U.S. Department of Labor
Occupational Safety and Health Administration
639 Granite Street
4th Floor
Braintree, MA 02184
Phone: 617-565-6924 Fax: 617-565-6923

Citation and Notification of Penalty

To:
STAVIS SEAFOODS INCORPORATED
and its successors
212 NORTHERN AVENUE SUITE 305
Boston, MA 02210

Inspection Number: 1135323
Inspection Date(s): 03/23/2016 - 09/21/2016
Issuance Date: 09/22/2016

Inspection Site:
7 CHANNEL STREET
Boston, MA 02210

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.

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

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/22/2016. The conference will be held by telephone or at the OSHA office located at 639 Granite Street, 4th Floor, Braintree, MA 02184 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1135323

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210
Issuance Date: 09/22/2016

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, 639 Granite Street, 4th Floor, Braintree, MA 02184**

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): _____
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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: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

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 potential catastrophic release of ammonia gas or liquid resulting in irritation, pulmonary edema, skin burns and frostbite from the deficient design, lack of proper operation, and lack of maintenance of the ammonia refrigeration facility and equipment:

1. On or about March 23, 2016 and at times prior, the employer failed to ensure proper containment of the ammonia within the machine room in that there were large holes in the floor and no door to separate the machine room from the maintenance / storage room below.

2. On or about March 23, 2016 and at times prior, the employer failed to properly label ammonia piping in the machine room.

3. On or about March 23, 2016 and at times prior, the employer failed to test / calibrate ammonia sensors in accordance with the manufacturers recommendations.

4. On or about March 23, 2016 and at times prior, the employer failed to provide adequate illumination within the machine room.

5. On or about March 23, 2016 and at times prior, the employer failed to establish and implement an adequate inspection schedule for pressure vessels.

Established, industrially recognized abatement for the noted hazard of employee over-exposure to anhydrous ammonia, has been available for many decades within the ASHRAE 15 standard. A second ammonia specific standard, that has now been widely applied throughout the ammonia refrigeration industry for approximately 25 years, known as IIAR (International Institute of Ammonia Refrigeration), also provides requirements in Standard IIAR-2 for abating ammonia refrigeration facility and process hazards. These two standards are entirely consistent and, often, identical in content.

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A third document, National Board Inspection Code Part 2 provides guidance on the inspection of pressure retaining items including pressure vessels. A fourth document, IIAR Bulletin 110, provides guidance on the start-up, inspection and maintenance of ammonia refrigeration systems including the performance of a process hazard analysis to identify and abate process related hazards.

The following items are examples of established anhydrous ammonia hazard abatement provisions that have been a part of the IIAR 2 standard since at least the 1999 edition and the National Board Inspection Code since at least the 2001 edition:

1. Requirements for containing fugitive ammonia from the ammonia machine room are detailed in IIAR-2, 2014 edition, Section 6.2.1.

2. Requirements for properly identifying piping are detailed in IIAR-2, 2014 edition, Section 5.14.5.

3. Requirements for testing Machine Room alarm and ammonia detection systems are detailed in IIAR- 2, 2014 edition, Section 17.3.

4. Requirements for minimum illumination levels for ammonia refrigeration machine rooms are detailed in IIAR-2 2014 edition, Section 6.11.

5. Requirements for proper inspection of code pressure vessels are detailed in the NBIC 2015 edition, Part 2, Sections 2.3.5.4, 4.4.7, and 4.4.7.2 (f).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$11224.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

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 potential catastrophic fire and/or explosion of ammonia gas or ammonia process equipment resulting in severe burns, explosion pressure and struck-by hazards from equipment fragments, due to deficient design, and lack of proper maintenance of the ammonia refrigeration equipment:

On or about March 23, 2016 and at times prior, the employer failed to provide a ventilation system sufficient to prevent combustion or explosion of ammonia vapors resulting from a release from ammonia refrigeration equipment owned and operated by Stavis Seafoods, Inc. at 7 Channel Street, Boston, MA.

