

U.S. Department of Labor Occupational Safety and Health Administration
3300 Vickery Road
North Syracuse, NY 13212



10/02/2024

Frazer & Jones, LLC, dba Frazer & Jones
and its successors
Sadmira Brkanovic, General Manager
PO Box 605
Syracuse, NY 13209

Dear Mr. Brkanovic:

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), 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 (315) 451-0808.

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.

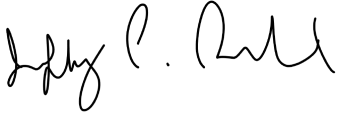
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff P. Prebish". The signature is fluid and cursive, with a large initial "J" and "P".

Jeff Prebish MS CIH CSP
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
3300 Vickery Road
North Syracuse, NY 13212



Citation and Notification of Penalty

To:

Frazer & Jones, LLC, dba Frazer & Jones
and its successors
Sadmir Brkanovic, General Manager
PO Box 605
Syracuse, NY 13209

Inspection Site:

3000 Milton Avenue
Syracuse, NY 13209

Inspection Number: 1739639

Inspection Date(s): 04/04/2024 - 10/02/2024

Issuance Date: 10/02/2024

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 (315) 451-0808. 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. At the top of the 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. 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 10/02/2024. The conference will be held by telephone or at the OSHA office located at 3300 Vickery Road, North Syracuse, NY 13212 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1739639

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209
Issuance Date: 10/02/2024

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, 3300 Vickery Road, North Syracuse, NY 13212.**

Citation Number 1 and Item Number 1 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 2a was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 2b was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 3 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 4 was corrected on _____
By (Method of Abatement): _____

Citation Number 2 and Item Number 1a was corrected on _____
By (Method of Abatement): _____

Citation Number 2 and Item Number 1b was corrected on _____
By (Method of Abatement): _____

Citation Number 2 and Item Number 2 was corrected on _____
By (Method of Abatement): _____

Citation Number 2 and Item Number 3 was corrected on _____
By (Method of Abatement): _____

Citation Number 2 and Item Number 4 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 1 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 2 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 3 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 4 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 5 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 6 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 7 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 8 was corrected on _____
By (Method of Abatement): _____

Citation Number 3 and Item Number 9 was corrected on _____
By (Method of Abatement): _____

Citation Number 4 and Item Number 1 was corrected on _____
By (Method of Abatement): _____

Citation Number 4 and Item Number 3 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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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 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 burn and struck-by hazards:

a) On or about 04/22/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees were exposed to burn and struck-by injuries when the employer failed to cap fuel gas piping and failed to ensure the fuel gas piping and equipment was not purged indoors on the Lindberg Kiln, Core Machine #4, and Core Machine #5 which could result in the fuel gas (natural gas) being vented indoors and igniting causing a flame or explosion.

Among other methods, one feasible and acceptable abatement method to correct this hazardous condition would be to follow the guidelines contained in NFPA 54 (2018 Edition):

Section 7.7.2 Cap All Outlets which states in 7.7.2.1 that “Each outlet, including a valve, shall be closed gastight with a threaded plug or cap immediately after installation and shall be left closed until the appliance or equipment is connected thereto. When an appliance or equipment is disconnected from an outlet and the outlet is not to be used again immediately, it shall be capped or plugged gastight.”

Section 8.3 Purging Requirements which includes requirements for Piping Systems Required to Be Purged Outdoors in 8.3.1 and Purging Procedure in 8.3.2.1.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 15, 2024
\$11,409.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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 2 a Type of Violation: **Serious**

29 CFR 1910.23(b)(4): The employer did not ensure that ladder rungs, steps, and cleats that have a minimum clear width of 11.5 inches (29 cm) on portable ladders and 16 inches (41 cm) (measured before installation of ladder safety systems) for fixed ladders

- a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees climbed a Werner Manhole ladder to insert a shovel at the bottom of the door for Kiln #10 exposing employees to a fall distance of approximately 3 feet. The ladder rungs on the Werner Manhole ladder were approximately 9.5 inches wide.**
- b) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees climbed Werner Manhole ladders to access the sand funnel for core machines #4 and #1 exposing employees to a fall distance of approximately 6 feet. The ladder rungs on the Werner Manhole ladders were approximately 9.5 inches wide.**

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 15, 2024
\$6,844.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.23(b)(8): The employer did not ensure that ladders are used only for the purposes for which they were designed.

a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees climbed a Werner Manhole ladder to insert a shovel at the bottom of the door for Kiln #10 exposing employees to a fall distance of approximately 3 feet. The ladder rungs on the Werner Manhole ladder were approximately 9.5 inches wide.

b) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees climbed Werner Manhole ladders to access the sand funnel for core machines #4 and #1 exposing employees to a fall distance of approximately 6 feet. The ladder rungs on the Werner Manhole ladders were approximately 9.5 inches wide.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:

October 15, 2024

Proposed Penalty:

\$0.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.146(d)(3)(vi): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices to verify that conditions in a permit space were acceptable for entry throughout the duration of an authorized entry:

a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees entered the Lindberg Kiln without testing for atmospheric hazards throughout the duration of the entry, exposing employees to asphyxiation hazards due oxygen deficient environment.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$15,970.00

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

Inspection Number: 1739639
Inspection Date(s): 04/04/2024 - 10/02/2024
Issuance Date: 10/02/2024



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not required to wear appropriate goggles to protect them from the rays when noncombustible or flameproof screens or shields were not used:

a) On or about 05/29/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: E-Melt employees were working adjacent a maintenance employee performing a weld repair on the e-melt deck without using screens or shields. E-Melt deck employees were not required to wear appropriate goggles and were exposed the welding rays.

Abatement certification must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$9,126.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 1 a Type of Violation: **Willful**

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 struck-by hazards:

a) On or about 04/29/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees exposed to struck by hazards when utilizing the Hoist-26 #1 Charge Crane (Melt Deck Hoist) to charge the furnaces weighing approximately 3500 lbs. The #1 Charge Crane has multiple deficiencies including but not limited to: a defective upper limit control switch and worn brakes.

b) On or about 04/22/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees exposed to struck by hazards when utilizing the Hoist-2 Maintenance Shop (Forklift Repair) lifting device to lift a motor for repair weighing approximately 250 lbs. The Hoist-2 maintenance shop hoist had a broken safety latch.

c) On or about 04/09/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees exposed to struck by hazards when utilizing the Hoist Sand Reclaim Belt lifting device to lift items during maintenance activities approximately 25 lbs. The Hoist Sand Reclaim Belt had a broken safety latch.

d) On or about 04/22/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees exposed to struck by hazards when utilizing the Foundry lifting device used to lifting starter charges weighing approximately 1000 lbs. The Foundry below-the-hook lifting device did not have a capacity rating.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard OSH ACT of 1970 Section (5)(a)(1), which was contained in OSHA inspection number 1401131, citation number 1, item number 1 and was affirmed as a final order on (10/14/2021), with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Among other methods, one feasible and acceptable abatement method to correct the hazardous condition in instance a would be to follow the guidelines contained in ASME B30.16, Section 16-4.3.4.

Among other methods, one feasible and acceptable abatement method to correct the hazardous condition in instance b would be to follow the guidelines contained in ASME B30.16, Section 16-4.3.4.

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: 1739639
Inspection Date(s): 04/04/2024 - 10/02/2024
Issuance Date: 10/02/2024



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Among other methods, one feasible and acceptable abatement method to correct the hazardous condition in instance c would be to follow the guidelines contained in ASME B30.16, Section 16-4.3.4.

Among other methods, one feasible and acceptable abatement method to correct the hazardous condition in instance d would be to determine the load capacity rating and mark the lifting devices accordingly as per ASME B30.20-2013, Section 20-1.2.1.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

November 20, 2024
\$159,710.00

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: 1739639
Inspection Date(s): 04/04/2024 - 10/02/2024
Issuance Date: 10/02/2024



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 2 Item 1 b Type of Violation: **Willful**

29 CFR 1910.184(e)(9)(i): Alloy steel chain sling(s) with cracked or deformed master link(s), coupling link(s), or other component(s) were not removed from service:

a) On or about 04/22/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees exposed to struck by hazards when utilizing an alloy chain sling on Hoist-2 Maintenance Shop (Forklift Repair) underhung lifting device to lift a motor for repair weighing approximately 250 lbs. The alloy chain sling had multiple links that were deformed motor was approximately 6 inches off the ground.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

November 20, 2024
\$0.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.28(b)(1)(i): The employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that was 4 feet (1.2 m) or more above a lower level was protected from falling by one or more of the following: Guardrail systems, safety net systems, or personal fall arrest systems:

a) On or about 04/09/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees were not protected from fall hazards when utilizing the catwalk to start the Venetta located in the Foundry Area. The Venetta catwalk did not have guardrails or personal fall protection exposing employees to a fall distance of 7-feet 6-inches.

b) On or about 04/04/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees were not protected from fall hazards when working on the Foundry Pour Deck (Tundish Side). The Foundry Pour Deck did not have a guardrail or personal fall protection exposing employees to a fall distance of 5-feet-10 inches.

