

U.S. Department of Labor

Occupational Safety and Health Administration

1030 St. Georges Ave.

Suite 205

Avenel, NJ 07001

Phone: (732)750-3270 FAX: [732]750-4737

OSHA Website Address: <http://www.osha.gov>



Citation and Notification of Penalty

To: Ms. Kim Tupy, Director of H.R.
New Brunswick Scientific Co., Inc.
and its successors
P.O. Box 4005
Edison, NJ 08818

Inspection Number: 313986788
Inspection Date(s): 04/14/2011 - 04/25/2011
Issuance Date: 10/06/2011

Inspection Site:
44 Talmadge Rd.
Edison, NJ 08818

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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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

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

If you decide to request an informal conference, please complete, remove and post the page 3 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 violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/06/2011. The conference will be held at the OSHA office located at 1030 St. Georges Ave., Suite 205, Avenel, NJ, 07001 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.95(c)(1): A continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (n) was not instituted when employee noise exposures equaled or exceeded an 8hour timeweighted average sound level (TWA) of 85 dBA:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Clean Room: The Employer did not provide a continuing, effective Hearing Conservation Program for employees exposed to noise levels above 85 dBA. Employees working in the Clean Room were exposed to continuous noise level of 91.57 dBA for an 8-hour TWA, which is equivalent to a dose of 124.4%. This exposure exceeds the Action Level of 85 dBA. Sampling time was 444 minutes. Zero exposures was assumed for all unsampled time periods.

Violations occurred on/or about April 21, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 5000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.95(k)(1): A training program was not instituted for all employees who were exposed to noise at or above an 8 hour timeweighted average of 85 dBA:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Clean Room: The Employer did not provide a training program for all employees in the Clean Room who was exposed to noise at or above 8-hour TWA of 85 dBA. The employees in the Clean Room was exposed to continuous noise level of 91.57 dBA for an 8-hour TWA, which is equivalent to a dose of 124.4%. This exposure level exceeds the Action Level of 85 dBA. Sampling time was 444 minutes. Zero exposures was assumed for all unsampled time periods.

Condition noted on/or about April 21, 2011.

Date By Which Violation Must be Abated: 10/31/2011

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

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

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Clean Room: The Employer did not provide an employee who is required to wear half-face respirator such as, but not limited to North 7700 with dual cartridges (organic vapor with P100 filters) with Medical Evaluation for respirator use.

Condition noted on/or about April 14, 2011.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$ 4000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of Chromium Metal and Insoluble Salts listed in Table Z-1-A (Transitional Limits column) in excess of 1 mg/m³ as an 8-hour Time Weighted Average concentration:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Sheet Metal, Debur Area: An employee grinding/sanding stainless steel metal using a bench grinder and belt sander, was exposed to 8-hour TWA of 2.02 mg/m³ of Chromium Metal and Insoluble Salts during a 455 minutes occupational exposure. The 8-hour TWA employee exposure was 2.02 times the OSHA Permissible Exposure Limit (PEL) of 1.0 mg/m³ for Chromium Metal and Insoluble Salts.

Violation occurred on/about May 23, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd. Edison, NJ site - Sheet metal, Debur Area: Engineering control was not implemented to achieve compliance when an employee is overexposed to Chromium Metal and Insoluble Salts. An employee grinding/sanding stainless steel metal using a bench grinder and belt sander, was exposed to 8-hour TWA of 2.02 mg/m³ of Chromium Metal and Insoluble Salts during 455 minutes occupational exposure. The 8-hour TWA employee exposure was 2.02 times the OSHA Permissible Exposure Limit (PEL) of 1.0 mg/m³ for Chromium Metal and Insoluble Salts.

Violation noted on/about May 23, 2011.

