



OSHA



[For Workers](#) ▾ [For Employers](#) ▾ [Law & Regulations](#) ▾ [Data & Statistics](#) ▾ [Enforcement](#) ▾ [Training & Education](#) ▾

[News & Publications](#) ▾ [En Español](#) [About OSHA](#) [A to Z Index](#) [Contact Us](#) [FAQs](#) [What's New](#)

OSHA News Release - Table of Contents

OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 2

U.S. Department of Labor | Aug. 3, 2016

BOS 2016-124

**Employees of Schenectady remediation contractor 'needlessly sickened'
when their employer exposes them to mercury poisoning**
OSHA fines Environmental Remediation Services \$142k for violations at River Road site

ALBANY, N.Y. - A Schenectady hazardous materials remediation contractor exposed its employees to mercury poisoning and did not provide proper safeguards to workers doing mercury removal work at the General Electric Co. Power and Water Main Plant State Superfund site at 1 River Road in Schenectady, an investigation by the U.S. Department of Labor's Occupational Safety and Health Administration has found.

OSHA began its inspection on March 1, 2016, after Environmental Remediation Services Inc. employees complained about mercury exposure and lack of personal protective equipment. The employees were removing liquid mercury and mercury-contaminated soil and wood from the third and fourth floors of Building 5 of the Main Plant.

The agency's inspection found that several employees inhaled or absorbed excessive levels of mercury vapor or liquid mercury through their skin. Biological monitoring confirmed the workers had symptoms consistent with respiratory mercury exposure. These symptoms can include neurological impairment, fever, fatigue, memory loss, tremor, feeling pins and needles in the skin, damage to the gums and skin damage.

"Environmental Remediation Services Inc. did not control the mercury exposures. They failed to implement measures such as ventilation, protective equipment or reorganizing work to reduce employees' exposure levels despite the employees' complaints about the exposure. Particularly disturbing is the fact that company managers knowingly refused to perform personal exposure monitoring of employees most likely to have the highest exposure levels. Had the monitoring be done, managers could have identified overexposures and mitigated or prevented them from occurring in the first place. Instead, these employees were needlessly sickened while simply doing their jobs," said Robert Garvey, OSHA's Albany area director.

In addition, ERS did not comply with several requirements for protecting employees engaged in hazardous waste operations. Specifically the company failed to:

- Inform the employees doing the work about the nature, level and degree of their exposure to hazardous materials.
- Implement a site specific health and safety program for the jobsite and have a safety and health program for mercury.
- Provide appropriate selection of personal protective equipment to workers to prevent skin absorption of hazardous substances.
- Develop a site control program to minimize employees' exposure to hazardous substances.
- Train employees on safe work practices, use of engineering controls and medical surveillance requirements.
- Provide medical exams and consultations for employees who reported signs or symptoms of possible exposure to hazardous substances.
- Conduct an initial assessment of employees' exposure to hazardous substances.
- Address limitations of personal protective equipment.
- Perform initial air monitoring for arsenic.
- Provide employees with information and training on hazardous chemicals with which they work.
- Prevent employees from consuming water in mercury contaminated areas.
- Evaluate the effectiveness of respirators used by workers when temperatures rose above 90 degrees.
- Retrain employees on respiratory protection requirements.

As a result of these conditions, OSHA has cited Environmental Remediation Services Inc. for one willful and 13 serious violations of workplace health and safety standards. Proposed fines for these violations total \$142,200. The citations can be viewed [here](#).

Environmental Remediation Services Inc. 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.

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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[OSHA News Release - Table of Contents](#)

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- [Freedom of Information Act](#)
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- [Disclaimers](#)
- [Important Web Site Notices](#)
- [Plug-ins Used by DOL](#)
- [RSS Feeds from DOL](#)
- [Accessibility Statement](#)

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- [Emergency Accountability Status Link](#)
- [A to Z Index](#)

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- [White House](#)
- [Affordable Care Act](#)
- [Disaster Recovery Assistance](#)
- [USA.gov](#)
- [Plain Writing Act](#)
- [Recovery Act](#)
- [No Fear Act](#)
- [U.S. Office of Special Counsel](#)