

State of Connecticut, Department of Labor

Division of Occupational Safety & Health

38 Wolcott Hill Road

Wethersfield, CT 06109

Phone: (860) 263-6900 Fax: (860) 263-6940

Citation and Notification of Penalty

To: Mr. Tom Weir, First Selectman
Town of Morris
Town Hall
3 East Street
Morris, CT 06763

Inspection Number: 1288966
Inspection Date(s): 12/19/2017-02/15/18
Issuance Date: 02/23/2018
CSHO ID: U0909
Optional Report No.: 401

Inspection Site:
Volunteer Fire Department
15 South Street
Morris, CT 06763

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 Connecticut Occupational Safety and Health Act. 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 penalty(ies) proposed, unless within 15 working day (excluding weekends and state holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the State of Connecticut, Department of Labor, Division of Occupational Safety and Health (CONN-OSHA) 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 state 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 CONN-OSHA Director during the 15 working day contest period. During the 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 CONN-OSHA 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 CONN-OSHA 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 Connecticut Occupational Health and Safety 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.) Make your check or money order payable to "CTDOL CONN-OSHA". Please indicate the Inspection Number on the remittance.

CONN-OSHA does not agree to any restrictions, 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 CONN-OSHA promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the CONN-OSHA 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 180 days after the discrimination occurred with the CONN-OSHA 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 CONN-OSHA office at the address shown above and postmarked within 15 working days (excluding weekends and state holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to 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 CONN-OSHA to discuss the Citation(s) issued on 02/23/2018. The conference will be held at the CONN-OSHA office located at 38 Wolcott Hill Road Wethersfield, CT 06109 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Citation and Notification of Penalty

Facility Name: Town of Morris Volunteer Fire Department
Inspection Site: 15 South Street, Morris, CT 06763

The Town of Morris was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in CONN-OSHA Inspection #310792445, Citation 1 Item 4 and was affirmed as a final order on 02/21/2013.

Citation 1 Item 1 Type of Violation: Repeat Serious

31-372-101

1910.156(d): Maintenance and inspection of fire brigade firefighting equipment was not performed at least annually to assure the safe operational condition of the equipment.

Location:

A. Volunteer Fire Department

1. The employer failed to ensure all equipment requiring Annual inspections/testing such as pumps, turnout gear, ladders, etc., was not completed within 365 days of the previous inspection/testing.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$840.00

SPECIFIC ABATEMENT CERTIFICATION AND DOCUMENTATION
IS REQUIRED FOR ALL **REPEAT SERIOUS** CITATIONS

Citation and Notification of Penalty

Facility Name: Town of Morris Volunteer Fire Department
Inspection Site: 15 South Street, Morris, CT 06763

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

31-372-101

1910.120(q)(8)(i): Employees who were trained in accordance with 29 CFR 1910.120(q)(6) did not receive annual refresher training of sufficient content and duration to maintain their competencies or did not demonstrate competency in those areas at least yearly.

Location:

A. Volunteer Fire Department

1. The employer failed to ensure those firefighters trained to the Operational Level in HAZMAT response received refresher training of at least eight hours within 365 days of their previous training.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$350.00

Citation and Notification of Penalty

Facility Name: Town of Morris Volunteer Fire Department

Inspection Site: 15 South Street, Morris, CT 06763

Alleged violations that involve similar or related hazards and may increase the potential for injuries and/or illnesses have been grouped.

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

31-372-101

1910.134(c)(1): The employer did not establish and implement a written respiratory protection program with worksite-specific procedures in any workplace where respirators were necessary to protect the health of the employee or whenever respirators were required by the employer.

Location:

A. Volunteer Fire Department

1. The employer failed to develop and maintain a written respiratory program that would cover employees who are required to wear respirators during the performance of their job duties.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$420.00

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

31-372-101

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.

Location:

A. Volunteer Fire Department

1. Medical evaluations were not provided to all employees who may need to utilize a respirator during the performance of their job duties.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$0.00

Citation and Notification of Penalty

Facility Name: Town of Morris Volunteer Fire Department
Inspection Site: 15 South Street, Morris, CT 06763

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

31-372-101

1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting face piece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT).

Location:

A. Volunteer Fire Department

1. The employer failed to ensure all employees who may utilize a respirator during the performance of their job duties were fit tested annually.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$0.00

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

31-372-101

1910.134(h)(3)(i)(B): Respirators maintained for use in emergency situations were not inspected at least monthly and in accordance with manufacturer recommendations.

Location:

A. Volunteer Fire Department

1. The employer failed to ensure the required monthly inspection of the self-contained breathing apparatus was completed each month.

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$0.00

Citation and Notification of Penalty

Facility Name: Town of Morris Volunteer Fire Department
Inspection Site: 15 South Street, Morris, CT 06763

Citation 2 Item 3a Type of Violation: **Serious**

31-372-101

1910.1030(c)(1)(i): The employer having employee(s) with occupational exposure to bloodborne pathogens did not establish a written Exposure Control Plan designed to eliminate or minimize employee exposure.

Location:

A. Volunteer Fire Department

1. The employer failed to establish a written Exposure Control Plan that covers employees who may have an occupational exposure.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$420.00

Citation 2 Item 3b Type of Violation: **Serious**

31-372-101

1910.1030(g)(2)(ii)(B): The employer did not ensure that the required training was provided to employees with occupational exposure at least annually.

Location:

A. Volunteer Fire Department

1. The employer failed to ensure all employees received annual Bloodborne Pathogens training within 365 days of the previous training.

Date by Which Violation Must be Abated:

May 24, 2018

Proposed Penalty:

\$420.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

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Facility Name: Town of Morris Volunteer Fire Department
Inspection Site: 15 South Street, Morris, CT 06763

Citation 2 Item 4 Type of Violation: **Serious**

31-372-101

1910.1200(e)(1): The employer did not develop, implement, and maintain at each workplace, a written hazard communication program which described how the criteria specified in 29 CFR 1910.1200 paragraphs (f), (g), and (h) for labels and other forms of warning, safety data sheets, and employee information and training would be met.

Location:

A. Volunteer Fire Department

1. The employer failed to develop and maintain a written hazard communication plan.

Date by Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$350.00

Citation and Notification of Penalty

Facility Name: Town of Morris Volunteer Fire Department
Inspection Site: 15 South Street, Morris, CT 06763

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

31-372-101

1910.157(e)(2): Portable fire extinguishers were not visually inspected at least monthly.

Location:

A. Volunteer Fire Department

1. The employer failed to ensure the required monthly inspection of fire extinguishers was completed and logged.

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$0.00

SPECIFIC ABATEMENT CERTIFICATION IS REQUIRED
FOR ALL *OTHER THAN SERIOUS* CITATIONS



Kenneth C. Tucker III
CONN-OSHA Director