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OSHA Regional News Brief – Region 2

U.S. Department of Labor

January 17, 2017

OSHA proposes nearly \$89K penalty after finding concrete manufacturer again exposed workers to airborne silica

Employer name: County Concrete Corp.

Inspection site: 64 Glenwood Pl.
East Orange, New Jersey

Citations issued: On Jan. 4, 2017, the U.S. Department of Labor's Occupational Safety and Health Administration issued citations for one repeat and two failure-to-abate violations.

Investigation findings: OSHA conducted an inspection on July 19, 2016, as a follow-up to the settlement of citations the company received in 2013. The agency issued citations to County Concrete in 2013 for 18 safety and health violations, and assessed \$153,900 in penalties.

The agency cited the repeated violation because the company again failed to conduct annual tests to ensure that respirators fit employees properly while they were cleaning concrete mixers. Silica exposure can cause serious illnesses and damage to the respiratory system.

The failure-to-abate violations involved the company's failure to:

- Develop and implement a written respiratory protection program for employees required to wear respirators during concrete mixer cleaning operations.
- Provide medical evaluations for employees required to wear respirators to determine their ability to use them without their health being compromised.

These violations also were previously cited on Sept. 30, 2013.

Quote: "Our follow-up inspection found that two County Concrete employees were exposed to silica above the permissible limit as they cleaned concrete mixers. In 2013, OSHA cited this company for these same hazards," said Kris Hoffman, director of OSHA's Parsippany Area Office. "Employers must bear the responsibility of fully complying with respiratory protection requirements to protect the safety and health of their workers."

Proposed penalties: \$88,544

The citations can be viewed at: https://www.osha.gov/ooc/citations/CountyConcreteCorp_1162893.pdf

The employer has 15 business days from receipt of its citations and proposed penalties to comply, request a conference with OSHA's area director or contest the findings before the independent Occupational Safety and Health Review Commission.

To ask questions; obtain compliance assistance; file a complaint; or report amputations, eye loss, workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call OSHA's toll-free hotline at 800-321-OSHA (6742) or the agency's Parsippany office at 973-263-1003.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

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Media Contact:

Joanna Hawkins, 215-861-5101, hawkins.joanna@dol.gov
Leni Fortson, 215-861-5102, uddyback-fortson.lenore@dol.gov

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UNITED STATES DEPARTMENT OF LABOR

Occupational Safety and Health Administration
200 Constitution Ave., NW,
Washington, DC 20210
☎ 800-321-6742 (OSHA)
TTY
www.OSHA.gov

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