

U.S. Department of Labor
Occupational Safety and Health Administration
SUITE 407
405 CAPITOL STREET
CHARLESTON, WV 25301
Phone: (304)347-5937 FAX: (304)347-5275



Citation and Notification of Penalty

To:
Uwanta Linen Supply, Inc.

Inspection Number: 315224055
Inspection Date(s): 05/19/2011 - 05/19/2011

and its successors
307 Kenney Street
Wheeling, WV 26003

Issuance Date: 10/25/2011

Inspection Site:
70 East Cove Avenue
Elm Grove, WV 26003

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 4 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and 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 (example: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified **Serious** and the citations 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.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the correction took place.

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.

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 your inspection will be available 30 calendar days after the Citation Issuance Date. 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 10/25/2011. The conference will be held at the OSHA office located at SUITE 407, 405 CAPITOL STREET, CHARLESTON, WV, 25301 on _____ at _____.

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



Citation and Notification of Penalty

Company Name: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to tripping hazards due to poor illumination in the workplace:

- (a) Facility Wide: Illumination levels within the facility were measured at 0 to 30 foot candles from the center of the building to points within approximately 20 feet of each open exterior door, exposing employees to tripping hazards, as observed on or about 05/19/2011.

ABATEMENT NOTE: Among other methods, feasible and acceptable abatement methods to correct this hazard are:

1. To install additional lighting in accordance with the American National Standard Practice for Industrial Lighting (ANSI A11.1), to increase the quantity and quality of lighting throughout the workplace.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/04/2011
Proposed Penalty: \$ 3600.00

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

Inspection Number: 315224055
Inspection Dates: 05/19/2011 - 05/19/2011
Issuance Date: 10/25/2011



Citation and Notification of Penalty

Company Name: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

- (a) Exit Back of The Building: The exit sign was not illuminated to a surface value of 5 foot candles. The illumination level was 1.2 foot candles, as observed on or about 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/01/2011
Proposed Penalty: \$ 3000.00

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: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

Citation 1 Item 3 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 8 hour time-weighted average sound level (TWA) of 85 dBA:

- (a) **Washer Area:** An employee was exposed to occupational noise at 93.7% of the permissible daily noise exposure (eight hour time weighted average of 90 dBA at the 80 dB criterion level) during the 438 minute sampling period on 05/19/2011. For a full eight hour shift this would be equivalent to an average sound level of 89.5 dBA. The employer did not include this employee in an effective and continuing Hearing Conservation Program, as determined on 05/19/2011.

Abatement Note: A comprehensive, effective hearing conservation program consisting of the following elements shall be developed and implemented for all employees who exposure equals or exceeds 85 dBA on an 8-hour time weighted average:

- (1) Initial exposure monitoring and periodic reassessment of employees to determine noise exposures.
- (2) Establishment and maintenance of an audiometric testing program.
- (3) Provision and enforcement of hearing protection devices where required.
- (4) Institution of an initial training program for employees, as well as annual refresher training, including information on the hazards of noise, purpose of audiometric testing, and proper use and care of hearing protectors including fitting instructions.
- (5) Maintenance of records as they relate to employee exposure measurements, medical examinations, and training.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/04/2011
Proposed Penalty: \$ 4200.00

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: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

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

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

29 CFR 1910.1030(c)(1)(i): The employer had not established a written Exposure Control Plan designed to eliminate or minimize employee exposure to bloodborne pathogens:

- (a) Facility Wide: Employees sort through and wash soiled linen from medical facilities. An Exposure Control Plan had not written and established by the employer to when there is potential employee exposure to bloodborne pathogens as observed on or about 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/04/2011
Proposed Penalty: \$ 3000.00

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

29 CFR 1910.1030(c)(2)(i): The employer did not prepare an exposure determination for employee(s) with occupational exposure:

- (a) Soiled Linen Area: The employer did not conduct a hazard assessment to determine likelihood of exposure with regards to bloodborne pathogens, as determined on or about 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/04/2011

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: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

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

29 CFR 1910.1030(f)(1)(ii)(B): The employer did not make available the hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, including prophylaxis to employee(s) at a reasonable time and place:

- (a) Facility Wide: The employer did not make available the hepatitis B vaccination for the employees who are potentially exposed to blood borne pathogens, as determined on or about 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/04/2011

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

29 CFR 1910.1030(g)(2)(vii): The employer's training program did not contain the minimum elements required by (g)(2)(vii)(A)-(N) of this section:

- (a) Facility Wide: Employees' sort through and wash soiled linens from medical facilities. The employer did not train the employees on the minimum elements required by 1910.1030(g)(2)(vii), as determined on or about 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

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

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: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

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

29 CFR 1910.1030(d)(2)(iii): The employer did not provide hand washing facilities which were readily accessible to employees:

- (a) Soiled Linen Area: Employees sort through and wash soiled linen from medical facilities. The employees do not have access to a readily available hand washing facility, as determined on and at times prior to 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

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



Citation and Notification of Penalty

Company Name: Uwanta Linen Supply, Inc.
Inspection Site: 70 East Cove Avenue, Elm Grove, WV 26003

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

29 CFR 1910.1030(d)(4)(iv)(B): The employer did not ensure that employees who had contact with contaminated laundry wore protective gloves and other appropriate personal protective equipment:

- (a) Soiled Linen Area: Employees sort through and wash soiled linen from medical facilities. The employer did not provide proper personal protective equipment such as but not limited to gloves, eye protection, and face shields, as determined on or about 05/19/2011.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

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

A handwritten signature in black ink, appearing to read "Prentice Cline".

Prentice Cline
Area Director