

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



Citation and Notification of Penalty

To:
Park Stein, Inc , dba Parkway Iron and Metal
Company Inc
and its successors
613-614 Route 46 East
Clifton, NJ 07015

Inspection Number: 1109967
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016

Inspection Site:
613-614 Route 46 East
Clifton, NJ 07015

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 06/03/2016. The conference will be held by telephone or at the OSHA office located at 500

Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1109967

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015
Issuance Date: 06/03/2016

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604**

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: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

OSH ACT of 1970 Section (5)(a)(1): 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 a struck by hazard.

a. Facility: Daily Pre-Trip Forklift Checklist noted that the TCM E 820 Loader had mechanical defects, such as but not limited to hydraulic-fluid leaks, non-working horn, free play steering, service and parking brakes resists when applied on 12/01/15, 12/02/15 and 12/03/15 was not removed from service, on or about 12/04/2015.

Park Stein, Inc dba Parkway Iron and Metal Company Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard OSH ACT of 1970 Section (5)(a)(1), which was contained in OSHA inspection number 314681529, citation number 1, item number 1 and was affirmed as a final order on 10/19/2012, with respect to a workplace located at 613-614 Route 46 East, Clifton NJ, 07015.

TCM Loader E 820 with mechanical defects must be removed from service.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$46200.00



Citation and Notification of Penalty

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

a. Outdoor Scrap Yard: A 30 foot cubic container was used for the storage of mixed compressed gas cylinders such as but not limited to, oxygen, acetylene, propane and other compressed gas cylinders that were not stored in accordance with Section 3.5.3 of the Compressed Gas Association Pamphlet P-1 1965, in that reserve stocks of cylinders containing flammable gases were stored with cylinders containing oxygen, on or about, 12/4/15.

b. Outdoor Scrap Yard: A small dumpster was used for the storage of mixed compressed gas cylinders, such as but not limited to, oxygen, acetylene and propane and other compressed gas cylinders that were not stored in accordance with Section 3.5.3 of the Compressed Gas Association Pamphlet P-1 1965, in that reserve stocks of cylinders containing flammable gases were stored with cylinders containing oxygen, on or about, 12/4/15.

c. Storage Cage/By Office: Compressed gas cylinder(s) in storage, such as but not limited to oxygen and acetylene compressed gas cylinders were not stored in accordance with Section 3.5.3 of the Compressed Gas Association Pamphlet P-1 1965, in that reserve stocks of cylinders containing flammable gases were stored with cylinders containing oxygen on or about 12/04/2015.

Park Stein, Inc dba Parkway Iron and Metal Company Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.101(b), which was contained in OSHA inspection number 314681537, citation number 1, item number 3 and was affirmed as a final order on 10/19/2012, with respect to a workplace located at 613-614 Route 46 East, Clifton

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: 1109967
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

NJ, 07015.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$26950.00

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: 1109967
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

a. Outdoor Scrap Yard: Compressed gas cylinders were protected from physical damage such as but not limited to cuts or abrasion as they are lifted and moved by a grapppler as per Section 3.3.8 of the Compressed Gas Association Pamphlet P-1 1965, on or about, 12/4/15.

Park Stein, Inc dba Parkway Iron and Metal Company Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.101(b), which was contained in OSHA inspection number 314681529, citation number 1, item number 5 and was affirmed as a final order on 10/19/2012, with respect to a workplace located at 613-614 Route 46 East, Clifton NJ, 07015.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 1109967
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

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

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use:

- a. Shredder Area/North Side: Compressed Oxygen gas cylinder not in use and stored without a valve protection cap, on or about 12/04/2015.
- b. Shredder Area/South Side: Compressed Oxygen gas cylinder not in use and stored without a valve protection cap, on or about 12/04/2015.
- c. Storage Cage/By Office: Compressed Oxygen gas cylinder not in use and stored without a valve protection cap, on or about 12/04/2015.

Park Stein, Inc dba Parkway Iron and Metal Company Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.253(b)(2)(iv), which was contained in OSHA inspection number 314681529, citation number 1, item number 8 and was affirmed as a final order on 10/19/2012, with respect to a workplace located at 613-614 Route 46 East, Clifton NJ, 07015.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$26950.00

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: 1109967
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least.

- a. Shredder Area/South Side: An Oxygen compressed gas cylinder was not separated from a fuel gas cylinders by a minimum of 20 feet, on or about 12/04/2015.
- b. Shredder Area/North Side: An Oxygen compressed gas cylinder was not separated from a fuel gas cylinder by a minimum of 20 feet, on or about 12/04/2015
- c. Storage Cage/By Office: An Oxygen compressed gas cylinder was not separated from fuel gas cylinders by a minimum of 20 feet, on or about 12/04/2015.

Park Stein, Inc dba Parkway Iron and Metal Company Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.253(b)(4)(iii), which was contained in OSHA inspection number 314681529, citation number 1, item number 9 and was affirmed as a final order on 10/19/2012, with respect to a workplace located at 613-614 Route 46 East, Clifton NJ, 07015.

