisor knows the hazards that could be faced during entry into hopper cars with bottom gates open.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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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 13 a** Type of Violation: **Serious**

29 CFR 1910.146(k) (1) (i): The employer shall evaluate a prospective rescuer's ability to respond to a rescue summons in a timely manner:

The employer does not ensure that a prospective rescuer's ability to respond to a rescue summons in a timely manner is evaluated. This violation occurred on or about August 20, 2012, at the facility where employees were exposed to inhalation, fire and struck-by hazards when entering permit required spaces such as, but not limited to, hopper and tank cars for blasting operations without evaluating the Tri-County volunteer fire department's ability to respond in a timely manner.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a prospective rescuer's ability to respond to a rescue summons in a timely manner is evaluated.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$5500.00



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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**Citation 1 Item 13 b Type of Violation: **Serious****

29 CFR 1910.146(k)(1)(ii): The employer shall evaluate a prospective rescue service's ability, in terms of proficiency with rescue-related tasks and equipment, to function appropriately while rescuing entrants from permit spaces identified:

The employer does not ensure that a prospective rescuer's ability to respond to a rescue summons is evaluated in terms of proficiency with rescue-related tasks and equipment. This violation occurred on or about August 20, 2012, at the facility where employees were exposed to inhalation, fire and struck-by hazards when entering permit required spaces such as, but not limited to, hopper and tank cars for blasting operations without evaluating the Tri-County volunteer fire department's ability to respond.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a prospective rescuer's ability to respond to a rescue summons is evaluated in terms of proficiency with rescue-related tasks and equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/04/2013



**Citation and Notification of Penalty**

**Company Name:** Watco Mechanical Services  
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**Citation 1 Item 14** Type of Violation: **Serious**

29 CFR 1910.252(a)(2)(vi)(C): Cutting or welding was permitted in the presence of explosive atmospheres (mixture of flammable gases, vapors, liquids, or dusts with air), or explosive atmospheres that could develop inside uncleaned or improperly prepared tanks or equipment which had previously contained such materials, or that could develop in areas with an accumulation of combustible dusts:

The employer does not ensure that cutting or welding is prohibited in areas with an accumulation of combustible dust. This violation occurred on or about August 19, 2012, in the interior blast building where employees cleaning blast material from the trenches were exposed to dust explosion, deflagration and fire hazards while a contractor was performing cutting operations.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that cutting or welding is prohibited in areas with an accumulation of combustible dust.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/04/2013
Proposed Penalty:	\$7000.00



### Citation and Notification of Penalty

**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.134(h)(3)(iv)(A): Respirators maintained for emergency use were not certified with the date the inspection was performed, the name (or signature) of the person who made the inspection, the findings, required remedial action, and a serial number or other means of identifying the inspected respirator:

The employer does not ensure that respirators maintained for emergency use are certified.

- a) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (SCH229715-E11C) maintained for emergency use was not certified with the date of inspection, the name of the person who made the inspection, the findings or the identifying means of the respirator. The Scott Air Pack was empty.
- b) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (DOT-E10945-4500) maintained for emergency use was not certified with the date of inspection, the name of the person who made the inspection, the findings or the identifying means of the respirator.
- c) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (DOT-E10915-4500) maintained for emergency use was not certified with the date of inspection, the name of the person who made the inspection, the findings or the identifying means of the respirator. The Scott Air Pack was not fully charged.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that respirators maintained for emergency use are certified.

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

**Inspection Number:** 587438  
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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$3300.00

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:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.134(h)(3)(iv)(B): Certification information on a tag or label was not attached to the storage compartment for the respirator and kept with the respirator or included in inspection reports stored as paper or electronic files:

The employer does not ensure that certification information on a tag or label is attached to the storage compartment of the respirator.

- a) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (SCH229715-E11C) maintained for emergency use was not equipped with a tag documenting monthly certifications.
- b) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (DOT-E10945-4500) maintained for emergency use was not equipped with a tag documenting monthly certifications.
- c) This violation occurred on or about November 7, 2012, in the repair shop where a Scott Air Pack (DOT-E10915-4500) maintained for emergency use was not equipped with a tag documenting monthly certifications.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that certification information on a tag or label is attached to the storage compartment of the respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$1100.00

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:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

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

29 CFR 1910.134(i) (5) (iv): The tag containing the most recent change to the sorbent beds was not kept or maintained at the compressor:

The employer does not ensure that a tag containing the most recent change to the sorbent beds are kept or maintained at the compressor. This violation occurred on or about September 26, 2012, in the interior blast building where the sorbent bed filter changes were not maintained at the compressor for employees that use a Quincy QSI 1250 air compressor to supply air during blasting operations.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a tag containing the most recent change to the sorbent beds are kept or maintained at the compressor.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$1100.00

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

**David A. Doucet**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
507 N. Sam Houston Parkway E.  
Suite 400  
Houston, TX 77060  
Phone: 281-591-2438 Fax: 281-999-7457



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Watco Mechanical Services  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447  
**Issuance Date:** 02/15/2013

<b>Summary of Penalties for Inspection Number</b>	<b>587438</b>
<b>Citation 1, Serious</b>	<b>\$91300.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$5500.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$96800.00</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.

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.

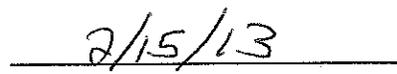
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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



**David A. Doucet**

Area Director



Date