

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

Inspection Number: 1379391
Inspection Date(s): 02/14/2019 - 05/16/2019
Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance
Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(g)(1)(ii): The employer did not use engineering controls and work practices in all operations covered by 29 CFR 1926.1101, regardless of the levels of exposure, in the form of wet methods or wetting agents to control employee exposures during asbestos handling, mixing, removal, cutting, application and cleanup:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer did not ensure the use of engineering controls in the form of wet methods or wetting agents to control employee exposures during asbestos removal, cutting, and cleanup.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2842.00

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

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

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Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(h)(3)(i)(A): The employer selected or used a filtering facepiece respirator against asbestos fibers.

- a) 55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019 an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer selected and provided a filtering face piece respirator to use against asbestos fibers.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3978.00

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: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

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

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the time weighted average and/or excursion limit in 29 CFR 1926.1101(c) or for which a required negative exposure assessment was not produced, or for any employee performing Class I operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM.

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is a Class I operation involving the removal of more than 25 linear feet of TSI. The employer did not provide and require the use of protective clothing such as coveralls or similar whole-body clothing, head coverings, and foot coverings. The employee was wearing street-clothes while performing the work.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2842.00



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(i)(2)(i): Asbestos contaminated clothing was not laundered so as to prevent the release of airborne asbestos in excess of the TWA or excursion limit:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. Asbestos contaminated clothing worn by the employee was not laundered so as to prevent the airborne release of asbestos in excess of the TWA or excursion limit**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(i)(3): Contaminated clothing was not transported in sealed impermeable bags, or other closed, impermeable containers, and be labeled in accordance with paragraph (k) of this section:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employee wore street clothes and boots. Asbestos contaminated clothing worn by the employee was not transported in sealed impermeable bags or other closed impermeable containers.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

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

29 CFR 1926.1101(e)(1): All Class I, II, and III asbestos work was not conducted within regulated areas:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. Class I work was not conducted within a regulated area. The regulated area was not demarcated where Class I asbestos work was performed.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00

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

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Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(k)(7)(i): Warning signs that demarcated the regulated area were not provided and displayed at each location where a regulated area was required to be established by paragraph (e) of this section:

- a) 55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer did not provide and display warning signs to demarcate where the regulated area required by paragraph (e) of this section was located.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

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Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(f)(2)(i): The employer with a work operation covered by the asbestos standard did not ensure that a "competent person" conducted an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation or workplace:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer did not conduct an initial exposure assessment to ascertain expected employee exposures to asbestos during this operation.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00

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Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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

29 CFR 1926.1101(g)(1)(iii): The employer did not use work practices in all operations covered by 29 CFR 1926.1101, regardless of the levels of exposure, in the form of prompt clean-up and disposal of wastes and debris contaminated with asbestos, in leak-tight containers:

- a) 55 Jones & Gifford Ave, 2nd floor, storage room - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer did not ensure that work practices in the form of prompt clean-up and disposal of wastes and debris contaminated with asbestos in leak-tight containers. Debris was found containing between 21%-35% asbestos.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00

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Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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 4 a Type of Violation: **Willful**

29 CFR 1926.1101(g)(4)(ii)(A): For all Class I jobs involving the removal of more than 25 linear or 10 square feet of thermal system insulation or surfacing material; for other Class I jobs where the employer could not produce a negative exposure assessment pursuant to 29 CFR 1926.1101(f)(2)(iii), or where employees were working in areas adjacent to the regulated area, while the Class I work was being performed, the employer did not use critical barriers placed over all the openings to the regulated area, except where activities were being performed outdoors:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to remove approximately 200 linear feet of pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer did not use critical barriers over all openings when employees were working adjacent to the regulated area while Class I work was being done.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 4 b Type of Violation: **Willful**

29 CFR 1926.1101(g)(4)(vi): Regulated areas were not ventilated to move contaminated air toward a HEPA filtration or collection device: Note: This paragraph applies to Class I operations where the employer cannot produce a negative exposure assessment or where exposure monitoring shows that the PEL is exceeded:

- a) 55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to remove approximately 200 linear feet of pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work subject to the requirements of 29 CFR 1926.1101. The employer did not ensure the regulated area was ventilated to move contaminated air toward a HEPA filtration system or collection device when a negative exposure assessment for the work was not produced.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 4 c Type of Violation: **Willful**