Date By Which Violation Must be Abated:

Corrected During Inspection

A handwritten signature in cursive script, appearing to read "Lisa Levy", written over a horizontal line.

Lisa Levy
Area Director

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
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



INVOICE / DEBT COLLECTION NOTICE

Company Name: Park Stein, Inc , dba Parkway Iron and Metal Company Inc
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015
Issuance Date: 06/03/2016

Summary of Penalties for Inspection Number	1109967
Citation 1, Willful	\$46200.00
Citation 2, Repeat	\$53900.00
TOTAL PROPOSED PENALTIES	\$100100.00

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

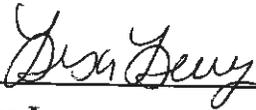
account, the bank will attempt to make the transfer up to 2 times.

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.



Lisa Levy

Area Director



Date

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



Citation and Notification of Penalty

To:
Park Stein, Inc. , dba Parkway Iron and Metal
Company Inc.
and its successors
613-614 Route 46 East
Clifton, NJ 07015

Inspection Number: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016

Inspection Site:
613-639 Route 46 East
Clifton, NJ 07015

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.

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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.

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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

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Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1109566

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015
Issuance Date: 06/03/2016

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604**

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

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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: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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**

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

a) Separation Building (Non-Ferrous Metals Section): An employee is required to wear a North 5500 series, dual cartridge half-mask respirator, to remove dust particles from a compressor. The employer did not develop a written respiratory protection program, thus exposing employees to a chemical hazard, on or about, 1/20/16.

Acceptable abatement methods shall include the following elements:

- a. Procedures for selecting respirators for use in the workplace.
- b. Medical evaluation of affected employees.
- c. Fit testing procedures for tight-fitting respirators.
- d. Procedures for proper use of respirators in routine and emergency situations.
- e. Procedures for cleaning, disinfecting, discarding, and otherwise maintaining respirators,
- f. Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators.
- g. Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations.
- h. Training the employees in the proper use of respirators.
- i. Procedures for evaluating the effectiveness of this program.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/22/2016

Proposed Penalty:

\$2310.00

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: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

29 CFR 1910.134(d)(1): The employer did not evaluate respiratory hazard(s) in the workplace, identify relevant workplace and user factors, and base respirator selection on these factors.

a) Facility-Wide: The employer did not evaluate respiratory hazards in the workplace, thus exposing employees to chemical hazards, on or about, 12/4/15.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/21/2016

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: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

29 CFR 1910.134(e)(1): The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace.

a) Separation Building (Non-Ferrous Metals): An employee is required to wear a North 5500 series, dual cartridge half-mask respirator, to remove dust particles from a compressor. The employer did not provide a medical evaluation for affected employees, thus exposing employees to a chemical hazard, on or about, 1/20/16.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/21/2016

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: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve:

a) Separation Building (Non-Ferrous Metals Section): An employee is required to wear a North 5500 series, dual cartridge half-mask respirator, to remove dust particles from a compressor. The respirator was hanging from a hook, visibly contaminated with dust on the inside of the respirator. The employer did not ensure that respirators were stored properly to protect against contamination, on or about, 1/20/16.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/22/2016

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: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

29 CFR 1910.134(k): The employer did not provide comprehensive, understandable training which did not occur annually and/or more often if necessary:

a) Separation Building (Non-Ferrous Metals Section): An employee is required to wear a North 5500 series, dual cartridge half-mask respirator, to remove dust particles from a compressor. The employer did not offer comprehensive training on respiratory protection, thus exposing employees to a chemical hazard, on or about, 1/20/16.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/22/2016

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: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

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

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

a) Non-Ferrous Recovery Operations, Platform Level in Separation Building: An employee who monitors the machine's control panel for the shredding metal conveyor lines was exposed to a continuous noise level at 123.4% of the allowable 8-hour time weighted average sound level (90dBA). The equivalent dBA level of 123.4% is approximately 91.5 dBA. The sampling was performed during 362 minutes during one shift, with zero exposure assumed for any unsampled periods of time. The employer did not administer a continuing effective hearing conservation program, thus exposing employees to irreversible hearing loss, on or about, 1/27/16.

Park Stein, Inc. Dba Parkway Iron & Metal was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.95(c)(1), which was contained in OSHA inspection number 314681537, citation number 1, item number 1, and was affirmed as a final order on October 19, 2012, with respect to a workplace located at 613-614 Route 46 East, Clifton, New Jersey.

