

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

Inspection Number: 1421124
Inspection Date(s): 08/02/2019 -
Issuance Date: 01/24/2020



Citation and Notification of Penalty

Company Name: Aluminum Shapes, LLC.
Inspection Site: 9000 RIVER ROAD, Delair, NJ 08110

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

29 CFR 1910.179(n)(3)(i): The load was not well secured and properly balanced in the sling or lifting device before it was lifted more than a few inches:

(a) 9000 River Rd, Delair, NJ, Foundry Building, Maintenance Area near bay door: The hook of the gantry crane was attached to one eyelet on the side of the steel plate which created an unbalanced load when elevated, on or about 7/29/2019.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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|---|-------------|
| Date By Which Violation Must be Abated: | 02/14/2020 |
| Proposed Penalty: | \$13,494.00 |

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: Aluminum Shapes, LLC.
Inspection Site: 9000 RIVER ROAD, Delair, NJ 08110

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

29 CFR 1910.179(j)(2)(iv): Monthly inspections of hoist chains, with a certification record which includes the date of inspection, the signature of the person who performed the inspection and an identifier of the chain which was inspected, were not performed:

a) 9000 River Rd, Delair, NJ, Foundry Building, Maintenance Area near bay door: Monthly inspections with written certifications were not performed on the chains to rig the steel plate onto the P&H Spectrum 1 ton gantry crane, on or about 8/2/2019.

ALUMINUM SHAPES LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, ITS EQUIVALENT, OR ESSENTIALLY SIMILAR STANDARD 29 CFR 1910.179(j)(2)(iv), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1059368 CITATION NUMBER 1, ITEM NUMBER 16C AND WAS AFFIRMED AS A FINAL ORDER ON 6/3/2016, WITH RESPECT TO A WORKPLACE LOCATED AT 9000 RIVER ROAD, DELAIR, NEW JERSEY 08313.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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|---|-------------|
| Date By Which Violation Must be Abated: | 02/14/2020 |
| Proposed Penalty: | \$53,015.00 |

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: Aluminum Shapes, LLC.
Inspection Site: 9000 RIVER ROAD, Delair, NJ 08110

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

29 CFR 1910.179(j)(3): A complete periodic inspection of crane(s) had not been conducted in the past 12 months:

(a) 9000 River Rd, Delair, NJ, Foundry Building, Maintenance Area near bay door: A complete inspection of the P&H Spectrum 1 ton gantry crane had not been conducted in the last 12 months, on or about 8/2/2019.

ALUMINUM SHAPES LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, ITS EQUIVALENT, OR ESSENTIALLY SIMILAR STANDARD 29 CFR 1910.179(j)(1)(ii)(b), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1059368 CITATION NUMBER 1, ITEM NUMBER 16a AND WAS AFFIRMED AS A FINAL ORDER ON 6/3/2016, WITH RESPECT TO A WORKPLACE LOCATED AT 9000 RIVER ROAD, DELAIR, NEW JERSEY 08313.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|-------------|
| Date By Which Violation Must be Abated: | 02/14/2020 |
| Proposed Penalty: | \$53,015.00 |

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: Aluminum Shapes, LLC.
Inspection Site: 9000 RIVER ROAD, Delair, NJ 08110

Citation 2 Item 3 Type of Violation: **Repeat**

29 CFR 1904.39(a)(2): The employer did not report within 24-hours a work-related incident resulting in in-patient hospitalization, amputation or the loss of an eye.

a) Aluminum Shapes LLC located at 9000 River Road, Delair, New Jersey: On July 29, 2019, at approximately 10:30 am, a steel plate fell on the employees left foot resulting in multiple fractures and hospitalization of that employee. The employer did not report the hospitalization until 8/1/2019, which was not within the 24 hours reporting time frame.

ALUMINUM SHAPES LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, ITS EQUIVALENT, OR ESSENTIALLY SIMILAR STANDARD 29 CFR 1904.39(a)(2), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1143202 CITATION NUMBER 2, ITEM NUMBER 1 AND WAS AFFIRMED AS A FINAL ORDER ON 2/28/2017, WITH RESPECT TO A WORKPLACE LOCATED AT 9000 RIVER ROAD, DELAIR, NEW JERSEY 08313.

ALUMINUM SHAPES LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, ITS EQUIVALENT, OR ESSENTIALLY SIMILAR STANDARD 29 CFR 1904.39(a)(2), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1120619 CITATION NUMBER 1, ITEM NUMBER 1 AND WAS AFFIRMED AS A FINAL ORDER ON 3/24/2016, WITH RESPECT TO A WORKPLACE LOCATED AT 9000 RIVER ROAD, DELAIR, NEW JERSEY 08313.

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

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Inspection Site: 9000 RIVER ROAD, Delair, NJ 08110

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM, FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$50,000.00


for Paula Dixon-Roderick
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
701 Route 73 South
Building 2, Suite 120
Marlton, NJ 08053



INVOICE / DEBT COLLECTION NOTICE

Company Name: Aluminum Shapes, LLC.
Inspection Site: 9000 RIVER ROAD, Delair, NJ 08110
Issuance Date: 01/24/2020

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|---|---------------------|
| Summary of Penalties for Inspection Number | 1421124 |
| Citation 1, Serious | \$13,494.00 |
| Citation 2, Repeat | \$156,030.00 |
| TOTAL PROPOSED PENALTIES | \$169,524.00 |

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

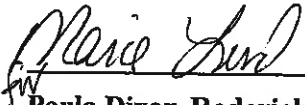
account, the bank will attempt to make the transfer up to 2 times.

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.

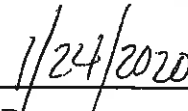
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent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



Paula Dixon-Roderick
Area Director



Date