

**U.S. Department of Labor** Occupational Safety and Health Administration  
1099 Winterson Road  
Suite 140  
Linthicum, MD 21090



06/29/2022

CSX Transportation, Inc.  
and its successors  
500 Water Street, Attn: Brooke Martin, J275  
Jacksonville, FL 32202

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (410) 865-2055.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Nadira Janack". The signature is written in a cursive, flowing style.

**Nadira Janack**  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
1099 Winterson Road  
Suite 140  
Linthicum, MD 21090



# Citation and Notification of Penalty

**To:**  
CSX Transportation, Inc.  
and its successors  
500 Water Street, Attn: Brooke Martin, J275  
Jacksonville, FL 32202

**Inspection Number:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022

**Inspection Site:**  
1090 Benhill Avenue  
Baltimore, MD 21226

*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 by calling (410) 865-2055. 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 at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/29/2022. The conference will be held by telephone or at the OSHA office located at 1099 Winterson Road, Suite 140, Linthicum, MD 21090 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1572262**

Company Name: CSX Transportation, Inc.  
Inspection Site: 1090 Benhill Avenue, Baltimore, MD 21226  
Issuance Date: 06/29/2022

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, 1099 Winterson Road, Suite 140, Linthicum, MD 21090.**

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

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

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

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

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

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

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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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 1 a Type of Violation: **Serious**

29 CFR 1910.134(a)(1): When effective engineering controls were not feasible or while they were being instituted, appropriate respirators were not used pursuant to the requirements of 29 CFR 1910.134:

a) North Tunnel and Northwest Escape Tunnel - Employees entered tunnels to perform work activities, including but not limited to unclogging blocked hatchway feeders and re-setting conveyor trip lines, where there was the potential for exposure to coal dust and respirators were not used, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:

July 19, 2022  
\$11,396.00



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

**Inspection Number:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1917.23(d)(1): Designated persons entering a space containing a hazardous atmosphere were not protected by respiratory and emergency protective equipment meeting the requirements of 29 CFR 1917, Subpart E:

a) North Tunnel - Employees that entered the north tunnel where there was a potential for a hazardous atmosphere from coal dust or methane gas were not required to wear respiratory protection, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:

July 06, 2022  
\$11,396.00

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:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

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

a) North Tunnel - Employees entered into the tunnel to unclog a blocked coal hatchway feeder and were not wearing respiratory protection where there could be an overexposure to coal dust, and the employer had not developed a written respiratory protection program, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:	July 19, 2022
Proposed Penalty:	\$14,502.00



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1910.307(b): Documentation for areas designated as hazardous (classified) locations under the Class and Zone system and areas designated under the Class and Division system established after August 13, 2007 was not available to those authorized to design, install, inspect, maintain, or operate electric equipment at the location:

a) North Tunnel and Northwest Escape Tunnel - The employer did not provide any documentation designating the areas within the coal terminal with the designated hazardous classified location, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:	July 19, 2022
Proposed Penalty:	\$14,502.00

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:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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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 4 a Type of Violation: **Serious**

29 CFR 1910.307(c)(2)(i): Equipment in hazardous (classified) location(s) was not approved for the ignitable or combustible properties of the specific gas, vapor, dust, or fiber that was or could be present:

a) Northwest Escape Tunnel - Electrical equipment to include an electrical control panel was not approved for Class II Division 1 Location where coal transfer process operation was being performed, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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.