For compliance purposes, a minimally effective hearing conservation program consists of the following items:

- a. A baseline audiogram for all employees exposed to noise levels equal to or in excess of the standard.
- b. Annual audiograms for each overexposed employee.
- c. Analysis of audiogram results with retesting and/or referral to an otolaryngologist or qualified physician when a standard threshold shift occurs. A standard threshold shift is an average shift in either ear of 10 dB or more at 2000, 3000, and 4000 hertz.
- d. Where insert ear plugs or custom-molded devices other than self-fitted, malleable plugs are utilized,

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: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

individual employee fitting shall be conducted by a trained person, and employees shall be instructed in the care and use of the devices.
e. A training program shall be instituted and occur on an annual basis.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/21/2016
\$19250.00

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: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

Citation 2 Item 1 b Type of Violation: Repeat

29 CFR 1910.95(d)(1): When information indicates that any employee's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, the employer shall develop and implement a monitoring program.

a) Facility-Wide: The employer did not evaluate sources of noise in the workplace, thus exposing employees to hearing loss, on or about, 12/9/16 and 1/27/16.

Park Stein, Inc. Dba Parkway Iron & Metal was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.95(c)(1), which was contained in OSHA inspection number 314681537, citation number 1, item number 1, and was affirmed as a final order on October 19, 2012, with respect to a workplace located at 613-614 Route 46 East, Clifton, New Jersey.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/21/2016

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: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

Citation 2 Item 1 c Type of Violation: Repeat

29 CFR 1910.95(g)(1): The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

a) Non-Ferrous Recovery Operations, Platform Level in Separation Building: An employee who monitors the machine's control panel for the shredding metal conveyor lines was exposed to a continuous noise level at 123.4% of the allowable 8-hour time weighted average sound level (90dBA) and had not completed audiometric testing. The equivalent dBA level of 123.4% is approximately 91.5 dBA. The sampling was performed during 362 minutes during one shift, with zero exposure assumed for any unsampled periods of time. The employer did not to conduct audiometric testing, thus exposing employees to irreversible hearing loss, on or about, 1/27/16.

Park Stein, Inc. Dba Parkway Iron & Metal was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.95(c)(1), which was contained in OSHA inspection number 314681537, citation number 1, item number 1, and was affirmed as a final order on October 19, 2012, with respect to a workplace located at 613-614 Route 46 East, Clifton, New Jersey.

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

Citation 2 Item 1 d Type of Violation: Repeat

29 CFR 1910.95(k)(1): The employer did not train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with the requirements of 29 CFR 1910.95(k). The employer did not institute a training program and ensure employee participation in the program:

a) Non-Ferrous Recovery Operations, Platform Level in Separation Building: An employee who monitors the machine's control panel for the shredding metal conveyor lines was exposed to a continuous noise level at 123.4% of the allowable 8-hour time weighted average sound level (90dBA). The equivalent dBA level of 123.4% is approximately 91.5 dBA. The sampling was performed during 362 minutes during one shift, with zero exposure assumed for any unsampled periods of time. The employer did not offer noise training, thus exposing employees to irreversible hearing loss, on or about, 1/27/16.

Park Stein, Inc. Dba Parkway Iron & Metal was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.95(c)(1), which was contained in OSHA inspection number 314681537, citation number 1, item number 1, and was affirmed as a final order on October 19, 2012, with respect to a workplace located at 613-614 Route 46 East, Clifton, New Jersey.

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.95(l)(1): The employer did not make available to affected employees or their representatives copies of 29 CFR 1910.95 and did not post a copy in the workplace:

a) Non-Ferrous Recovery Operations, Platform Level in Separation Building: An employee who monitors the machine's control panel for the shredding metal conveyor lines was exposed to a continuous noise level at 123.4% of the allowable 8-hour time weighted average sound level (90dBA). The equivalent dBA level of 123.4% is approximately 91.5 dBA. The sampling was performed during 362 minutes during one shift, with zero exposure assumed for any unsampled periods of time. The employer did not post or make available copies of the noise standard to affected employees, on or about, 1/27/16.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/22/2016
Proposed Penalty:	\$0.00

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

Inspection Number: 1109566
Inspection Date(s): 12/04/2015 - 02/19/2016
Issuance Date: 06/03/2016



Citation and Notification of Penalty

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-614 Route 46 East, Clifton, NJ 07015

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(k)(6): The employer did not provide the basic advisory information on respirators, as presented in Appendix D of 29 CFR 1910.134, in written or oral format to employees who wear respirators when such use was not required by the employer:

a) Facility-wide: Employees are allowed to wear 3M N95 filtering facepiece masks voluntarily. The employer did not provide basic advisory information on the use and limitation of wearing dust masks, thus exposing employees to chemical hazards, on or about, 12/4/15.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

06/22/2016
\$0.00

A handwritten signature in cursive script, appearing to read "Lisa Levy", written over a horizontal line.

Lisa Levy
Area Director

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
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



INVOICE / DEBT COLLECTION NOTICE

Company Name: Park Stein, Inc. , dba Parkway Iron and Metal Company Inc.
Inspection Site: 613-639 Route 46 East, Clifton, NJ 07015
Issuance Date: 06/03/2016

Summary of Penalties for Inspection Number	1109566
Citation 1, Serious	\$2310.00
Citation 2, Repeat	\$19250.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$21560.00

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.

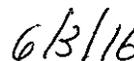
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Lisa Levy
Area Director



Date