

U.S. Department of Labor
Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345
Phone: 770-493-6644 Fax: 770-493-7725



Citation and Notification of Penalty

To:
Swiftly Athens, LLC, dba Swiftly Car Wash, LLC
and its successors
3904 N DRUID HILLS RD UNIT 308
Decatur, GA 30033

Inspection Number: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016

Inspection Site:
2434 West Broad Street
Athens, GA 30606

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.

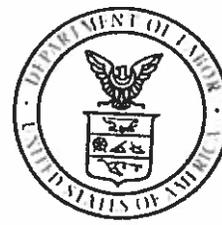
Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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 07/27/2016. The conference will be held by telephone or at the OSHA office located at 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606
Issuance Date: 07/27/2016

Inspection Number: 1151948

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, 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345**

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

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

Inspection Number: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.23(c)(1): Every open-sided floor or platform 4 feet or more above adjacent floor or ground level was not guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides and railings were not provided with a toeboard where required:

On or about 6/2/2016 on the mezzanine area in the equipment/chemical area of the facility located at 2434 West Broad Street in Athens, GA: Employees working and accessing the upper mezzanine area were exposed to a fall hazard of up to 11 feet 3 inches to the lower level from the section of the missing guardrail system for fall protection.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/22/2016
\$3500.00

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: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.23(d)(1): Every flight of stairs having four or more risers was not equipped with standard stair railings or standard handrails as specified in paragraphs (d)(1)(i) through (v) of this section, the width of the stair to be measured clear of all obstructions except handrails:

On or about 6/2/2016 on the in the equipment/chemical area of the facility located at 2434 West Broad Street in Athens, GA: Employees using the stairs leading to the upper mezzanine area were exposed to a fall hazard of up to 11 feet 3 inches to the lower level from the midrails missing.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/22/2016

Proposed Penalty:

\$3500.00

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

Inspection Number: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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 3 a Type of Violation: **Serious**

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, the date(s) of the hazard assessment, and, which identifies the document as a certification of hazard assessment:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: The employer failed provide an written hazard assessment for the employees required to work with chemicals such as but not limited to: Brake Away, Zep-BCL HI PH 3618 corrosive/acid, and ALK-14 corrosive/acid. Employees were provided inappropriate eye protection that was not splash resistance to the corrosive chemicals.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/22/2016
Proposed Penalty:	\$3500.00

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: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses 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:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: Employees required to work with chemicals such as but not limited to: Oil, Antifreeze, Brake Away, Zep-BCL HI PH 3618 corrosive/acid, and ALK-14 corrosive/acid as part of their daily duties were provided standard non-splash resistance eye protection.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/22/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: Employees performed service and maintenance on the vehicle washing equipment and machines without being provided specific written energy control procedures for locking and tagging the equipment by the employer. Equipment and machines such as but not limited to the following did not have written energy control procedures.

- a. Car Wash Tunnel brushes, rollers, blowers, tire cleaning equipment with Electrical, Hydraulic, Pneumatic, and Water Pressure energy sources.
- b. Vehicle Conveyor System with Electrical, Hydraulic, and Pneumatic energy sources.
- c. Chemical Mixing Operation System with Electrical, Water Pressure, and Pneumatic energy sources.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/22/2016
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

Citation 1 Item 5 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:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: Employees exposed to corrosive chemicals were only provided small portable eyewash containers that were not capable of supplying up to 15 minutes of water to flush their eyes in accordance with the applicable safety data sheets.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/22/2016
\$3500.00

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

Inspection Number: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.212(a)(5): Fan blade guard(s) were not provided where the periphery of the blades was less than seven feet from the floor or working level:

On or about 6/2/2016 in the equipment/chemical area of the facility located at 2434 West Broad Street in Athens, GA: The ventilation fan blades in the employee(s) work area were not guarded to protect the employee(s) being exposed to an amputation hazard. On 5/28/16 two of an employees fingers were amputated by the unguarded rotating ventilation fan blades.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/22/2016
\$4900.00

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: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

On or about 6/2/2016 in the equipment/chemical area of the facility located at 2434 West Broad Street in Athens, GA: Where employees were setting up chemical stations, inspecting the equipment, and working on or near operating pump motors, and high pressure water pumps they were exposed to an amputation hazard from the unguarded pulleys and belts.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/22/2016

Proposed Penalty:

\$4900.00

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: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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 8 a Type of Violation: **Serious**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

On or about 6/2/2016 in the oil lube shop at 2434 West Broad Street in Athens, GA: Electrical switch at up to 120 volts was connected to a knockout metal outlet box receptacle that was not securely and rigidly fastened to a support structure or otherwise secured. The employer failed to secure the box and prevent the employees from being exposed to and electrical hazard.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2100.00

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: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasions:

On or about 6/2/2016 in the oil lube shop at 2434 West Broad Street in Athens, GA: Employees using the electrical switch for the lights and receptacle were exposed to up to 120 volts from the electrical wiring not protected from the metal edges of the electrical box.

No abatement certification or documentation is required for this item.

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.



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

On or about 6/2/2016 in the equipment/chemical area of the facility located at 2434 West Broad Street in Athens, GA: Employees were exposed to electrical shock from the flexible extension cable being used in lieu of permanent wiring to supply up to 120 volts to the heating system to the black water well containers.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/22/2016
\$4900.00

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

Inspection Number: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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 10 a Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: A written hazard communication plan was not developed where employees are required to work with chemicals such as but not limited to: Oil, Antifreeze, Brake Away, Zep-BCL HI PH 3618 corrosive/acid, and ALK-14 corrosive/acid as part of their daily duties.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/22/2016
Proposed Penalty:	\$3500.00

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: 1151948
Inspection Date(s): 06/02/2016 - 06/02/2016
Issuance Date: 07/27/2016



Citation and Notification of Penalty

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: Hazard communication training was not provided where employees were required to work with chemicals that included but were not limited to: Oil, Antifreeze, Brake Away, Zep-BCL HI PH 3618 corrosive/acid, and ALK-14 corrosive/acid as part of their daily duties.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/22/2016

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: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer failed to report the in-patient hospitalization of one or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, within (24) twenty-four hours:

On or about 6/2/2016 at 2434 West Broad Street in Athens, GA: The employer failed to report to OSHA a work-related hospitalization and amputation within 24 hours of such knowledge and did not contact OSHA of the following injuries:

4/18/2016 Christopher Rowley, the Site Manager was hospitalized with laceration, small tip amputation, and fractures to his right hand, thumb, and middle finger. OSHA became aware of this employees injuries during the inspection opened on 6/2/2016.

5/28/2016 Joseph Phelps, the Attendant worker, had two fingers amputated on his right hand after attempting to look out a unguarded large rotating ventilation fan to see if the pressure hoses was working properly. This employee injury was reported to OSHA on 5/31/2016.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:

08/02/2016

Proposed Penalty:

\$3500.00

A handwritten signature in black ink, appearing to read "L. Belluga", written over a horizontal line.

for William C. Fulcher
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345
Phone: 770-493-6644 Fax: 770-493-7725



INVOICE / DEBT COLLECTION NOTICE

Company Name: Swifty Athens, LLC, dba Swifty Car Wash, LLC
Inspection Site: 2434 West Broad Street, Athens, GA 30606
Issuance Date: 07/27/2016

Summary of Penalties for Inspection Number	1151948
Citation 1, Serious	\$39200.00
Citation 2, Other-than-Serious	\$3500.00
TOTAL PROPOSED PENALTIES	\$42700.00

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.



for William C. Fulcher
Area Director

7/27/14
Date