

U.S. Department of Labor
Occupational Safety and Health Administration
1222 Spruce Street
Room 9.104
Saint Louis, MO 63103
Phone: 314-425-4249 Fax: 314-425-4289



Citation and Notification of Penalty

To:
FW WAREHOUSING, dba M.J. RESSURRECTION
INC.
and its successors
760 S. 2nd Street
Saint Louis, MO 63102

Inspection Site:
760 S. 2nd Street
Saint Louis, MO 63102

Inspection Number: 1100490
Inspection Date(s): 10/22/2015 - 10/27/2015
Issuance Date: 12/14/2015
Reply to the attention of: Strategic Team Leader

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 **either call to schedule an informal conference (see paragraph below) or** 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.

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 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. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation 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 citation 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 sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, 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.

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.

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 these alleged violations will be posted when our system indicates that you have received this citation. 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 12/14/2015. The conference will be held by telephone or at the OSHA office located at 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1100490

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102
Issuance Date: 12/14/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103**

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

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

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

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

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

Citation 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

Typed or Printed Name

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



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

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

OSH ACT of 1970 Section (5)(a)(1):

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 employee(s) in that employee(s) were exposed to the hazard of a slip/trip/fall hazard:

a/ Inside of the Crunden Martin Facility, specifically the basement, employee(s) were exposed to the potential hazard of a slip/trip/fall hazard due to the lack of light inside of one freight/passenger Otis Elevator a.k.a Bean Sprout Elevator.

One method of abatement to correct this apparent hazard is to install adequate light within the elevator as required by ASME A17.3-2011, paragraph 3.4.5.

DISCLAIMER:

- a/ The employer is not limited to the abatement method(s) suggested by OSHA.
- b/ The employer is responsible for selecting and implementing an effective abatement method.

ABATEMENT CERTIFICATION AND ABATEMT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 02/02/2016
Proposed Penalty: \$4500.00

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.37(b)(1): 29 CFR 1910.37(b)(1): Each exit route was not adequately lighted so that employees with normal vision could see along the exit route:

a/ Inside of the Crunden Martin Facility, specifically the basement, first, second, third, fourth, and fifth floors, the exit route for each was not adequately lighted.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/02/2016

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

Inspection Number: 1100490
Inspection Date(s): 10/22/2015 - 10/27/2015
Issuance Date: 12/14/2015



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.178(h)(2): Where general lighting was less than two (2) lumens per square foot, auxiliary directional lighting was not provided on the truck:

a/ Inside of the Crunden Martin Facility, specifically the basement, the Nissan Fork Truck, m/n KCPH01A15PV, s/n unknown, was being operated with 0.00 lx per square foot of lighting.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/02/2016

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

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

29 CFR 1910.22(a)(3): To facilitate cleaning, every floor, working place, and passageway were not kept free from protruding nails, splinters, holes, or loose boards:

Inside of the Crunden Martin Facility, protruding sections of steel floor plate, loose wooden plywood, and deep depressions in the concrete floor were located at the following locations:

- a/ First floor by the main entrance.
- b/ First floor by Loading Dock #1.
- c/ Basement inside of the Otis Elevator #1.
- d/ Basement.
- e/ Second floor.
- f/ Third floor.
- g/ Fourth floor.
- h/ Fifth floor.

ABATEMENT CERTIFICATION AND ABATEMENT CERTIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

Inspection Number: 1100490
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Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Date By Which Violation Must be Abated:
Proposed Penalty:

02/02/2016
\$6300.00

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards: Note: Toeboards are only required when persons can pass, there was moving equipment or there was equipment with which falling materials could create a hazard:

a/ Inside of the Crunden Martin Facility, specifically adjacent to Loading Dock #1, an open-sided floor measuring approximately 15'L X 4.5'W was completely unguarded. The fall distance to the basement below was approximately 15 feet.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/02/2016



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.178(m)(6): The employer did not ensure that safe distance was maintained from the edge of ramps or platforms while on any elevated dock, or platform or freight car:

a/ Inside of the Crunden Martin Facility, specifically the second floor, operators of fork trucks approached an open-sided, unguarded floor for the purpose of moving palletized stock. The fall distance to the first floor below was approximately 20 feet.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/02/2016

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

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:

a/ Inside of the Crunden Martin Facility, specifically the basement, first, second, third, fourth, and fifth floors, appropriate signage was not posted indicating the direction of travel to the nearest exit.

ABATEMENT CERTIFICATION ND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

a/ Inside of the Crunden Martin Facility, specifically on the first floor at the Middle Break Room, suitable chemically resistant attire was not provided for the employee's torso while engaged in replenishing battery cells with water.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

02/02/2016
\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee used appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

a/ Inside of the Crunden Martin Facility, specifically on the first floor at the Middle Break Room, face protection was not provided for employee(s) while engaged in replenishing battery cells with water.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 02/02/2016
Proposed Penalty: \$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.135(a)(1): The employer did not ensure that each affected employee wears a protective helmet when working in areas where there was a potential for injury to the head from falling objects:

a/ Inside of the Crunden Martin Facility, specifically the basement, employee(s) operating Nissan Fork Truck, m/n KCPH01A15PV, s/n unknown, were not provided with suitable head protection. This fork truck was not equipped with an overhead guard. Operators would raise the forks belonging to this fork truck to retrieve 55-gallon drums containing hazardous material from the floor above.

b/ Inside of the Crunden Martin Facility, specifically the first floor, on or about 10/21/15, employee(s) were utilizing a personnel basket attached to the forks of a Toyota Fork Truck, m/n 426F6CU15, s/n 62317, for the purpose of removing loose concrete from the ceiling above. Suitable head protection was neither provided nor worn.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 02/02/2016
Proposed Penalty: \$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

