

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.
72-15 Metropolitan Ave.
Middle Village, NY 11379

Inspection Number: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013

Inspection Site:
69-66 78th 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 mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/14/2013. The conference will be held 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: 651418

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379
Issuance Date: 03/14/2013

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, 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



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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 1 a Type of Violation: **Serious**

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) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Grinding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in grinding area of the production workshop as a grinder was exposed to continuous noise at a level of 350 % of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 350 dose is approximately 99.0 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 464 minutes. Zero exposure was assumed for the remaining 16 minutes of the workday. The employer did not administer a continuing, effective hearing conservation program whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels, on or about 09/21/12 and 10/24/12.

(b) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Grinding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in grinding area of the production workshop as a grinder was exposed to continuous noise at a level of 309% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 309% dose is approximately 98.1 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 468 minutes. Zero exposure was assumed for the remaining 12 minutes of the workday. The employer did not administer a continuing, effective hearing conservation program whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels, on or about 09/21/12 and 10/24/12

(c) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Welding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in welding area of the production workshop as a welder was exposed to continuous noise at a level of 97.6% of the dose of the permissible exposure limit (PEL). The equivalent dBA for

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.
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the 97.6% dose is approximately 89.8 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 467 minutes. Zero exposure was assumed for the remaining 13 minutes of the workday. The employer did not administer a continuing, effective hearing conservation program whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels, on or about 09/21/12 and 10/24/12

(d) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Assembly Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in the assembly area of the production workshop as an assembler was exposed to continuous noise at a level of 90.5% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 90.5% dose is approximately 89.0 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 465 minutes. Zero exposure was assumed for the remaining 15 minutes of the workday. The employer did not administer a continuing, effective hearing conservation program whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels, on or about 09/21/12 and 10/24/12

ABATEMENT DOCUMENTATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$6930.00



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

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

(a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Grinding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in grinding area of the production workshop as a grinder was exposed to continuous noise at a level of 350 % of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 350 dose is approximately 99.0 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 464 minutes. Zero exposure was assumed for the remaining 16 minutes of the workday. The employer did not develop and implement a monitoring program when information indicated that employee's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, on or about 09/21/12 and 10/24/12.

(b) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Grinding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. . An employee working in grinding area of the production workshop as a grinder was exposed to continuous noise at a level of 309% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 309% dose is approximately 98.1 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 468 minutes. Zero exposure was assumed for the remaining 12 minutes of the workday. The employer did not develop and implement a monitoring program when information indicated that employee's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, on or about 09/21/12 and 10/24/12.

(c) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Welding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in welding area of the production workshop as a welder was exposed to continuous noise at a level of 97.6% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 97.6% dose is approximately 89.8 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 467 minutes. Zero exposure was assumed for the remaining 13 minutes of the workday. The employer did not develop and implement a monitoring program when

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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Company Name: Juniper Elbow Co., Inc.
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information indicated that employee's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, on or about 09/21/12 and 10/24/12.

(d) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Assembly Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components.. An employee working in the assembly area of the production workshop as an assembler was exposed to continuous noise at a level of 90.5% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 90.5% dose is approximately 89.0 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 465 minutes. Zero exposure was assumed for the remaining 15 minutes of the workday. The employer did not develop and implement a monitoring program when information indicated that employee's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/30/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

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

(a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Grinding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in grinding area of the production workshop as a grinder was exposed to continuous noise at a level of 350 % of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 350 dose is approximately 99.0 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 464 minutes. Zero exposure was assumed for the remaining 16 minutes of the workday. The employer did not establish a valid baseline audiogram against which subsequent audiograms can be compared within 6 months of an employee's first exposure at or above the action level, on or about 09/21 /12 and 10/24/12.

(b) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Grinding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in grinding area of the production workshop as a grinder was exposed to continuous noise at a level of 309% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 309% dose is approximately 98.1 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 468 minutes. Zero exposure was assumed for the remaining 12 minutes of the workday. The employer did not establish a valid baseline audiogram against which subsequent audiograms can be compared within 6 months of an employee's first exposure at or above the action level, on or about 09/21 /12 and 10/24/12.