c) On or about 04/09/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees were not protected from fall hazards when working on the Foundry Catwalks. The Foundry Catwalk was missing top rail and mid-rail sections of guardrails exposing employees to a fall distance of 17 feet.

d) On or about 04/18/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees were not protected from fall hazards on the Foundry E-Melt Deck when the furnaces are tipped vertically. The guardrail system around the Foundry E-Melt Deck was missing gates exposing employees to fall distance of 10-feet.

e) On or about 05/20/2024 at the site located at 3000 Milton Ave., Solvay, NY: Employees were not protected from fall hazards in the Foundry Slag Pit area. The Foundry Slag Pit area was missing a guardrail exposing employees to fall distance of 4-feet 9-inches.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.28(b)(1)(i), which was contained in OSHA inspection number 1401131, citation number 1, item number 5 and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:

November 20, 2024

Proposed Penalty:

\$159,710.00

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: 1739639
Inspection Date(s): 04/04/2024 - 10/02/2024
Issuance Date: 10/02/2024



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.146(d)(3)(iii): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations, including isolating the permit space:

a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees entered the Lindberg Kiln without locking out tagging out the nitrogen generator exposing employees to asphyxiation hazards.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$159,710.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 2 Item 4 Type of Violation: **Willful**

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:

a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Energy control procedures were not utilized by an employee performing maintenance/clearing jammed parts from the #8 Kaufmann Auto Tap.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(4)(i), which was contained in OSHA inspection number 1401131, citation number 1, item number 9 and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$159,710.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.23(d)(7): Grab bars did not extend 42 inches (1.1m) above the access level or landing platforms served by the ladder:

a) On or about 04/22/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Fixed ladder used to gain access to the DISA sampling area from foundry catwalk was not equipped with grab bars that extended 42 inches above the access level.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.23(d)(7), which was contained in OSHA inspection number 1401131, citation number 1, item number 4a and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$31,939.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.28(b)(3)(iv): The employer did not ensure each employee was protected from falling into a ladderway floor hole or ladderway platform hole by a guardrail system and toe boards erected on all exposed sides, except at the entrance to the hole, where a self-closing gate or an offset must be used.

a) On or about 04/08/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: The employer did not ensure employees using a ladderway platform in the Bond House were protected by self-closing gate. Employees exposed to fall distance of approximately 10 feet.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.28(b)(3)(iv), which was contained in OSHA inspection number 1401131, citation number 1, item number 4b and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:

October 29, 2024

Proposed Penalty:

\$18,252.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

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

29 CFR 1910.101(b): The in-plant handling, storage, and unitization of all compressed gases in cylinders, portable tanks, rail tank cars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965 paragraphs 3.3.8 and 3.3.10:

a) **On or about 05/07/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Three argon compressed gas cylinders located in the maintenance area adjacent to a forklift traffic area were not protected from stuck by hazards.**

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.101(b), which was contained in OSHA inspection number 1401131, citation number 1, item number 8a and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:

October 29, 2024

Proposed Penalty:

\$13,688.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 3 Item 4 Type of Violation: **Repeat**

29 CFR 1910.146(f)(5): The entry permit that documented compliance and authorized entry to a permit space did not identify the personnel, by name, currently serving as attendants:

- a) **On or about 04/12/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Confined space entry permits for all permit required confined spaces did not identify the employees serving as attendants.**
- b) **On or about 04/13/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Confined space entry permits for all permit required confined spaces did not identify the employees serving as attendants.**

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.46(f)(5), which was contained in OSHA inspection number 1400452, citation number 1, item number 4e and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 28, 2024
\$13,688.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 3 Item 5 Type of Violation: **Repeat**

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:

a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Energy control procedures were not developed for employees when performing maintenance on equipment on the Goff Blast Machine. The Goff Blast Machine had both electrical and pneumatic energy sources.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(4)(i), which was contained in OSHA inspection number 1401131, citation number 1, item number 9 and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$27,379.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 3 Item 6 Type of Violation: **Repeat**

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:

a) On or about 04/15/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: The employer had not conducted a periodic or more frequent inspection of their energy control procedures to ensure that the procedures and the requirements of this standard were being followed. Equipment energy control procedures requiring inspection include but are not limited to: Venetta Transfer Cart, Power Supply Capacitor Banks, Furnace Hydraulic Pumps, Venetta Scrap Heater, DISA #1, DISA #2, Med. Frequency Furnace (#1, #2, and #3), Speed Mullor 100B, Incline Belt Conv. Main Aerator, Incline Belt Magnetic Separator, Core Sand Transport System, and the Prepared Sand Belt.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(6)(i), which was contained in OSHA inspection number 1401131, citation number 1, item number 10 and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

November 20, 2024
\$18,252.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 3 Item 7 Type of Violation: **Repeat**

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator was competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

a) On or about 05/01/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: The employer did not ensure that each powered industrial truck operator received the required training and evaluation.