Install intrinsically safe electrical equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: July 12, 2022  
Proposed Penalty: \$14,502.00



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1910.307(c)(3): Equipment was not safe for the location in that it was not of a type and design that the employer demonstrated would provide protection from the hazards arising from the combustibility and flammability of vapors, liquids, gases, dusts, or fibers involved:

a) Northwest Escape Tunnel - Electrical equipment, including a control panel, overhead lighting, an outlet and transformer that was installed was not explosion proof, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:	July 19, 2022
Proposed Penalty:	\$14,502.00

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:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1917.23(b)(1): The employer did not ensure that a properly equipped designated person tested the atmosphere in rooms, buildings, vehicles, railcars, or other spaces that contains or had contained a hazardous atmosphere, prior to employee entry to determine whether a hazardous atmosphere existed:

a) North Tunnel - Air testing was not performed by a designated person prior to the employees entering the north tunnel to remove a blockage in the coal hatchway feeder, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:	July 06, 2022
Proposed Penalty:	\$14,502.00

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:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1917.24(c): Tests for carbon monoxide concentration were not made by designated persons using gas detector tube units certified by NIOSH under 30 CFR Part 11 or other measuring instruments whose accuracy was as great or greater.

a) North Tunnel and NW Escape Tunnel - prior to making entry to clean the blocked hatchway of the feeders and the re-set the conveyor trip lines where coal was being transferred testing for carbon monoxide was not performed, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet).

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 08, 2022  
\$11,396.00

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:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1917.27(b)(1): Immediate supervisors of cargo handling operations of more than five persons did not satisfactorily complete an accident prevention course:

a) Coal Terminal - Supervisors that were responsible for cargo handling operations involving coal transfer were not provided with accident prevention training or courses, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet), in addition, documentation demonstrating the 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:	July 19, 2022
Proposed Penalty:	\$14,502.00

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:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1917.24(d): A record of the date, time, location, and results of carbon monoxide tests were not available for at least 30 days:

a) North Tunnel and Northwest Escape Tunnel - where employees were required to make entry to clean the hatchway and reset the conveyor trip lines the employer failed to provide documentation that carbon monoxide testing was completed, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet).

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 08, 2022  
\$0.00

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:** 1572262  
**Inspection Date(s):** 01/04/2022 - 01/11/2022  
**Issuance Date:** 06/29/2022



**Citation and Notification of Penalty**

**Company Name:** CSX Transportation, Inc.  
**Inspection Site:** 1090 Benhill Avenue, Baltimore, MD 21226

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

29 CFR 1917.30(a)(2)(ii): The emergency action plan did not include procedures to be followed by employees who remain to operate critical plant operations before they evacuate.

a) CSX Curtis Bay Coal Terminal - Employees working near the transfer tower to unclog the blocked hatchway feeders' employees exposed to coal dust and methane gas which are condition for explosion hazard. However, the employer failed to develop a site specific emergency action plan that would include procedures to be followed by employees responsible for plant operations, on or about 12/30/2021.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the Certification of Corrective Action Worksheet).

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 26, 2022  
\$0.00

*Nadira Janack*  
\_\_\_\_\_  
**Nadira Janack**  
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1099 Winterson Road  
Suite 140  
Linthicum, MD 21090



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: CSX Transportation, Inc.**  
**Inspection Site: 1090 Benhill Avenue, Baltimore, MD 21226**  
**Issuance Date: 06/29/2022**

Summary of Penalties for Inspection Number: 1572262

Citation 1 Item 1a, Serious	\$11,396.00
Citation 1 Item 1b, Serious	\$11,396.00
Citation 1 Item 2, Serious	\$14,502.00
Citation 1 Item 3, Serious	\$14,502.00
Citation 1 Item 4a, Serious	\$14,502.00
Citation 1 Item 4b, Serious	\$14,502.00
Citation 1 Item 5, Serious	\$14,502.00
Citation 1 Item 6, Serious	\$11,396.00
Citation 1 Item 7, Serious	\$14,502.00
Citation 2 Item 1, Other-than-Serious	\$0.00
Citation 2 Item 2, Other-than-Serious	\$0.00

**TOTAL PROPOSED PENALTIES: \$121,200.00**

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 at [www.pay.gov](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select

Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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 two 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.

*Nadira Janack*

Nadira Janack

Area Director

06/29/2022

Date