(c) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Welding Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in welding area of the production workshop as a welder was exposed to continuous noise at a level of 97.6% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 97.6% dose is approximately 89.8 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 467 minutes. Zero exposure was assumed for the remaining 13 minutes of the workday. The employer did not establish a valid baseline audiogram against which

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: 69-66 78th Street, Middle Village, NY 11379

subsequent audiograms can be compared within 6 months of an employee's first exposure at or above the action level, on or about 09/21 /12 and 10/24/12.

(d) At the facility, 69-66 78th Street, Middle Village, N.Y. - Workshop / Assembly Area. On a daily basis, employees work in the production workshop manufacturing navy ship parts and components. An employee working in the assembly area of the production workshop as an assembler was exposed to continuous noise at a level of 90.5% of the dose of the permissible exposure limit (PEL). The equivalent dBA for the 90.5% dose is approximately 89.0 dBA calculated as the 8 hour time weighted sound pressure level. Sampling was conducted on 10/24/12 for 465 minutes. Zero exposure was assumed for the remaining 15 minutes of the workday. The employer did not establish a valid baseline audiogram against which subsequent audiograms can be compared within 6 months of an employee's first exposure at or above the action level, on or about 09/21 /12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/30/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye protection when exposed to eye or face hazards from liquid chemicals:

- a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products while spray painting navy ship parts and components including Protective and Marine coatings - Amercoat (risk of serious damage to eyes / MSDS), Thinner-10 (risk of serious damage to eyes / MSDS). These products contain hazardous materials such as, but not limited to, ethylbenzene, toluene, 1, 2, 4 trimethylbenzene, nepheline syenite, epoxy resin, heptan-2-one, xylene, and naphtha . The employer did not ensure that each affected employee uses appropriate eye protection when exposed to eye or face hazards from liquid chemicals, on or about 09/21/12.
- b) At the facility 69-66 78th Street, Middle Village, N.Y. - Throughout the Workshop. On a routine basis employee(s) change out propane cylinders on the two hilo's at the facility. The employer did not did not ensure that each affected employee uses appropriate eye protection when exposed to eye or face hazards from liquid chemicals, on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/26/2013
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: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.138(a): The employer did not select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances and chemical burns:

a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products while spray painting navy ship parts and components including Protective and Marine coatings - Amercoat (absorbed through skin / MSDS), Thinner-10 (absorbed through skin / MSDS). These products contain hazardous materials such as, but not limited to, ethylbenzene, toluene, 1, 2,4 trimethylbenzene, nepheline syenite, epoxy resin, heptan-2-one, xylene, and naphtha . The employer did not select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances and chemical burns, on or about 09/21/12 and 10/24/12.

b) At the facility 69-66 78th Street, Middle Village, N.Y. - Throughout the Workshop. On a routine basis employee(s) change out propane cylinders on the two hilo's at the facility. The employer did not select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances and chemical burns, on or about 09/21/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/26/2013

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

Inspection Number: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.178(l): The employer did not ensure that operators were trained in the safe operation of powered industrial trucks:

a) At the facility, 69-66 78th Street, Middle Village, N.Y. On a daily basis employees(s) are responsible for transporting and loading material by use of a hi-lo. The employees were not trained in the safe operation of powered industrial trucks, on or about 09/21/12.

ABATEMENT CERTIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19

Date By Which Violation Must be Abated:	Corrected During Inspection
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: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.252(a)(2)(ix): The employer did not ensure where cutting or welding is done near walls, partitions, ceiling or roof of combustible construction, that fire-resistant shields or guards were provided to prevent ignition.

a) At the facility, 69-66 78th Street, Middle Village, NY - Welding Area. On daily basis employees perform welding activities on navy ship parts and components as part of the manufacturing process. The welding areas are separated by partitions of combustible construction (fabric). The employer did not ensure that fire-resistant shields or guards were provided to prevent ignition, on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$4950.00



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.1026(d)(1): The employer has a workplace or work operation covered by this section and did not determine the 8-hour TWA exposure for each employee exposed to chromium (VI). This determination shall be made in accordance with either paragraph (d)(2) or paragraph (d)(3) of this section.

a) At the facility, 69-66 78th Street, Middle Village, NY. - Welding and Grinding Areas. The employer manufactures navy ship parts and components constructed from stainless steel. On a daily basis, employees perform welding, torch cutting, and grinding activities on these stainless steel parts and components. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. The employer did not determine the 8-hour TWA exposure for each employee exposed to chromium (VI), on or about 09/21/12 and 10/24/12.