Abatement Note: General methods of control applicable for the circumstances include, but are not limited to the following:

1. Use approved equipment which incorporates local exhaust ventilation to reduce and/or eliminate the liberation of metal dust into the work area.
2. Design and implement local exhaust ventilation systems for all work stations where employees grind/buff/sand metal.
3. Implement a continuing, effective housekeeping program to remove metal dust from all work surfaces such as, but not limited to floors, fixtures, equipment, work tables, etc. Eliminate the practice of dry sweeping.
4. Develop a maintain all local exhaust ventilation systems.
5. Perform air monitoring/sampling to assure the adequate protection and controls.

Date By Which Violation Must be Abated:

10/31/2011



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.1001(j)(7)(iv): The employer did not provide to all employees who perform housekeeping work in areas where ACM and/or PACM is present, an asbestos awareness training course covering the health effects of asbestos; and/or locations of ACM and/or PACM in the facility; and/or recognition of damage or deterioration of ACM and/or PACM; and/or requirements in 29 CFR 1910.1001 relating to housekeeping; and/or proper response to all fiber release episodes:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Throughout Facility: Asbestos awareness training was not provided to employees who perform general housekeeping operations around insulation labeled "Caution Asbestos Hazard", etc. Debris collected underneath one of the pipes maintained (located in the West Area by CNC machine TNX 65/42) contained 1.5% asbestos.

Violation observed on/about April 15, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 5000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.1001(k)(1): All surfaces were not maintained as free as practicable of ACM waste and debris and accompanying dust.

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - West Area by CNC Machine TNX 65/42: The Employer failed to maintain surfaces as free as practicable of asbestos containing waste and debris and accompanying dust. A bulk sample collected on a file cabinet revealed 1.5% asbestos (1% Amosite and 0.5% Chrysotile).

Violation noted on/about April 14, 2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 5000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.1001(k)(2): All spills and sudden releases of material containing asbestos were not cleaned up as soon as possible:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - West Area by CNC Machine TNX 65/42: The Employer failed to clean up materials containing asbestos as soon as possible. A bulk sample collected on April 14, 2011 on a file cabinet revealed 1.5% asbestos (1% Amosite and 0.5% Chrysotile). Employer was notified on April 28, 2011 of the positive asbestos sample results. The Employer has not indicated that the affected area has been cleaned as of June 16, 2011.

Violation noted on/about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011

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

29 CFR 1910.1052(d)(1)(i): Where methylene chloride was present in the workplace, the employer did not determine each employee's exposure by taking personal breathing zone air samples that are representative of each employee's exposure.

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Freezer Area: The Employer did not determine each employee's exposure to methylene chloride (MC) by taking representative personal breathing zone sampling. The MC chemical solution contained 100% of MC.

Violation noted on/about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.1052(f)(3)(i): The employer did not implement procedures to detect leaks of methylene chloride in the workplace, did not make provisions to contain spill and to safely dispose of any methylene chloride-contained waste materials:

a) New Brunswick Scientific, Co., Inc., 44 Talmadge Rd., Edison, NJ site - Freezer Area: Procedures to detect leaks of methylene chloride (MC) in the workplace were not put into practice. Provisions to contain spills and safely dispose of any MC - contained waste material were not provided.

Violation observed on or about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00

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

29 CFR 1910.1052(h)(1): Where needed to prevent methylene chloride (MC)-induced skin or eye irritation, the employer did not provide clean protective clothing and equipment resistant to MC, at no cost to the employee, and/or did not ensure that each affected employee used it:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Freezer Area: Employees working with methylene chloride were not wearing appropriate personal protective equipment (PPE) including gloves and aprons impervious to MC.

Violation observed on/about May 23, 2011 and June 16, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.1052(i)(2): The employer did not provide appropriate eyewash facilities within the immediate work area for emergency use:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Freezer Area: In the immediate work area where methylene chloride is used, the Employer did not provide appropriate eyewash facility for emergency use.

Violation observed on/about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 4000.00

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

29 CFR 1910.1052(k): The employer did not communicate the following hazards associated with methylene chloride (MC) on labels and in material safety data sheets in accordance with the requirements of the Hazard Communication Standard (29 CFR 1910.1200): cancer, cardiac effects (including elevation of carboxyhemoglobin), central nervous system effects, liver effects, and skin and eye irritation:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Freezer Area: The Employer did not communicate to the employees the health hazards associated with methylene chloride.

