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MY DIRECT DIAL IS: 703.483.8316
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July 12, 2010

VIA ELECTRONIC MAIL

John D. Smith
Occupational Safety and Health Administration
Frances Perkins Building
200 Constitution Ave., NW
Washington, DC 20210

Re: Information Correction Request for Salem Glass Company

Dear Mr. Smith:

On behalf of Salem Glass Company (Salem), I respectfully submit this Information Correction Request. Salem requests that the detail for Inspection 312908791 on OSHA's IMIS system be corrected to indicate that the last event in the inspection was "W-Withdrawn," as opposed to "F-Formal Settlement," which is currently listed on the system. Salem's reasons for this change follow.

Inspection 312908791 – Salem Glass Company, attached as Exhibit A, reflects an investigation initiated by OSHA in October 2008. OSHA issued two citation items against Salem at the conclusion of that inspection, which Salem contested. As a result of discussions with Department of Labor officials regarding the case, DOL withdrew all citation items issued, as reflected in the "Withdrawal of Citation and Complaint" (attached as Exhibit B). DOL filed the withdrawal with the Occupational Safety and Health Review Commission and it was subsequently granted by Administrative Law Judge Bober. It is clear from the attached paperwork that DOL withdrew its citation and complaint and there was no formal settlement.

Notwithstanding this, the IMIS system currently shows Inspection 31290871 as having the last event be "F-Formal Settlement." To accurately reflect the last event in this case, Salem respectfully requests that the last event be changed to "W-Withdrawn." Salem requests that this change be made in the main entry (Exhibit A), as well as in the violation item details, shown in Exhibit C.

For obvious reasons, Salem has a clear interest in correcting this entry. DOL withdrew its citation and complaint in this action. It is critical that the IMIS entry be corrected to accurately reflect the resolution of the case.

Thank you for your consideration of this request. Please do not hesitate to contact me with any questions.

Sincerely,

JACKSON LEWIS LLP

Bradford T. Hammock /ASG

Bradford T. Hammock

cc: Jim Miller

Enclosures

4841-9181-5174, v. 1

EXHIBIT A



UNITED STATES
DEPARTMENT OF LABOR

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Inspection: 312908791 - Salem Glass Company

Inspection Information - Office: North Boston		
Nr: 312908791	Report ID:0134000	Open Date: 10/10/2008
Salem Glass Company 35 Gatehouse Drive Waltham, MA 02451		Union Status: Union
SIC: 1793/Glass and Glazing Work NAICS: 238150/Glass and Glazing Contractors Mailing: 1 Technology Way, Salem, MA 01970		
Inspection Type: Unprog Rel Scope: Partial		Advanced Notice: N
Ownership: Private		Close Conference: 03/12/2009
Safety/Health: Health		Close Case: 02/26/2010
Emphasis: L:Fall		
Optional Information: Type	ID	Value
N	1	312626013
Related Activity: Type	ID	Safety Health
Inspection 312626013		

	Violation Summary					
	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	2					2
Current Violations						
Initial Penalty	7000					7000
Current Penalty						
FTA Amount						

Violation Items										
#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
Deleted 1.	01001	Serious	19260021 B02	03/25/2009	03/31/2009	\$0	\$3500	\$0	04/17/2009	F - Formal Settlement
Deleted 2.	01002	Serious	19260453 B02 I	03/25/2009	03/31/2009	\$0	\$3500	\$0	04/17/2009	F - Formal Settlement

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EXHIBIT B

UNITED STATES OF AMERICA

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR, United States *
Department of Labor, *

Complainant, *

v. *

SALEM GLASS COMPANY, *

Respondent. *

DOCKET NO. 09-0643

REGION I

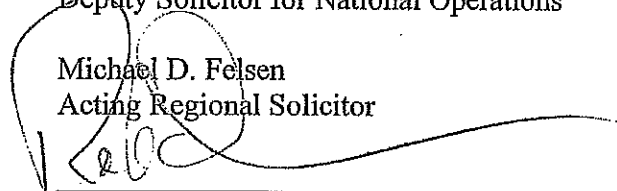
INSPECTION NO. 312908791

WITHDRAWAL OF CITATION AND COMPLAINT

Now comes the Complainant, Secretary of Labor, United States Department of Labor,
and hereby withdraws Serious Citation 1, Items 1 and 2 and their penalties along with her
Complaint which is the subject of the above captioned case.

Carol A. DeDeo
Deputy Solicitor for National Operations

Michael D. Felsen
Acting Regional Solicitor



Ralph R. Minichiello
Attorney

October 7, 2009

U.S. Department of Labor
Attorneys for Complainant

Post Office Address
U.S. Department of Labor
Office of the Regional Solicitor
JFK Federal Building – Room E-375
Boston, Massachusetts 02203

EXHIBIT C



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DEPARTMENT OF LABOR

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Standard Cited: 19260021 B02 *Safety training and education.*

This violation item has been **deleted**.

Violation Items			
Nr: 312908791	Citation: 01001	Issuance: 03/25/2009	ReportingID: 0134000
Viol Type: Serious	NrInstances: 1	Contest Date: 04/17/2009	
Abatement Date: 03/31/2009	Nr Exposed: 1	Final Order: 11/20/2009	
Initial Penalty: 3500.00	REC: A	Emphasis:	
Current Penalty:	Gravity: 10	Haz Category:	

Penalty and Failure to Abate Event History						
Type	Event	Date	Penalty	abatement	Type	FTA Insp
Penalty F:	Formal Settlement	11/20/2009		03/31/2009	Serious	
Penalty Z:	Issued	03/25/2009	3500.00	03/31/2009	Serious	

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Standard Cited:19260453 B02.1 *Aerial lifts.*

This violation item has been **deleted**.

Violation Items			
Nr: 312908791	Citation: 01002	Issuance: 03/25/2009	ReportingID: 0134000
Viol Type: Serious	NrInstances: 1	Contest Date: 04/17/2009	
Abatement Date: 03/31/2009	Nr Exposed: 1	Final Order: 11/20/2009	
Initial Penalty: 3500.00	REC: A	Emphasis:	
Current Penalty:	Gravity: 10	Haz Category:	

Penalty and Failure to Abate Event History						
Type	Event	Date	Penalty	abatement	Type	FTA Insp
Penalty	F: Formal Settlement	11/20/2009		03/31/2009	Serious	
Penalty	Z: Issued	03/25/2009	3500.00	03/31/2009	Serious	

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SIC: 1793/Glass and Glazing Work NAICS: 238150/Glass and Glazing Contractors Mailing: 1 Technology Way, Salem, MA 01970		
Inspection Type: Unprog Rel Scope: Partial		Advanced Notice: N
Ownership: Private		
Safety/Health: Health		Close Conference: 03/12/2009
Emphasis: L:Fall		Close Case: 02/26/2010
Optional Information: Type	ID	Value
N	1	312626013
Related Activity: Type	ID	Safety Health
Inspection 312626013		

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	Serious	Willful	Repeat	Other	Unclass	Total
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Current Penalty						
FTA Amount						

Violation Items										
#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
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Deleted 2.	01002	Serious	19260453 B02 I	03/25/2009	03/31/2009	\$0	\$3500	\$0	04/17/2009	F - Formal Settlement

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