ABATEMENT DOCUMENTATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$4950.00



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.1026(h)(1): The employer did not provide appropriate personal protective clothing and equipment at no cost to employees, where a hazard is present or is likely to be present from skin contact with chromium (VI).

a) At the facility, 69-66 78th Street, Middle Village, NY. - Welding and Grinding Areas. The employer manufactures navy ship parts and components constructed from stainless steel. On a daily basis, employees perform welding, torch cutting, and grinding activities on these stainless steel parts and components. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. The employees wear their own personal street clothing while performing these operations throughout their shift. The employer did not provide appropriate personal protective clothing and equipment at no cost to employees, where a hazard is present or is likely to be present from skin contact with chromium (VI), on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/26/2013
Proposed Penalty:	\$2970.00



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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 1910.1026(l)(2)(i): The employer shall ensure that each employee can demonstrate knowledge of at least the following: (A) The contents of this section and; (B) The purpose and description of the medical surveillance program required by paragraph (k) of this section:

a) At the facility, 69-66 78th Street, Middle Village, NY. - Welding and Grinding Areas. The employer manufactures navy ship parts and components constructed from stainless steel. On a daily basis, employees perform welding, torch cutting, and grinding activities on these stainless steel parts and components. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. The employer did not ensure that each affected employee can demonstrate knowledge of at least the following: (A) The contents of this section and; (B) The purpose and description of the medical surveillance program required by paragraph (k) of this section, on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$4950.00



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.1026(l)(2)(ii): The employer did not make a copy of this section readily available without cost to all affected employees.

a) At the facility, 69-66 78th Street, Middle Village, NY. - Welding and Grinding Areas. The employer manufactures navy ship parts and components constructed from stainless steel. On a daily basis, employees perform welding, torch cutting, and grinding activities on these stainless steel parts and components. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. The employer did not make a copy of this section readily available without cost to all affected employees, on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/30/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

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

a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products while spray painting navy ship parts and components including Protective and Marine coatings - Amercoat (risk of serious damage to eyes & absorbed through skin / MSDS), Thinner-10 (risk of serious damage to eyes & absorbed through skin / MSDS). These products contain hazardous materials such as, but not limited to, ethylbenzene, toluene, 1, 2, 4 trimethylbenzene, nepheline syenite, epoxy resin, heptan-2-one, xylene, and naphtha. The employer did not perform a workplace hazard assessment, on or about 09/21/12 and 10/24/12.

b) At the facility, 69-66 78th Street, Middle Village, NY. - Welding Area. The employer manufactures navy ship parts and components constructed from stainless steel. On a daily basis, employees perform welding activities on these stainless steel parts and components. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. The employer did not perform a workplace hazard assessment, on or about 09/21/12 and 10/24/12.

c) At the facility 69-66 78th Street, Middle Village, N.Y. - Throughout the Workshop. On a routine basis employee(s) change out propane cylinders on the two hilo's at the facility. The employer did not perform a workplace hazard assessment, on or about 09/21/12 and 10/24/12.

JUNIPER ELBOW INDUSTRIES, WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.132(d)(1), WHICH WAS CONTAINED IN OSHA INSPECTION #313429714, CITATION NUMBER 01, ITEM NUMBER 001(a), AND WAS AFFIRMED A FINAL ORDER ON 05/19/11, WITH RESPECT TO A WORKPLACE AT 72-15 METROPOLITAN AVENUE, MIDDLE VILLAGE, N.Y. 11379

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: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$24750.00

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: 69-66 78th Street, Middle Village, NY 11379

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 2 a Type of Violation: **Repeat**

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator before required to use the respirator in the workplace.

a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products to paint navy ship parts and components including Protective and Marine coatings (Amercoat), Epoxy DTL-24441, Dimetcote, Thinner-10, Primer, Rubber and Gasket Adhesive, Oxygen, Acetylene, Argon, Xylene, Heavy Duty Silicone Lubricant, Mystery Oil, Americoat 385 Cure, Chlorothene SM Solvent, Steel Blue Layout Fluid. These products contain hazardous materials such as, but not limited to naphtha, nepheline syenite, heptan-2-1, titanium dioxide, xylene, n-butyl acetate, ethylbenzene, methyl ethyl ketone, n-hexane, cyclohexane, chlorinated hydrocarbons, xylene, ethylbenzene, 1,2,4 trimethylbenzene, 1,1,1-trichloroethane, n-propyl acetate, barium sulfate, carbon black, magnesium resinate, and zinc oxide. Employees are required to wear a half mask negative pressure respirator while using the above mentioned products. The employer did not provide a medical evaluation to determine the employee's ability to use a respirator before required to use the respirator in the workplace, on or about 10/24/12.