Established, industrially recognized abatement for the fire/explosion hazard from over-pressurization of ammonia containing equipment or ammonia combustion, has been available for many decades within ammonia refrigeration standards ASHRAE 15 and IIAR - 2. These two standards are entirely consistent and, often, identical in content.

1) Adhere to the requirements of IIAR - 2 2014, Section 6.14, to ensure adequate ventilation of the ammonia machine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to hazards associated with being crushed by or struck by falling objects:

Employees were exposed to crushing and struck by hazards while working in Cooler B and the Freezer where the commercial steel storage racks used to store seafood were not maintained to prevent collapse of the racks .

a) Missing anchor bolts/damaged base in locations including but not limited to: Cooler B - E1912, D1812, D1811, Sliced Clam

b) Damaged front beams in locations including but not limited to: Cooler B S1311/S1312, E2011/2012, D2011/2012, D1811/1812, Freezer 2511/2512, 2711/2712

c) Damaged horizontal braces in locations including but not limited to: Cooler B S1312, Sliced Clam

Among other methods, one feasible and acceptable means of abatement would be to implement a storage rack inspection and maintenance protocol to identify damaged rack components, missing anchor bolts, and other deficiencies, have a storage rack professional evaluate the deficiencies, and follow the advice of the professional to restore the system as per ANSI MH16.1, 1.4.1 Owner Maintenance.

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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 4 a Type of Violation: **Serious**

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition.

Maintenance Room: Employees were exposed to tripping hazards and impeded access/egress in the maintenance area, where chemicals, vessels, buckets, pallets, compressed gases, electrical cords and wires, pumps and hoses, and hand tools were not stored in an orderly manner. Sheets of plywood and other building material were stored next to the door of the chemical cage, limiting the width of the door opening to the cage.

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

a) Maintenance Room: Employees were exposed to prolonged exposure to hazards from fire, ammonia release, and other emergency conditions where the emergency exit route was obstructed by a 55-gallon drum and a 5-gallon bucket.

b) Battery Charging Room: Employees were exposed to prolonged exposure to hazards from fire, ammonia release, and other emergency conditions where the emergency exit route was blocked by two Crown order pickers that were parked near the Exit door.

Date By Which Violation Must be Abated: 11/14/2016

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

Maintenance Room: Access to the 480/277 V circuit breaker panel under the mezzanine (Lighting Panel PP4-3), was limited by material stored on a wheeled cart and equipment shrink-wrapped on a pallet.

Date By Which Violation Must be Abated: 11/14/2016

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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 5 a Type of Violation: **Serious**

29 CFR 1910.23(b)(1)(i): Every wall opening from which there was a drop of more than 4 feet was not guarded by one of the following: Rail, roller, picket fence, half door, or equivalent barrier:

Ammonia Machinery Room: Employees were exposed to fall hazards from insufficiently guarded door openings in the second floor ammonia machinery room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit was not marked "Not an Exit" or similar designation, or be identified by a sign indicating its actual use (e.g. closet):

Ammonia Machinery Room: Two sets of double doors in the ammonia machinery room that opened to a 17-foot drop were not marked "Not an Exit."

Date By Which Violation Must be Abated: 11/14/2016

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 6 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:

Roof: Employees were exposed to falls from the roof while inspecting and working on the ammonia refrigeration system where no guardrails or other fall protection was provided.

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.24(g): Stairway platforms were less than 30 inches in length measured in the direction of travel:

Stairway Platform in Ammonia Machinery Room: Employees were exposed to fall hazards while walking up and down the stairs where the upper landing measured approximately 24-inches, and where a fixed ladder on the same landing further restricted the length of the platform to 12.5-inches

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.26(c)(1): Good safe practices in the use and care of ladder equipment were not employed by the users to get maximum serviceability, safety, and to eliminate unnecessary damage of equipment:

Ammonia Machinery Room: Employees were exposed to fall hazards where a portable straight metal ladder that was used to gain access to the roof was modified to permanently fix it in place by attaching metal brackets to the top of the side rails to connect it to the metal roof hatch. Metal plates were also added to the top rung and the second rung to the bottom of the ladder, and a steel cable was run down the front of the ladder between these two plates, creating additional hazards for employees ascending or descending the ladder.