29 CFR 1926.1101(g)(5): Class I asbestos work was not performed using one or more of the control methods required by 29 CFR 1926.1101(g)(5)(i) through (g)(5)(vi) such as negative pressure enclosure (NPE) systems; glove bag system; negative pressure glove bag system; water spray process system; and/or a small walk-in mini-enclosure:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, the employer did not ensure that the use of one or more of the required control methods when an employee was instructed to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), using a power saw (i.e. Sawzall), which is Class I asbestos work covered by 29 CFR 1926.1101.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

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

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Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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 5 a Type of Violation: **Willful**

29 CFR 1926.1101(h)(2)(i): The employer failed to implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) [except (d)(1)(iii)], and (f) through (m), which covers each employee required by 29 CFR 1926.1101 to use a respirator:

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work requiring the use of a respirator. The employer failed to implement a respiratory protection program.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00

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: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 5 b Type of Violation: **Willful**

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 the employee was fit tested or required to use the respirator in the workplace.

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was required to wear an elastomeric respirator while using a power saw (i.e. Sawzall) to cut and remove a boiler pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM). The employer did not provide a medical evaluation to determine the employee's ability to use the elastomeric respirator prior to its required use.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1379391
Inspection Date(s): 02/14/2019 - 05/16/2019
Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 5 c Type of Violation: **Willful**

29 CFR 1910.134(f)(1): The employer did not ensure that employees required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT).

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was required to wear an elastomeric respirator while using a power saw (i.e. Sawzall) to cut and remove a boiler pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM). The employer did not ensure that the employee passed an appropriate fit test.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

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: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 5 d Type of Violation: **Willful**

29 CFR 1910.134(k): The employer did not provide effective training to employees who are required to use respirators (Construction Reference 1926.103)

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut and remove a boiler pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is Class I asbestos work requiring the use of a respirator. The employer did not provide effective training to the employee when respirator use was required.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1379391
Inspection Date(s): 02/14/2019 - 05/16/2019
Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 6 Type of Violation: **Willful**

29 CFR 1926.1101(j)(1)(i): The employer did not establish a decontamination area, consisting of an equipment room, shower area, and clean room in series, adjacent and connected to the regulated area:
Note: This requirement applies to Class I operations involving over 25 linear or 10 square feet of thermal system insulation or surfacing containing asbestos-containing material or presumed asbestos-containing material.

- a) **55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, the employer did not establish a decontamination area, consisting of an equipment room, shower area, and clean room in series, adjacent and connected to the regulated area when the employer performed Class I asbestos work involving removal of approximately 200 linear feet of asbestos containing material containing between 14%-35% asbestos.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

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 7 a Type of Violation: **Willful**

29 CFR 1926.1101(k)(3)(ii)(B): The employer did not inform employees who performed work under 29 CFR 1926.1101 of the location and quantity of asbestos containing material and/or presumed asbestos containing material present in the area:

- a) 55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, the employer did not inform employees who performed work under 29 CFR 1926.1101 of the location and quantity of asbestos containing material and/or presumed asbestos containing material present in the area including approximately 200 linear feet of asbestos containing pipe insulation containing between 14% - 35% asbestos.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$22730.00



Citation and Notification of Penalty

Company Name: Rex Harper DBA REH Property Maintenance

Inspection Site: Superior Steel Door & Trim Co, Inc., 55 Jones & Gifford Ave., Jamestown, NY 14701

Citation 2 Item 7 b Type of Violation: **Willful**

29 CFR 1926.1101(k)(9)(i): The employer did not institute, at no cost to employees, a training program for each employee who was likely to be exposed in excess of the permissible exposure limit (PEL) and for each employee who performed Class I through IV asbestos operations:

- a) 55 Jones & Gifford Ave, 2nd floor - On or about 2/6/2019 - 2/10/2019, an employee was instructed to use a power saw (i.e. Sawzall) to cut pipe covered in Thermal System Insulation (TSI) that was Asbestos Containing Material (ACM), which is a Class I asbestos operation subject to the requirements of 29 CFR 1926.1101. The employer did not institute a training program for employees performing Class I asbestos operations.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

A handwritten signature in black ink that reads "Michael T. Scime".