b) At the facility, 69-66 78th Street, Middle Village, N.Y.- Welding Area(s). On daily basis employees perform welding tasks on the various manufactured ship parts of stainless steel and cold rolled steel. Employees are provided with and required to wear half mask negative pressure respirators with P100 filters while performing the task. The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, on or about 09/21/12 and 10/24/12.

JUNIPER ELBOW INDUSTRIES, WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.134(e)(1), WHICH WAS CONTAINED IN OSHA INSPECTION #313429714, CITATION NUMBER 01, ITEM NUMBER 001(d)AND, WAS AFFIRMED A FINAL ORDER ON 05/19/11, WITH RESPECT TO A WORKPLACE AT 72-15 METROPOLITAN AVENUE, MIDDLE VILLAGE, N.Y. 11379

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: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$24750.00

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: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.134(f)(2): The employer did not ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products to paint navy ship parts and components including Protective and Marine coatings (Amercoat), Epoxy DTL-24441, Dimetcote, Thinner-10, Primer, Rubber and Gasket Adhesive, Oxygen, Acetylene, Argon, Xylene, Heavy Duty Silicone Lubricant, Mystery Oil, Americoat 385 Cure, Chlorothene SM Solvent, Steel Blue Layout Fluid. These products contain hazardous materials such as, but not limited to naphtha, nepheline syenite, heptan-2-1, titanium dioxide, xylene, n-butyl acetate, ethylbenzene, methyl ethyl ketone, n-hexane, cyclohexane, chlorinated hydrocarbons, xylene, ethylbenzene, 1,2,4 trimethylbenzene, 1,1,1-trichloroethane, n-propyl acetate, barium sulfate, carbon black, magnesium resinate, and zinc oxide. Employees are required to wear a half mask negative pressure respirator while using the above mentioned products. The employer did not ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, on or about 09/21/12 and 10/24/12.

b) At the facility, 69-66 78th Street, Middle Village, N.Y.- Welding Area(s). On daily basis employees perform welding tasks on the various manufactured ship parts composed of stainless steel and cold rolled steel. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. Employees are provided with and required to wear half mask negative pressure respirators with P100 filters while performing the task. The employer did not ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respiratory, on or about 09/21/12 and 10/24/12.

JUNIPER ELBOW INDUSTRIES, WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.132(f)(2), WHICH WAS CONTAINED IN OSHA INSPECTION #313429714, CITATION NUMBER 01, ITEM NUMBER 001(e), AND WAS AFFIRMED A FINAL ORDER ON 05/19/11, WITH RESPECT TO A WORKPLACE AT 72-15 METROPOLITAN AVENUE, MIDDLE VILLAGE, N.Y. 11379

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: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/30/2013

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



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.134(k)(1): The employer did not provide effective training to employees who are required to wear respirators in accordance with this paragraph:

a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products to paint navy ship parts and components including Protective and Marine coatings (Amercoat), Epoxy DTL-24441, Dimetecote, Thinner-10, Primer, Rubber and Gasket Adhesive, Oxygen, Acetylene, Argon, Xylene, Heavy Duty Silicone Lubricant, Mystery Oil, Americoat 385 Cure, Chlorothene SM Solvent, Steel Blue Layout Fluid. These products contain hazardous materials such as, but not limited to, naphtha, nepheline syenite, heptan-2-1, titanium dioxide, xylene, n-butyl acetate, ethylbenzene, methyl ethyl ketone, n-hexane, cyclohexane, chlorinated hydrocarbons, xylene, ethylbenzene, 1,2,4 trimethylbenzene, 1,1,1-trichloroethane, n-propyl acetate, barium sulfate, carbon black, magnesium resinate, and zinc oxide. Employees are required to wear a half mask negative pressure respirator while using the above mentioned products. The employer did not provide any training to employees who are required to wear respirators, on or about 09/21/12 and 10/24/12.

b) At the facility, 69-66 78th Street, Middle Village, N.Y.- Welding Area(s). On daily basis employees perform welding tasks on the various manufactured ship parts composed of stainless steel and cold rolled steel. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. Employees are provided with and required to wear half mask negative pressure respirators with P100 filters while performing the task. The employer did not provide any training to employees who are required to wear respirators, on or about 09/21/12 and 10/24/12.