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.178(l)(1)(i), which was contained in OSHA inspection number 1401131, citation number 1, item number 11 and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

November 20, 2024
\$27,379.00



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 3 Item 9 Type of Violation: **Repeat**

29 CFR 1910.303(g)(2)(i): Live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by approved cabinets or other forms of approved enclosures, or other means listed under this provision:

- a) **On or about 04/18/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees not protected against accidental contact with the energized parts contained in the electrical enclosure connected to the prepared sand belt.**
- b) **On or about 04/04/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees not protected against accidental contact with the energized parts contained in the electrical enclosure connected to the Lindberg Kiln.**
- c) **On or about 04/18/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: Employees not protected against accidental contact with the energized parts contained in the electrical enclosure at the top of the stairs in B&P Speed Mullor Area.**

Frazer and Jones was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.303(g)(2)(i), which was contained in OSHA inspection number 1401131, citation number 1, item number 17 and was affirmed as a final order on 10/14/2021, with respect to a workplace located at 3000 Milton Ave Solvay, NY.

Abatement documentation must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$18,252.00

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: 1739639
Inspection Date(s): 04/04/2024 - 10/02/2024
Issuance Date: 10/02/2024



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(3): The person who certified the annual summary was not a company executive as defined in 29 CFR 1904.32(b)(4):

a) On or about 04/04/2024 at the site located at 3000 Milton Ave., Solvay, NY 13209: The person who certified the annual summary was not a company executive.

Abatement certification must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$2,281.00

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: 1739639
Inspection Date(s): 04/04/2024 - 10/02/2024
Issuance Date: 10/02/2024



Citation and Notification of Penalty

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 4 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1904.40(a): The employer did not provide an authorized government representative the records within the four business hours.

a) On or about 04/04/2024 at the site located at 3000 Milton Ave., Solvay, NY 13209: The employer did not provide the Compliance Officer with the OSHA 300 Injury and Illness logs within four business hours.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2,281.00

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: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13209

Citation 4 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.146(c)(2):The employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

a) On or about 04/22/2024 at the site located at 3000 Milton Ave, Solvay, NY 13209: The B&P Speed Mullor was not posted with danger signs to inform exposed employees of the mechanical dangers posed by the permit required confined space.

Abatement certification must be submitted for this item

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$0.00

A handwritten signature in black ink, appearing to read "Jeff P. Prebish".

Jeff Prebish MS CIH CSP
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
3300 Vickery Road
North Syracuse, NY 13212



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Frazer & Jones, LLC, dba Frazer & Jones
Inspection Site: 3000 Milton Avenue, Syracuse, NY 13221
Issuance Date: 10/02/2024

Summary of Penalties for Inspection Number: 1739639

Citation 1 Item 1, Serious	\$11,409.00
Citation 1 Item 2a, Serious	\$6,844.00
Citation 1 Item 2b, Serious	\$0.00
Citation 1 Item 3, Serious	\$15,970.00
Citation 1 Item 4, Serious	\$9,126.00
Citation 2 Item 1a, Willful	\$159,710.00
Citation 2 Item 1b, Willful	\$0.00
Citation 2 Item 2, Willful	\$159,710.00
Citation 2 Item 3, Willful	\$159,710.00
Citation 2 Item 4, Willful	\$159,710.00
Citation 3 Item 1, Repeat	\$31,939.00
Citation 3 Item 2, Repeat	\$18,252.00
Citation 3 Item 3, Repeat	\$13,688.00
Citation 3 Item 4, Repeat	\$13,688.00
Citation 3 Item 5, Repeat	\$27,379.00
Citation 3 Item 6, Repeat	\$18,252.00
Citation 3 Item 7, Repeat	\$27,379.00
Citation 3 Item 8, Repeat	\$27,379.00
Citation 3 Item 9, Repeat	\$18,252.00
Citation 4 Item 1, Other-than-Serious	\$2,281.00
Citation 4 Item 2, Other-than-Serious	\$2,281.00
Citation 4 Item 3, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: \$882,959.00

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. At the top of the [pay.gov](http://www.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 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.

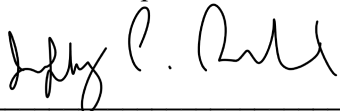
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Jeff Prebish MS CIH CSP

Area Director

October 2, 2024

Date