

U.S. Department of Labor
Occupational Safety and Health Administration
639 Granite Street
4th Floor
Braintree, MA 02184
Phone: 617-565-6924 Fax: 617-565-6923



Notice of Unsafe or Unhealthful Working Conditions

To:
Transportation Security Administration
2 Service Road, Third Floor
East Boston, MA 02128

Inspection Number: 885583
Inspection Date(s): 02/06/2013 - 07/24/2013
Issuance Date: 08/05/2013

Inspection Site:
2 Service Road, Third Floor
East Boston, MA 02128

The violation(s) described in this Notice 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 Notice of Unsafe and Unhealthful Working Conditions (Notice) describes violations of the Occupational Safety and Health Act of 1970, the Executive Order 12196, and 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters. You must abate the violations referred to in this Notice by the dates listed unless, within 15 working days (excluding weekends and Federal holidays) from your receipt of this Notice you request an Informal Conference with the US Department of Labor OSHA Area Office at the address shown above. Please refer to the enclosed publication "Federal Employer Rights and Responsibilities Following an OSHA Inspection" which outlines the appeals procedure for this Notice and which should be read in conjunction with this form.

Posting – The law requires that a copy of this Notice 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 the nature of the employer's operations, where it will be readily observable by all affected employees. This Notice 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.

Notification of Corrective Action – For each violation which you do not appeal, you must provide abatement certification to the Area Director of the OSHA office issuing the Notice 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 Notice 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 template abatement certification letter is enclosed with this Notice. In addition, where the Notice indicates that abatement documentation is required, 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.

Program Responsibilities - Section 19(a)(1) of the OSH Act requires the head of each Federal agency to comply with applicable occupational safety and health standards. The intent of this section and Executive Order 12196 is implemented through 29 CFR 1960.8(b). If you are cited for violations of applicable safety and health standards, you have also violated the program element 29 CFR 1960.8(b), which stipulates:

"The head of each agency shall comply with the Occupational Safety and Health Administration standards applicable to the agency."

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 within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined please complete the enclosed "Notice to Employees" and post it where the Notice is posted. During such an informal conference you may present any evidence or views you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

If you are considering a request for an informal conference to discuss any issues related to the Notice, you must take care to schedule it early enough to allow time to appeal after the informal conference should you decide to do so. Please keep in mind that a written letter of intent to appeal must be submitted by the Agency's National OSH Manager to the OSHA Area Director within 15 business days of your receipt of the OSHA Notice to request that OSHA's Regional Administrator review the case.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and notice 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 notice. 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

An informal conference has been scheduled with the Occupational Safety and Health Administration (OSHA) to discuss the Notice of Unsafe or Unhealthful Working Conditions (Notice) issued on 08/05/2013. The conference will be held by telephone or at the OSHA office located at 639 Granite Street, 4th Floor, Braintree, MA 02184 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET – FEDERAL AGENCIES

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Employer Instruction: List the specific method of correction for each item on the enclosed notices that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 639 Granite Street, 4th Floor, Braintree, MA 02184.** Failure to submit a timely certification of corrective action may result in a notification to your agency DASHO.

Notice Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Notice Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Notice Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Notice Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Notice Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Notice 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.

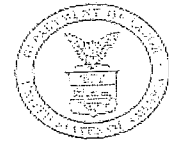
Signature

Date

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.



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Transportation Security Administration
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Notice 1 Item 1 Type of Violation: **Serious**

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

Boston Logan International Airport: Employees were exposed to slip, trip and fall hazards from the following:

- a. Jet Blue/United Security Checkpoint (Terminal C) - Line 7 the rubber mat in place was not effectively secured and the floor was dusty which created slip hazards;
- b. Jet Blue Junior Baggage Conveyor Room (Terminal C) - a hatch to a crawl space below the floor (79.5 inches deep) was not secured and was raised 1.5 inches above the floor level creating a trip hazard;
- c. Jet Blue Junior Security Checkpoint (Terminal C) - anti-fatigue mats were not secure and do not grip the plastic floor creating slip hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: Transportation Security Administration
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Notice 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.27(b)(1)(ii): The distance between rungs exceeded 12 inches and were not uniform throughout the ladder:

Boston Logan International Airport: Employees were exposed to slip and fall hazards while using a fixed ladders with rungs that were not uniformly spaced:

a. Terminal E Conveyor Room - the rungs of the fixed ladder ED2A-04 were not spaced uniformly: first rung 8 inches to ground, second rung 10.25 inches, third rung 12 inches and the remaining rungs were 12 inches apart.

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

29 CFR 1910.27(c)(1): On fixed ladders, the perpendicular distance from the centerline of the rungs to the nearest permanent object on the climbing side of the ladder was not 36 inches for a pitch of 76 degrees, and 30 inches for a pitch of 90 degrees with minimum clearances for intermediates pitches varying between these limits in proportion to the slope, except as provided in subparagraphs (3)(and (5) of this paragraph:

Boston Logan International Airport: Employees were exposed to slip and fall hazards due to inadequate clearance from climbing side of a fixed ladder to the nearest permanent object:

a. Echo East Baggage Conveyor Room (Terminal E) - the distance between the fixed vertical ladder adjacent to L3 X-Ray Machine 5A to the vertical structural beam was 14.25 inches.

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

29 CFR 1910.27(c)(4): The employer did not install fixed ladders with at least 7 inches of clearance from the centerline of the rung to the nearest permanent object in the back of the ladder.

Boston Logan International Airport: Employees were exposed to slip and fall hazards while climbing a fixed ladder flush with permanent object and unable to gain stable footing on rung.

a. Baggage Conveyor Room (Terminal E): Clearance in back of the fixed ladder that traversed the outside curve of the conveyor belt ED 2A-04 was not at least 7 inches.

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

29 CFR 1910.27(c)(6): The step-across distance from the nearest edge of ladder to the nearest edge of equipment or structure was greater than 12 inches.

Boston Logan International Airport: Employees were exposed to falling onto a moving baggage conveyor from a step-across distance greater than 12 inches:

- a. Baggage Conveyor Room (Terminal E) - the distance across the conveyor belt ED2A-04 from ladder to ladder was 51 inches.
- b. Delta Baggage Conveyor Room (Terminal A) - the distance across the conveyor belt at L3 X-Ray machines such as CS1 and TC3 from fixed ladder to ladder was 53 inches.

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

29 CFR 1910.27(f): Ladders were not maintained in a safe condition or inspected regularly:

Boston Logan International Airport: Employees were exposed to slip and fall hazards while climbing damaged and defective ladders that were unstable:

a. Delta Baggage Conveyor Room, Make-Up Area (Terminal A) - a metal ladder used to access the L3 X-Ray machines had the following deficiencies: a damaged footing that was also missing a rubber shoe.

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

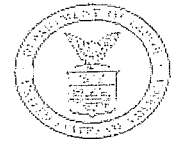
Boston Logan International Airport: Exit routes were not free and unobstructed:

a. Virgin American Baggage Conveyor (Terminal B) - the designated marked exit route directed employees to climb up and over two separate conveyors. One conveyor cross-over had a low overhead duct further obstructing the exit route.

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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.

Notice 1 Item 8a Type of Violation: **Serious**

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasion:

Boston Logan International Airport: Employer did not ensure the use of gloves while handling colorimetric reagents such as corrosive Drop-Ex A.

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Notice 1 Item 8b Type of Violation: **Serious**

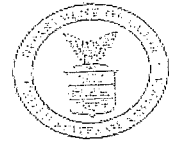
29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

Boston Logan International Airport: At the Security Checkpoints and Baggage Inspection (Search) Rooms where employees search passenger baggage and encounter corrosive hazardous materials, such as sodium hypochlorite (bleach), there was no suitable flushing facilities for the eyes and face.

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

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points.