JUNIPER ELBOW INDUSTRIES, WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.134(k)(1), WHICH WAS CONTAINED IN OSHA INSPECTION #313429714, CITATION NUMBER 01, ITEM NUMBER 001(f), AND WAS AFFIRMED A FINAL ORDER ON 05/19/11, WITH RESPECT TO A WORKPLACE AT 72-15 METROPOLITAN AVENUE, MIDDLE VILLAGE, N.Y. 11379

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: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

Date By Which Violation Must be Abated:

04/30/2013

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



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area:

- a) At the facility, 69-66 78th Street, Middle Village, N.Y. - Spray Area. On a daily basis employees use and work with products while spray painting navy ship parts and components including Protective and Marine coatings - Amercoat (risk of serious damage to eyes & skin absorption / MSDS), Thinner-10 (risk of serious damage to eyes & skin absorption / MSDS). These products contain hazardous materials such as, but not limited to, ethylbenzene, toluene, 1,2,4 trimethylbenzene, nepheline syenite, epoxy resin, heptan-2-one, xylene, and naphtha. The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area, on or about 09/21/12 and 10/24/12.
- b) At the facility 69-66 78th Street, Middle Village, N.Y. - Throughout the Workshop. On a routine basis employee(s) change out propane cylinders on the two hilo's at the facility. The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, on or about 09/21/12 and 10/24/12.
- c) At the facility, 69-66 78th Street, Middle Village, N.Y. - Welding and Grinding Areas. On daily basis employees perform welding, torch cutting, and grinding operations on the various manufactured ship parts composed of stainless steel and cold rolled steel. These operations generate hazardous fumes. The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area, on or about 09/21/12 and 10/24/12.

JUNIPER ELBOW INDUSTRIES, WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.1200(h)(1), WHICH WAS CONTAINED IN OSHA INSPECTION #313429714, CITATION NUMBER 02, ITEM NUMBER

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: 651418
Inspection Date(s): 09/21/2012 - 10/24/2012
Issuance Date: 03/14/2013



Citation and Notification of Penalty

Company Name: Juniper Elbow Co., Inc.
Inspection Site: 69-66 78th Street, Middle Village, NY 11379

003(b), AND WAS AFFIRMED A FINAL ORDER ON 05/19/11, WITH RESPECT TO A WORKPLACE AT 72-15 METROPOLITAN AVENUE, MIDDLE VILLAGE, N.Y. 11379

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/30/2013
Proposed Penalty:	\$24750.00

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: 69-66 78th Street, Middle Village, NY 11379

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

29 CFR 1910.1026(j)(2)(iii): The employer did not ensure that compressed air was not allowed to be used to remove chromium (VI) from any surface:

a) At the facility, 69-66 78th Street, Middle Village, NY. - Welding and Grinding Area. The employer manufactures navy ship parts and components constructed from stainless steel. On a daily basis, employees perform welding activities on these stainless steel parts and components and use compressed air to clean their respective work areas intermittently throughout the work shift. Occupational exposure to Chromium (VI) occurs during the stainless steel welding. The employer did not ensure that compressed air was not allowed to be used to remove chromium (VI) from any surface, on or about 09/21/12 and 10/24/12.

ABATEMENT CERTIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.1

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/20/2013
Proposed Penalty: \$0.00

Kay Gee
For Kay Gee
Area Director

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: 69-66 78th Street, Middle Village, NY 11379
Issuance Date: 03/14/2013

Summary of Penalties for Inspection Number	651418
Citation 1, Serious	\$34650.00
Citation 2, Repeat	\$74250.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$108,900.00

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

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

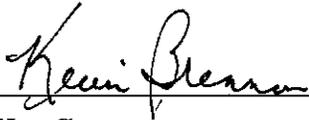
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



3/14/13

For

Kay Gee
Area Director

Date