Michael T. Scime
Area Director

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

Inspection Number: 1376912
Inspection Date(s): 02/11/2019 - 07/18/2019
Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Superior Steel Door & Trim Co, Inc.
Inspection Site: 55 Jones & Gifford Street, Jamestown, NY 14701

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

29 CFR 1910.178(m)(3): A safe place to ride was not provided where riding a powered industrial truck(s) was authorized:

- a) **Production area, first floor - On or about 3/7/19, a safe place to ride was not provided where riding a powered industrial truck(s) was authorized when an employee was observed working from an unsecured plastic pallet which was raised by a Toyota forklift truck in order to gain access to the ceiling area to clean dirt using an air nozzle. The employee was exposed to a fall of approximately 8 feet to the concrete floor.**

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/12/2019
\$5304.00

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

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

Inspection Number: 1376912
Inspection Date(s): 02/11/2019 - 07/18/2019
Issuance Date: 08/05/2019



Citation and Notification of Penalty

Company Name: Superior Steel Door & Trim Co, Inc.
Inspection Site: 55 Jones & Gifford Street, Jamestown, NY 14701

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

29 CFR 1926.1101(k)(2)(i): Before work subject to this standard began, the building and/or facility owner(s) did not determine the presence, location and quantity of asbestos containing material (ACM) and/or presumed asbestos containing material (PACM) at the worksite pursuant to 29 CFR 1926.1101(k)(1):

- a) **55 Jones & Gifford Ave; 2nd floor - On or about or prior to 2/8/19, a contractor removed approximately 200 linear feet of pipe insulation. Bulk sampling showed asbestos (all forms) from 14-35%. Before removal work began, the building owner did not determine the presence, location, and quantity of asbestos containing material (ACM) and or presumed asbestos containing material (PACM) at the worksite. An asbestos survey had not been conducted. A press operator and the Plant Manager work in the building.**

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3789.00

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: Superior Steel Door & Trim Co, Inc.
Inspection Site: 55 Jones & Gifford Street, Jamestown, NY 14701

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

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

29 CFR 1910.1200(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) **On or about 2/11/19, the employer did not develop, implement, and/or maintain at the workplace a written hazard communication program. Employees use chemicals such as, but not limited to, Dry Fallout Spray Eg-shel white (which contains light aliphatic hydrocarbons and xylene which are hazardous chemicals) to paint the first floor walls.**

A written program should include descriptions of how the criteria for:

- 1. Labeling and other forms of warning;**
- 2. Safety Data Sheets AND**
- 3. Employee information and training will be met.**

Additionally, a list of hazardous chemicals known to be present in the workplace must be compiled. Methods used to inform employees of the hazards associated with non routine tasks and the informing of contractors of workplace hazard must also be addressed. The written program must be made available upon request.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

09/09/2019
\$3031.00



Citation and Notification of Penalty

Company Name: Superior Steel Door & Trim Co, Inc.
Inspection Site: 55 Jones & Gifford Street, Jamestown, NY 14701

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

- a) **On or about 2/11/19, employees use hazardous chemicals such as but not limited to, Dry Fallout Spray Eg-shel white (which contains light aliphatic hydrocarbons and xylene which are hazardous chemicals) to paint the first floor walls.**

Employees must be informed of:

- a) The requirements of this section:
- b) Any operations where hazardous chemicals are present; AND
- c) The location and availability of the written Hazard Communication Program, list(s) of hazardous chemicals and Safety Data Sheets.

Employee training must include at least:

- 1. Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.
- 2. The physical and health hazards of the chemicals in the work area.
- 3. The measures employees can take to protect themselves such as specific procedures, appropriate work practices, emergency procedures and personal protective equipment to be used.
- 4. The details of the employers Hazard Communication Program including an explanation of labeling systems, Safety Data Sheets and how employees can obtain and use the appropriate hazard information.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

09/09/2019



Citation and Notification of Penalty

Company Name: Superior Steel Door & Trim Co, Inc.
Inspection Site: 55 Jones & Gifford Street, Jamestown, NY 14701

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

29 CFR 1910.1200(h)(3)(iv): Employee training did not include the details of the hazard communication program developed by the employer, including an explanation of the labeling system and the safety data sheet, and how employees can obtain and use the appropriate hazard information:

- a) On or about 10/17/18, employees use hazardous chemicals such as, but not limited to, Dry Fallout Spray Eg-shel white (which contains light aliphatic hydrocarbons and xylene which are hazardous chemicals) to paint the first floor walls. Employee training did not include the details of the hazard communication program developed by the employer, including an explanation of the labeling system and the safety data sheet, and how employees can obtain and use the appropriate hazard information

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

09/09/2019

A handwritten signature in black ink that reads "Michael T. Scime". The signature is written in a cursive style with a horizontal line underneath.

Michael T. Scime
Area Director