Boston Logan International Airport: Aisles and exit accesses were not at least 28 inches in width:

- a. Air Canada Security Checkpoint (Terminal B) - the access between the baggage conveyor where employees traverse to monitor the L3 X-ray machine and remove baggage from conveyor, was 18 inches in width;
- b. US Airways Main Security Checkpoint (Terminal B) - the access between a structural pole and the L3 X-ray machine where employees re-introduced bags to the X-ray machine was 23.5 inches in width;
- c. AA Baggage Conveyor Room (Terminal B) - the access to the other side of L3 X-ray Machine was 17 inches in width between the cabinet and structural support;

The Transportation Security Administration was previously cited in Region 10, for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.36(g)(2), which was contained in OSHA inspection number 307507244, Serious Citation Number 1, Item Number 1, issued on 2/07/11 and affirmed as a final order on 3/03/11, with respect to a workplace located at 4000 W 50th Avenue, Anchorage, AK.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 2 Item 2 Type of Violation: **Repeat**

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

Boston Logan International Airport: Direction of travel to the nearest exit was not immediately apparent:

a. Virgin American Baggage Conveyor Room (Terminal B) - from the center of the conveyor room, the direction of travel to the nearest exit was through the baggage inspection room. The corridor to the baggage inspection room was marked with a "NO EXIT" sign.

The Transportation Security Administration was previously cited within OSHA's Region 10 for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.37(b)(4), which was contained in OSHA inspection number 307507236, Citation Number 2, Item Number 2, issued on 2/07/11 and affirmed as a final order on 3/03/11, with respect to a workplace located at 400 West 50th Avenue, Anchorage, AK.

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

Boston Logan International Airport: Portable fire extinguishers were not mounted or secured:

a. Air Canada Security Checkpoint (Terminal B) - a portable fire extinguisher was removed from wall and placed on the floor and not re-mounted.

The Transportation Security Administration was previously cited within OSHA's Region 10, for a violation of this Occupational Safety and Health standard or its equivalent standard CFR 1910.157(c)(1), which was contained in OSHA inspection number #312390966, Repeat Citation Number 2, Item Number 1, issued on 10/02/09 and affirmed as a final order on 10/28/09, with respect to a workplace located at 7000 N.E. Airport Way, Portland, OR.

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Notice 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.176(c): Storage areas were not kept free from accumulation of materials that constituted hazards from tripping, fire, explosion or pest harborage:

Boston Logan International Airport: The following hazardous materials were not adequately stored:

a. AA Baggage Inspection Room (Terminal B) - in the chemical storage cabinet, flammable materials were stored with oxidizers. Matches were stored with flammable liquids.

The Transportation Security Administration was previously cited in Region 10, for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.176(c), which was contained in OSHA inspection number #307503748, Serious Citation Number 1, Item Number 3, issued on 11/25/08 and affirmed as a final order on 12/19/08, with respect to a workplace located at 6450 Airport Way, Fairbanks, AK.

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Notice 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by:

Boston Logan International Airport: Employees are exposed to finger crushing and amputation hazards from exposed ingoing nip points between the belt and the drum of the following conveyors:

- a. Jet Blue Baggage Inspection Room (Terminal C) - EDS 1 & 2 West line and EDS 3 & 4 East line.
- b. AA Baggage Inspection Room (Terminal B) - two incoming baggage conveyors.
- c. Virgin American Baggage Inspection Room (Terminal B) - the incoming baggage conveyor.
- d. C-2 Baggage Inspection Room (Terminal C) - the Baggage conveyor SB2-08.
- e. U.S. Airways Main Baggage Inspection Room (Terminal B) - conveyors 2/4 and 1/3.

The Transportation Security Administration was previously cited within OSHA's Region I for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.212(a)(1), which was contained in OSHA inspection number #314046327, Repeat Citation Number 1, Item Number 1, issued on 3/24/11 and affirmed as a final order on 4/20/11, with respect to a workplace located at One Airport Road, Manchester, NH.