29 CFR 1910.136(a): The employer did not ensure that each affected employee used protective footwear when working in areas where there was a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, or when the use of protective footwear would protect the affected employee from an electrical hazard, such as a static-discharge or electric-shock hazard:

a/ Inside of the Crunden Martin Facility, employee(s) were wearing sneakers. The condition of the floors located in the basement, first, second, third, fourth, and fifth stories consisted of protruding segments of steel plate, wooden splinters, and sharp segments of concrete. A variety of material handling machines were also operated by the employee(s) on these floors.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.138(a): Employers 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 abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes:

a/ Inside of the Crunden Martin Facility, suitable gloves were not provided for fork truck operators who exchange LPG cylinders. The cotton gloves provided were not effective to protect these operators from the hazard of frost bite.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00

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: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 9 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:

a/ Inside of the Crunden Martin Facility, specifically the Middle Break Room on the first floor, an emergency eye wash station or shower was not provided for employee(s) who were required to replenish the battery cells belonging to a variety of material handling machines.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.178(a)(4): Modifications and additions which affect capacity and safe operation of powered industrial truck were performed by the employer without the manufacturer's prior written approval:

a/ Inside of the Crunden Martin Facility, specifically the first floor, on or about 10/21/15, employee(s) were utilizing a personnel basket attached to the forks of a Toyota Fork Truck, m/n 426F6CU15, s/n 62317, for the purpose of removing loose concrete from the ceiling above. Written permission from the manufacturer or the equivalent was not obtained in advance.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

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

Citation 1 Item 11 a Type of Violation: **Serious**

29 CFR 1910.178(e)(1): High Lift Rider trucks were not fitted with overhead guards:

a/ Inside of the Crunden Martin Facility, specifically the basement, the Nissan Fork Truck, m/n KCPH01A15PV, s/n unknown, was not equipped with an overhead guard.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 11 b Type of Violation: **Serious**

29 CFR 1910.178(p)(1): Powered industrial truck(s) with defect(s) or in any way unsafe had not been withdrawn from service until restored to safe operating condition(s):

a/ Inside of the Crunden Martin Facility, specifically at Loading Dock #1, the Toyota Fork Truck m/n 426F6CU15, s/n 62317, was being operated with a loose heat shield above the muffler.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/02/2016



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
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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.

Citation 1 Item 12 a Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasion, and openings through which conductors enter were not effectively closed:

a/ At the Crunden Martin Facility, specifically inside of the basement, live conductor were entering outer surface of the junction box belonging to the Copeland Quality Air Compressor, m/n TK17602424386, unknown s/n. These conductors were not protected from abrasion.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/02/2016
Proposed Penalty:	\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 12 b Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings were not effectively closed:

a/ At the Crunden Martin Facility, specifically inside of the basement, there was one unused opening on the outer surface of the junction box belonging to the Copeland Quality Air Compressor, m/n TK17602424386, unknown s/n.

b/ At the Crunden Martin Facility, specifically inside of the basement, there was one unused opening on the outer surface of the Gould Clampmatic Electrical Distribution Panel Box.

c/ At the Crunden Martin Facility, specifically the second floor, there was a circuit breaker panel box that was missing nine breakers.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(D): Flexible cords and cables were used for purposes prohibited by subparagraphs (a) through (e) of this paragraph:

a/ Inside of the Crunden Martin Facility, specifically the first floor and basement, numerous flexible cords were attached to a variety of building surfaces near the ceiling. These flexible cords appeared to be providing 120 volt electrical power to numerous fluorescent lights.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

02/02/2016
\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used only in continuous lengths without splice or tap:

a/ Inside of the Crunden Martin Facility, specifically at Loading Dock #1, two, orange flexible cords were spliced together. This arrangement provided 120 volt electrical power to lighting and a dual receptacle box secured to the wall.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/02/2016

Proposed Penalty:

\$4500.00



Citation and Notification of Penalty

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(ii): If there was a defect or evidence of damage that might expose an employee to injury, the defective or damaged item was not removed from service:

a/ Inside of the Crunden Martin Facility, specifically at the Middle Break Room on the first floor, the outer insulation belonging to a black, flexible cord was missing. This flexible cord was providing 120 volt electrical power to a Rubbermate Digital Scale, unknown m/n or s/n.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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02/02/2016
\$4500.00

A handwritten signature in black ink that reads "William D. McDonald". The signature is written in a cursive style and is positioned above a horizontal line.

William D. McDonald, CSP
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1222 Spruce Street
Room 9.104
Saint Louis, MO 63103
Phone: 314-425-4249 Fax: 314-425-4289



INVOICE / DEBT COLLECTION NOTICE

Company Name: FW WAREHOUSING, dba M.J. RESSURRECTION INC.
Inspection Site: 760 S. 2nd Street, Saint Louis, MO 63102
Issuance Date: 12/14/2015

Summary of Penalties for Inspection Number	1100490
Citation 1, Serious	\$69300.00
TOTAL PROPOSED PENALTIES	\$69300.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

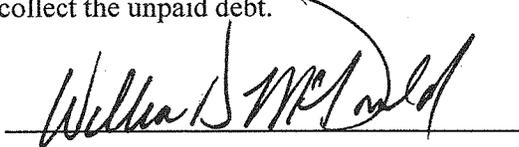
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

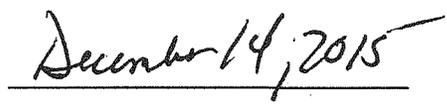
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



William D. McDonald, CSP
Area Director



Date