

U.S. Department of Labor

Occupational Safety and Health Administration
915 Lafayette Blvd, Room 309
Bridgeport, CT 06604



Notice of Unsafe or Unhealthful Working Conditions

To:

U.S. Department of Veterans Affairs, VA Connecticut
Healthcare System
950 Campbell Avenue
West Haven, CT 06516

Inspection Number: 1502795

Inspection Date(s): 11/13/2020 – 05/12/2021

Issuance Date: 05/12/2021

Inspection Site:

950 Campbell Avenue
West Haven, CT 06516

The violation(s) described in this Notice 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 Notice of Unsafe or Unhealthful Working Conditions (Notice) describes violations of the Occupational Safety and Health Act of 1970, the Executive Order 12196, and 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters. You must abate the violations referred to in this Notice by the dates listed unless, within 15 working days (excluding weekends and Federal holidays) from your receipt of this Notice you request an Informal Conference with the U.S. Department of Labor OSHA Area Office at the address shown above. Please refer to the enclosed publication "Federal Employer Rights and Responsibilities Following an OSHA Inspection" which outlines the appeals procedure for this Notice and which should be read in conjunction with this form. If you have any questions, please contact this office at (203) 579-5581.

Posting - The law requires that a copy of this Notice 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 the nature of the employer's operations, where it will be readily observable by all affected employees. This Notice 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.

Notification of Corrective Action - For each violation which you do not appeal, you must provide abatement certification to the Area Director of the OSHA office issuing the Notice 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 Notice 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 Notice. In addition, where the Notice indicates that abatement documentation is required, 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.

Program Responsibilities - Section 19(a)(1) of the OSH Act requires the head of each Federal agency to comply with applicable occupational safety and health standards. The intent of this section and Executive Order 12196 is implemented through 29 CFR 1960.8(b). If you are cited for violations of applicable safety and health standards, you have also violated the program element 29 CFR 1960.8(b), which stipulates:

“The head of each agency shall comply with the Occupational Safety and Health Administration standards applicable to the agency.”

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 within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined, please complete the enclosed “Notice to Employees” and post it where the Notice is posted. During such an informal conference, you may present any evidence or views you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

If you are considering a request for an informal conference to discuss any issues related to the Notice, you must take care to schedule it early enough to allow time to appeal after the informal conference should you decide to do so. Please keep in mind that a written letter of intent to appeal must be submitted by the Agency’s National OSH Manager to the OSHA Area Director within 15 business days of your receipt of the OSHA Notice to request that OSHA’s Regional Administrator review the case.

Inspection Activity Data - You should be aware that OSHA publishes information on its inspection and notice 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 Notice. 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 the Occupational Safety and Health Administration (OSHA) to discuss the Notice of Unsafe or Unhealthful Working Conditions (Notice) issued on 05/12/2021. The conference will be held by telephone or at the OSHA office located at 915 Lafayette Blvd, Room 309, Bridgeport, CT 06604 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1502795

Agency Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System

Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

Issuance Date: 05/12/2021

Employer Instruction: List the specific method of correction for each item on the enclosed notices that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 915 Lafayette Blvd, Room 309, Bridgeport, CT 06604.** Failure to submit a timely certification of corrective action may result in a notification to your agency DASHO.

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

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

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

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

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

Notice 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

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

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

29 CFR 1910.147(c)(9): The employer or authorized employee did not notify affected employees before the lockout or tagout devices were applied to the machine or equipment

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, an FMS supervisor did not inform affected Boiler Plant Operators of a lockout/tagout isolation of a section of the Laundry Branch Main Steam Line.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: June 29, 2021

See Pages 1 through 3 of this Notice for information on employer and employee rights and responsibilities.

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

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

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

29 CFR 1910.147(d)(2): An orderly shutdown of machine or equipment was not utilized to avoid any additional or increased hazards to employees as a result of equipment stoppage:

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, an orderly sequence to shutting down the steam main in Building #22 was not utilized for ensuring that condensate water could be drained from the system.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: June 29, 2021

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Occupational Safety and Health Administration

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

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

29 CFR 1910.147(d)(5)(i): All potentially hazardous stored or residual energy was not relieved, disconnected, restrained or otherwise rendered safe after the application of lockout or tagout devices to energy isolating devices.

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, all potentially hazardous residual energy sources, such as condensate water, were not relieved or otherwise rendered safe after the application of lockout and/or tagout devices in the Building # 22 Mechanical Room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: June 29, 2021

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

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

29 CFR 1910.147(f)(2)(i): When outside servicing personnel were engaged in activities in a facility, the onsite employer and the outside employer did not inform each other of their respective lockout or tagout procedures.

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, the VA CT did not share their Lockout/Tagout procedures with Mulvaney Mechanical, Inc. prior to repairing the main steam line in Building # 22.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: June 29, 2021

See Pages 1 through 3 of this Notice for information on employer and employee rights and responsibilities.



Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

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

1960.8(a): The head of each agency 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, in that employees were exposed to struck-by and burn hazards associated with high-pressure steam water hammer events:

Location: 950 Campbell Avenue, West Haven, CT. On or about November 13, 2020 and going forward, employees were exposed to struck-by and burn hazards in that the facility's steam system was not operated or maintained in such a way as to protect employees from the danger of an uncontrolled release of steam and flashing condensate caused by clogged steam traps and defective steam trap mechanisms due to steam flash or corrosion, which prevented the condensate from passing through the traps and safely dissipating.

Feasible and acceptable means to correct this hazard involve, implementing site specific procedures for the West Haven Campus to adhere to VHA Directive 1810(1) Boiler and Boiler Plant Operations Policy of 2018, and not limited to the following sections thereof below:

1. Ensure condensate return systems, and components thereof are being periodically tested to ensure their proper function as per Appendix A 1.b.
2. Implement a written steam conservation program that focuses particularly on maintaining steam traps, condensate pumps, and the integrity of piping systems and pipe insulation as per Appendix A 1.j.
3. Ensure steam and condensate leaks and other necessary repairs are reported to the boiler plant supervisor and given a high priority as per Appendix A 1.j.
4. Ensure boiler plant operations are being overseen by qualified persons that have met the requirements as a Boiler Plant Operator, WG-5402 as described in the Office of Personnel Management (OPM) qualification standard as per section 4f.

~~ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM~~

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Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

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

29 CFR 1960.55(a): The Agency did not provide safety and health training for supervisory employees:

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020 supervisors within FMS were not trained in how to recognize and abate the hazards associated with the specific trades for which they had supervisory responsibilities.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

Notice 2 Item 1 a Type of Violation: **Willful - 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:

Location: 950 Campbell Avenue, West Haven, CT. On or about November 13, 2020, procedures were not documented and/or utilized for controlling hazardous energy of the Main Branch Steam line that feeds Buildings #22 and #24.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

Notice 2 Item 1 b Type of Violation: **Willful - Serious**

29 CFR 1910.147(c)(4)(ii): Procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(A), (c)(4)(ii)(B), (c)(4)(ii)(C) and (c)(4)(ii)(D):

Location: 950 Campbell Avenue, West Haven, CT. On or about November 13, 2020, the employer did not have specific procedural steps that outline the techniques to be utilized for the valves within the Building #22 mechanical room, for the control of hazardous energy of the steam main line and the steam stations.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice of Unsafe or Unhealthful Working Conditions

Company Name: U.S. Department of Veterans Affairs, VA Connecticut Healthcare System
Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

Notice 3 Item 1 Type of Violation: **Repeat - Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, periodic inspections of energy control procedures had not been conducted for Steam Stations including the Main Branch Steam Line that feeds Buildings# 21, #22, #24, #27, and #34.

The U.S. Department of Veterans Affairs was previously cited within OSHA's Region I for a violation of this occupational safety and health standard, which was contained in OSHA Inspection #1067181, Notice #2, Item #6a, issued on December 15, 2015, with respect to a workplace located at 950 Campbell Avenue, West Haven Connecticut, 06516, which became final order on December 22, 2015, 2016. Means of abatement was provided on April 4, 2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: June 29, 2021

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Notice of Unsafe or Unhealthful Working Conditions

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Inspection Site: 950 Campbell Avenue, West Haven, CT 06516

Notice 3 Item 2 Type of Violation: **Repeat - Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees.

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, training for specific equipment procedures was not conducted, following the installation of new steam line valves in the Building # 22 Mechanical Room.

The U.S. Department of Veterans Affairs was previously cited within OSHA's Region I for a violation of this occupational safety and health standard, which was contained in OSHA Inspection #1067181, Notice #2, Item #6b, issued on December 15, 2015, with respect to a workplace located at 950 Campbell Avenue, West Haven Connecticut, 06516, which became final order on December 22, 2015. Means of abatement was provided on April 4, 2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Notice 3 Item 3 Type of Violation: **Repeat - Serious**

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee did not affix a personal lockout or tagout device to the group lockout device before working on the machine or equipment.

Location: 950 Campbell Avenue, West Haven, CT - On or about November 13, 2020, each authorized employee, including contractor(s) did not affix personal lockout or tagout devices to a group lockout device before conducting repair activities on steam system piping in Building #22.

The U.S. Department of Veterans Affairs was previously cited within OSHA's Region I for a violation of this occupational safety and health standard, which was contained in OSHA Inspection #1067181, Notice #2, Item #5c, issued on December 15, 2015, with respect to a workplace located at 950 Campbell Avenue, West Haven Connecticut, 06516, which became final order on December 22, 2015. Means of abatement was provided on April 4, 2016.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: June 29, 2021

A handwritten signature in blue ink that reads "Steven Biasi".

Steven Biasi
Area Director

See Pages 1 through 3 of this Notice for information on employer and employee rights and responsibilities.