

Received 21 Jun 13.
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U.S. Department of Labor

Occupational Safety and Health Administration
1851 Executive Center Drive
Suite 227
Jacksonville, FL 32207
Phone: 904-232-2895 Fax: 904-232-1294



Notice of Unsafe or Unhealthful Working Conditions

To:

96th Test Wing
10001 North 2nd St. Bldg 1
96th Test Wing/CC
Eglin Afb, FL 32542

Inspection Number: 892154

Inspection Date(s): 03/06/2013 - 06/06/2013

Issuance Date: 06/12/2013

Inspection Site:

10001 North 2nd St. Bldg 1
96th Test Wing/CC
Eglin Afb, FL 32542

The violation(s) described in this Notice is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below

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

Posting – The law requires that a copy of this Notice be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because the nature of the employer's operations, where it will be readily observable by all affected employees. This Notice must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Notification of Corrective Action – For each violation which you do not appeal, you must provide abatement certification to the Area Director of the OSHA office issuing the Notice and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the Notice indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must

be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A template abatement certification letter is enclosed with this Notice. In addition, where the Notice indicates that abatement documentation is required, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

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

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

Informal Conference – An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined please complete the enclosed “Notice to Employees” and post it where the Notice is posted. During such an informal conference you may present any evidence or views you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and notice activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this notice. You are encouraged to review the information concerning your establishment at www.OSHA.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES

An informal conference has been scheduled with the Occupational Safety and Health Administration (OSHA) to discuss the Notice of Unsafe or Unhealthful Working Conditions (Notice) issued on 06/12/2013. The conference will be held by telephone or at the OSHA office located at 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET – FEDERAL AGENCIES

Inspection Number: 892154

Agency Name: 96th Test Wing

Inspection Site: 10001 North 2nd St. Bldg 1, 96th Test Wing/CC, Eglin Afb, FL 32542

Issuance Date: 06/12/2013

Employer Instruction: List the specific method of correction for each item on the enclosed notices that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207.** Failure to submit a timely certification of corrective action may result in a notification to your agency DASHO.

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

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

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

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

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

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

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

Signature

Date

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.



Notice of Unsafe and Unhealthful Working Conditions

Company Name: 96th Test Wing

Inspection Site: 10001 North 2nd St. Bldg 1, 96th Test Wing/CC, Eglin Afb, FL 32542

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

29 CFR 1910.138(a): The employer did not select and require employees to use appropriate hand protection when employees hands were exposed to hazardous condition(s):

- a. On or about February 27, 2013, in the hospital kitchen, employees working near a sink of water with an extreme temperature exceeding 205 degrees F were not wearing adequate personal protective equipment.
- b. On or about February 27, 2013, in the hospital kitchen, employees were turning a steam valve which sprayed extreme hot steam and/or water, were not wearing adequate personal protective equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 07/30/2013



Notice of Unsafe and Unhealthful Working Conditions

Company Name: 96th Test Wing

Inspection Site: 10001 North 2nd St. Bldg 1, 96th Test Wing/CC, Eglin Afb, FL 32542

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

29 CFR 1910.178(m)(5)(i): When a powered industrial truck is left unattended, load engaging means were not fully lowered, controls were not netralized, power was not shut off, and brakes set:

- a. On or about February 27, 2013, at the base marina and storage, near building. 2816, two Wiggins Marina Bull forklift models were parked with the forks approximately 8 inches off the surface.

Date by which Violation must be Abated: Corrected During Inspection



Notice of Unsafe and Unhealthful Working Conditions

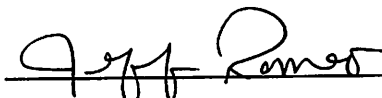
Company Name: 96th Test Wing
Inspection Site: 10001 North 2nd St. Bldg 1, 96th Test Wing/CC, Eglin Afb, FL 32542

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

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

- a. On or about February 27, 2013, in building 690, HVAC shop, the water fountain was stored within 12 inches from the motor control unit for an air conditioning unit.
- b. On or about February 27, 2013, in building 690, Metal shop, the Miller syncrowave 350 constant current AC/DC welder was stored within 6 and 1/2 inches from the panel box.
- c. On or about February 27, 2013, in building 690, Rewind shop, a set of piping racks with pipe stock was stored within 7 inches from the panel box.

Date by which Violation must be Abated: Corrected During Inspection


FOR **Brian J. Sturtecky**
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
1851 Executive Center Drive, Suite 227
Jacksonville, Florida 32207-2350
Telephone: 904-232-2895
Facsimile: 904-232-1294



Reply to the Attention of: Area Director

June 12, 2013


AFGE Local 1942
Rocky Tasse
P.O. Box 1944
Eglin AFB, FL 32542

Dear Mr. Tasse:

Enclosed for your information are copies of the letter and notice(s) that we have sent to the employer as a result of our recent inspection.

Please contact this office if you have any questions.

Sincerely,

for 
Brian J. Sturtecky
Area Director

Enclosures

cc: American Federation of Government Employees (AFGE)
J. David Cox- National President
80 F Street NW
Washington, DC 20001

U.S. Department of Labor

Occupational Safety and Health Administration
1851 Executive Center Drive, Suite 227
Jacksonville, Florida 32207-2350
Telephone: 904-232-2895
Facsimile: 904-232-1294



Reply to the Attention of: Area Director

June 12, 2013


AFGE Local 1897
Alan Cooper
P.O. Box 1918
Eglin AFB, FL 32542-6829

Dear Mr. Cooper:

Enclosed for your information are copies of the letter and notice(s) that we have sent to the employer as a result of our recent inspection.

Please contact this office if you have any questions.

Sincerely,

for 
Brian J. Sturtecky
Area Director

Enclosures

cc: American Federation of Government Employees (AFGE)
J. David Cox- National President
80 F Street NW
Washington, DC 20001