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$8017.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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 9 a Type of Violation: **Serious**

29 CFR 1910.27(b)(1)(iii): The clear length of rungs or cleats was not at least 16 inches:

Maintenance Room: Employees were exposed to falls while using the fixed ladder in the maintenance shop to access the mezzanine where the rungs on the fixed ladder were 14 inches in width.

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$6413.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.27(e)(2): Substandard fixed ladders, installed within the substandard pitch range of 60 and 75 degrees with the horizontal, were permitted where it was not necessary to meet conditions of installation:

Maintenance Room: Employees were exposed to fall hazards while accessing the mezzanine using a fixed metal ladder with a pitch range of 60.2 - 60.3 degrees .

Date By Which Violation Must be Abated: 11/14/2016

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.38(d): The employer did not have and maintain an employee alarm system with a distinctive signal for each purpose so that it complied with the requirements of 1910.165:

Ammonia Machine Room: The ammonia alarm system for the Ammonia Machine Room was disabled for prolonged periods of time. Ammonia refrigeration equipment continued to operate while the alarm system was disabled.

In the alternative:

29 CFR 1910.120(q)(2)(ix): The emergency response plan did not address, to the extent not addressed elsewhere, emergency alerting and response procedures

Facility: The emergency response plan did not address alternate emergency alerting and response procedures when the M&M control alarm system was disabled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2016
Proposed Penalty:	$11224.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.38(e): The employer did not designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees:

Facility: Employees were not adequately trained in emergency evacuation procedures. On April 23, 2016, the facility was evacuated in response to an anhydrous ammonia release, and none of the Area Captains or Co-Captains were on-site to perform their duties outlined in the Building Evacuation Plan.

In the alternative:

29 CFR 1910.120(q)(2)(vi): The emergency response plan did not address, to the extent not addressed elsewhere, evacuation routes and procedures:

Facility: The emergency response plan referred to "Section 3" for evacuation procedures for General Facility Employees, but there was no Section 3 in the emergency response plan provided.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$11224.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

29 CFR 1910.132(d)(1)(i): When the employer had assessed the workplace hazard(s) and determined that hazard(s) were present, the employer did not select and/or use the types of personal protective equipment that would protect the affected employee from the hazard:

Facility: The employer's written hazard assessments for maintenance operations in the machinery room and cleaning operations in Cooler A did not assign or select proper personal protective equipment to be worn that would protect against dermal and ocular exposure to ammonia, and dermal exposure to quaternary ammonium, ethanol, and potassium and sodium hydroxides in the cleaning products. There was no assessment for dermal and eye protection when handling ethylene glycol.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/14/2016
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Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 13 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:

Ammonia Machine Room and Maintenance Room: Employees were exposed to anhydrous ammonia in the machinery room, as well as corrosive cleaning chemicals in the maintenance room, and there was no facility for quick drenching or flushing of the body, i.e., a shower, proximate to either room.

Hazardous Chemicals:

1) ZEP FS Amine Z, containing quaternary ammonium chloride
2) FS Formula 4089, containing sodium and potassium hydroxide, sodium hypochlorite
3) Anhydrous Ammonia

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2016
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Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 14 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:

a) Maintenance Room - Stairs leading to the Ammonia Machine Room: A relocatable power tap was secured to the stairs and was daisy chained to another relocatable power tap, which in turn was powered by an extension cord that was plugged in upstairs. A battery charger and an extension cord used to power a circular saw were plugged in to the relocatable power tap.

b) Freezer Office: A relocatable power tap was secured to the inside wall of the freezer office and was plugged into a receptacle outlet outside the freezer office. The power cord was run through a hole that was cut in the office wall. There were five power cords plugged into the tap. One of these was an extension cord that was connected to a multi-outlet extension cord.

Date By Which Violation Must be Abated:	09/30/2016
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Company Name: STAVIS SEAFOODS INCORPORATED
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Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed to afford protection substantially equivalent to the wall of the equipment:

Ammonia Machine Room: Employees were exposed to electrical and fire hazards where there were unused openings in the emergency shut-offs to the ammonia refrigeration equipment, as well as the raceway above these shutoffs.