Violation noted on/about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00

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

Inspection Number: 313986788
Inspection Dates: 04/14/2011 - 04/25/2011
Issuance Date: 10/06/2011



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

1910.1052(l)(1): The employer did not provide information and training for each affected employee prior to or at the time of initial assignment to a job involving potential methylene chloride exposure.

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Freezer Area: The Employer did not provide appropriate information and training on methylene chloride prior to or at the time of assignment for affected employees.

Violation noted on/about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

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

a) New Brunswick Scientific, 44 Talmadge Rd., Edison, NJ site - Throughout Facility: A written Hazard Communication Program was not provided or implemented where employees are exposed to chemicals, including but not limited to:

- 70% Nitric Acid
- 85% Phosphoric Acid
- Polymeric MDI contained in GFLEX Component A
- Polymeric Diphenylmethane Diisocyanate and Diphenylmethane-4,4'-Di-Isocyanate contained in Isocyanate 174
- Polyurethane Foam Resin contained in INSTAFLEX Component B
- Hexafluorethane (R116) and Trifluoremethane (R23) contained in R508B
- Sodium Hydroxide contained in FiSan 500
- Phosphoric acid, diethylene glycol butyl ether, hydrofluoric acid, etc. contained in CrysCoat 747
- Ethanol mixture, etc. contained in CrysCoat UltraSeal
- Metals such as Aluminum, Copper, Magnesium, Iron, Chromium, Nickel, etc. contained in Alcan Aluminum 1xx thru 8xx series
- Sodium chloride solution contained in Ashland Standard Conductivity Solution
- Sodium carbonate solution contained in Ashland Buffer Solution pH 10.01, etc.
- Various paint coatings such as 41-7130 Corvel(TM) Charcoal, which includes chemicals such as calcium carbonate, epoxy resin, titanium dioxide, etc.
- Methanol, etc.
- Polyglycol dimethacrylate, oleic acid, etc. contained in Locktite 222MS
- Ammonium chloride, hydrochloric acid, zinc chloride contained in Lenox Liquid Soft Soldering Flux

Violation noted on/or about April 14, 2011.

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 7000.00

Citation 1 Item 12b Type of Violation: Serious

29 CFR 1910.1200(e)(1)(i): A listing of chemicals did not include all of the hazardous chemicals known to be present using an identity that was referenced on the appropriate material safety data sheet:

a) New Brunswick Scientific, Co., Inc., 44 Talmadge Rd., Edison, NJ site - Throughout facility: A list of hazardous chemicals used in the facility was not complete. Unlisted hazardous chemicals used in the facility are chemicals such as, but not limited to:

- Methylene chloride (100%)
- Fisan 500, which contains sodium hydroxide
- CrysCoat 747, which contains chemicals such as, phosphoric acid, diethyl glycol butyl ether, hydrofluoric acid, etc.
- CrysCoat UltraSeal, which contains ethanol mixture, etc.
- Alcan Aluminum alloy 1xx thru 8xx series, which contain metals such as but not limited to, aluminum, copper, magnesium, iron, chromium, nickel, etc.
- Ashland Standard Conductivity solution, which contains sodium chloride solution
- Ashland Buffer Solution pH 10.01, which contains sodium carbonate solution
- Locktite 222MS, which contains polyglycol dimethacrylate, oleic acid, etc.
- Lenox Liquid Soft Soldering Flux, which contains ammonium chloride, hydrochloric acid and zinc chloride

Violation noted on/about April 14, 2011.

Date By Which Violation Must be Abated: 10/31/2011



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

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

New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ Site - Freezer Area: Hazardous chemical container containing methylene chloride was not labeled, tagged or marked with the identity of the hazardous chemical contained therein. One 55 gallon drum was used to dispose methylene chloride from the Polyurethane Evolution with chiller machine (Impact 100 SN#2100) was not labeled with "Methylene Chloride". The 55 gallon drum was labeled "Closel RM DP6355E", which is the foam material.