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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.

Notice 2 Item 6a Type of Violation: **Repeat**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

Boston Logan International Airport:

Temporary power taps (TPT's) were not used in accordance with their listing and labeling.

- a. US Airways Main Checkpoint (Terminal B) break room, a microwave was plugged into a TPT.
- b. Delta Security Checkpoint (Terminal A), at the supervisor's desk, a phone, computer and printer were energized by temporary power TPT that was plugged into another TPT.
- c. US Airways Shuttle Checkpoint (Terminal B) break room - a microwave was plugged into a TPT.
- d. C-2 Baggage Inspection Room (Terminal C) - two toasters and a microwave were energized by a TPT.
- e. Break Room (Terminal E) - 2 toasters and other equipment were energized by a TPT.

Receptacle boxes connected to the L3 X-Ray Machines with a flexible cord were not listed and labeled to be used as a pendant box, exposing employees to electrical shock, and arc flash hazards:

- f. Terminal B (American Airlines) Baggage Conveyor Room - a duplex receptacle box connected to an L3 X-ray Machine with a flexible cord.
- g. Terminal C-3 (United Airlines) Baggage Conveyor Room - two L3 X-ray Machines, both connected to duplex receptacle boxes with a flexible cord.
- h. Terminal C (Jet Blue) Baggage Conveyor Room - four L3 X-ray Machines were connected to duplex receptacle boxes with a flexible cord.

The Transportation Security Administration was previously cited within OSHA's Region 10, for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.303(b)(2), which was contained in OSHA inspection number 589138, Repeat Citation Number 1, Item Number 1, issued on 9/12/12 and affirmed as a final order on 10/31/12, with respect to a

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workplace located at 4255 Mitchell Way, Bellingham, WA.

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Notice 2 Item 6b Type of Violation: **Repeat**

29 CFR 1910.305(g)(1)(iv)(A): As a substitute for the fixed wiring of a structure;

Boston Logan International Airport: Extension cords used in lieu of fixed wiring:

- a. Delta Pre-Check Security Checkpoint (Terminal A) - a flexible extension cord was used in place of fixed wiring to energize the pre-check card reader.
- b. Terminal B Security Checkpoint for Gates B22-36 - a flexible extension cord was used in place of fixed wiring to energize the pre-check card reader.

The Transportation Security Administration was previously cited within OSHA's Region 1, for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.305(g)(1)(iv), which was contained in OSHA inspection number #313799678, Citation Number 1, Item Number 5, issued on 10/25/10 and affirmed as a final order on 11/17/10, with respect to a workplace located at Logan International Airport, Boston, MA.

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Notice 2 Item 6c Type of Violation: **Repeat**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

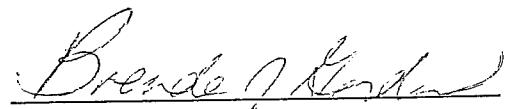
Boston Logan International Airport:

Terminal B Baggage Conveyor Room - strain relief for the flexible cord that energized a duplex receptacle on L3 X-Ray Machine on conveyor belt ED 2-11 was not adequately secured in place.

The Transportation Security Administration was previously cited within OSHA's Region 1, for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.305(g)(2)(iii), which was contained in OSHA inspection number #313799678, Serious Citation Number 1, Item Number 6, issued on 10/25/10 and affirmed as a final order on 11/17/10, with respect to a workplace located at Logan International Airport, Boston, MA.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Brenda Gordon
Area Director

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
839 Granite Street, Floor 4
Braintree, MA 02184
Telephone: (617) 565-6924
FAX: (617) 565-6923



Notification of Corrective Action – For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an *abatement certification* to the Area Director of the OSHA office issuing the citation as identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For Willful and Repeat violations, documents (examples: photos, copies of receipts, training records; etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as Serious and the citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information:

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

Also, the law requires a copy of all abatement verification documents which are required by 29 CFR 1903.19 be posted at the location where the violation appeared and the corrective action took place.