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Occupational Safety and Health Administration

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Company Name: STAVIS SEAFOODS INCORPORATED
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Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.303(f)(1): Each disconnecting means required by Subpart S of Part 1910 for motors and appliances was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident.

Maintenance Room: The 480/277V circuit breaker panel under the mezzanine (Lighting Panel PP4-3) had three circuit breakers installed. One was labeled "lighting," but it was not clear what the other two circuits were.

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Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
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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 17 a 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:

Extension cords were used in place of permanent wiring in the following locations:

a) Loading Dock: Plugged in next to a dock door, run over the door to a pump,
b) Freezer Hut: Plugged into a Relocatable Power Tap and zip-tied to the wall,
c) Cooler B Outside Battery Charging Room: Plugged in behind workstation, zip-tied to conduit on the wall, run to the scale.

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Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 17 b Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(B): Flexible cords and cables were run through holes in walls, ceilings, or floors

Employees were exposed to electrical and fire hazards where electrical cords and cables were run through holes in walls and floors in the following locations:

a) Ammonia Machinery Room: A yellow electrical cord was plugged in to a receptacle and run through a hole in the floor.

b) Freezer Office: A power cord for a Relocatable Power Tap in the freezer office was run through a hole cut in the wall of the office and plugged into a receptacle outside the office.

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Issuance Date: 09/22/2016

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.1200(e)(1)(i): The employer did not compile a list of the hazardous chemicals known to be present using a product identifier that was referenced on the appropriate safety data sheet.

Facility: The company's chemical inventory, required under the OSHA Hazard Communication Standard, listed only 3 chemical products, not inclusive of all chemicals present at the facility, including, but not limited to, water treatment biocides, ethylene glycol, paint thinners, ZEP Provisions High Foaming Equipment Cleaner, Evap-Pow-C for condenser coil cleaning, and ZEP A-One.

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$6413.00

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: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.1200(f)(6): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the information specified under paragraphs (f)(6)(i) through (ii) of this section:

Maintenance Room: Among other chemical containers in the maintenance room, a large drum of AIRX 33 Bio-Enzymatic Odor Digester was not labeled with its identity and health and physical hazards

Date By Which Violation Must be Abated:	10/21/2016
Proposed Penalty:	$4811.00

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

Citation 1 Item 20 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:

Facility:

a) The employer did not provide adequate chemical hazard communication training to employees who used cleaning chemicals such as ZEP FS Amine Z, containing Quaternary Ammonium Chlorides, and FS Formula 4089, containing potassium hydroxide, sodium hydroxide, and sodium hypochlorite.

b) The employer did not provide adequate training on the hazards of anhydrous ammonia to all employees.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/14/2016
Proposed Penalty:	$11224.00

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

Inspection Number: 1135323
Inspection Date(s): 03/23/2016 - 09/21/2016
Issuance Date: 09/22/2016

Citation and Notification of Penalty

Company Name: STAVIS SEAFOODS INCORPORATED
Inspection Site: 7 CHANNEL STREET, Boston, MA 02210

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

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:

Maintenance Room: Two Argon gas cylinders, one without a regulator, were being stored without valve protection caps in place, in contradiction to the Compressed Gas Association Pamphlet P-1-1965 guidelines.

Date By Which Violation Must be Abated: 11/14/2016
Proposed Penalty: $0.00

James Mulligan
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
639 Granite Street
4th Floor
Braintree, MA 02184
Phone: 617-565-6924 Fax: 617-565-6923

INVOICE / DEBT COLLECTION NOTICE

Company Name: **STAVIS SEAFOODS INCORPORATED**
Inspection Site: **7 CHANNEL STREET, Boston, MA 02210**
Issuance Date: **09/22/2016**

Summary of Penalties for Inspection Number	**1135323**
Citation 1, Serious	**$173168.00**
Citation 2, Other-than-Serious	**$0.00**
TOTAL PROPOSED PENALTIES	**$173168.00**

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.

James Mulligan
Area Director

09/22/16
Date