Violation noted on/or about April 14, 2011.

Date By Which Violation Must be Abated: **Corrected During Inspection**



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

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

29 CFR 1910.1200(h)(1): Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(2) and (3) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Throughout Facility: Employees were not provided information/training on the handling of hazardous chemicals used within the facility. Employees work with chemicals such as, but not limited to:

- 70% Nitric Acid
- 85% Phosphoric Acid
- Polymeric MDI contained in GFLEX Component A
- Polymeric Diphenylmethane Diisocyanate and Diphenylmethane-4,4'-Di-Isocyanate contained in Isocyanate 174
- Polyurethane Foam Resin contained in INSTAFLEX Component B
- Hexafluorethane (R116) and Trifluoromethane (R23) contained in R508B
- Sodium Hydroxide contained in FiSan 500
- Phosphoric acid, diethylene glycol butyl ether, hydrofluoric acid, etc. contained in CrysCoat 747
- Ethanol mixture, etc. contained in CrysCoat UltraSeal
- Metals such as Aluminum, Copper, Magnesium, Iron, Chromium, Nickel, etc. contained in Alcan Aluminum 1xx thru 8xx series
- Various paint coatings such as 41-7130 Corvel(TM) Charcoal, which includes chemicals such as, calcium carbonate, epoxy resin, titanium dioxide, etc.
- Methanol, etc.
- Ammonium chloride, hydrochloric acid, zinc chloride contained in Lenox Liquid Soft Soldering Flux

Violation noted on or about April 14, 15, 21, May 23, 24 and June 16, 2011.

Date By Which Violation Must be Abated:

10/31/2011



Citation and Notification of Penalty

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818

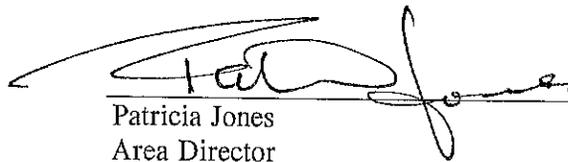
Citation 2 Item 1 Type of Violation: Other

29 CFR 1910.134(c)(2)(i): Where the employer provided respirators for employees to use voluntarily, the employer did not provide the respirator users with the information contained in Appendix D to this section ("Information for Employees Using Respirators When Not Required Under the Standard"):

a) New Brunswick Scientific Co., Inc., 44 Talmadge Rd., Edison, NJ site - Throughout Facility: The employer did not provide employees, voluntarily wearing filtering facepiece respirators, with the information contained in Appendix D of this section ("Information for Employees Using Respirators When Not Required Under the Standard").

Violation noted on/or about April 14, 15, May 21 & 24, 2011.

Date By Which Violation Must be Abated: 10/31/2011
Proposed Penalty: \$ 0.00


Patricia Jones
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Ave.
Suite 205
Avenel, NJ 07001
Phone: (732)750-3270 FAX: (732)750-4737
OSHA Website Address: <http://www.osha.gov>



INVOICE/ DEBT COLLECTION NOTICE

Company Name: New Brunswick Scientific Co., Inc.
Inspection Site: 44 Talmadge Rd., Edison, NJ 08818
Issuance Date: 10/06/2011

Summary of Penalties for Inspection Number 313986788

Citation 1, Serious	= \$	72000.00
Citation 2, Other	= \$	0.00
TOTAL PROPOSED PENALTIES	= \$	72000.00

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

OSHA does not agree to any restrictions or conditions put on any check or money order for less than 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.

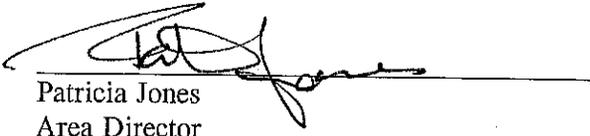
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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


Patricia Jones
Area Director

10/6/2011
Date