

State of California
Division of Occupational Safety and Health
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Telephone: (619) 767-2280 Fax: (619) 767-2299



Citation and Notification of Penalty

To:
EDCO WASTE & RECYCLING SERVICES
and its successors
6670 FEDERAL BLVD
LEMON GROVE, CA 91945

Inspection Number: 315343236
Inspection Date(s): 01/13/2012 06/29/2012
Issuance Date: 06/29/2012
CSHO ID: P8116
Optional Report #: 018-12
Reporting ID: 0950632

Inspection Site:
6670 FEDERAL BLVD
LEMON GROVE, CA 91945

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the date(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer. Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

Informal Conference - You may request an informal conference with the Manager of the District Office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

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 agreement which resolves this matter without litigation or contest.

APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Division) and employs experienced attorneys as administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of a Citation. After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, for each contested citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone: (916) 274-5751
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. You must also attach to the appeal form a legible copy of the Citation you are appealing.

Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

Important: You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, (916) 274-5751.

PENALTY PAYMENT OPTIONS

Penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, index code, reporting ID, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh to access the secure payment processing site.

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations
Cashier, Accounting Office
P. O. Box 420603
San Francisco, CA 94142-0603

CAL/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

NOTIFICATION OF CORRECTIVE ACTION

For violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the District Office listed on the Citation by submitting the CAL/OSHA Form 160 and/or 161 with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for serious and general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date." If the CAL/OSHA Form 161 is not received in the District Office within 10 days following the abatement date, the abatement credit is revoked, causing the penalty to double.

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EMPLOYEE RIGHTS

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

Employee Appeals - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a District Office of the Division.

Employees Participation in Informal Conference. Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

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Issuance Date: 06/29/2012
CSHO ID: P8116
Optional Inspection Nbr: 018-12



Phone: (619) 767-2280 Fax: (619) 767-2299

Citation and Notification of Penalty

Company Name: EDCO WASTE & RECYCLING SERVICES
Inspection Site: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945

Citation 1 Item 1 Type of Violation: **Regulatory**

T8 CCR 3203. Injury and Illness Prevention Program.

(b) Records of the steps taken to implement and maintain the Program shall include:

(2) Documentation of safety and health training required by subsection (a)(7) for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers. This documentation shall be maintained for at least one (1) year.

EXCEPTION NO. 1: Employers with fewer than 10 employees can substantially comply with the documentation provision by maintaining a log of instructions provided to the employee with respect to the hazards unique to the employees' job assignment when first hired or assigned new duties.

EXCEPTION NO. 2: Training records of employees who have worked for less than one (1) year for the employer need not be retained beyond the term of employment if they are provided to the employee upon termination of employment.

Exception No. 3: For Employers with fewer than 20 employees who are in industries that are not on a designated list of high-hazard industries established by the Department of Industrial Relations (Department) and who have a Workers' Compensation Experience Modification Rate of 1.1 or less, and for any employers with fewer than 20 employees who are in industries on a designated list of low-hazard industries established by the Department, written documentation of the Program may be limited to the following requirements:

- A. Written documentation of the identity of the person or persons with authority and responsibility for implementing the program as required by subsection (a)(1).
- B. Written documentation of scheduled periodic inspections to identify unsafe conditions and work practices as required by subsection (a)(4).
- C. Written documentation of training and instruction as required by subsection (a)(7).

AVD:

On and prior to 1/13/2012, the employer failed to properly establish, implement and maintain its Injury and Illness Prevention Program when they did not:

1. Provide training records to the Division documenting the training of three selected employees, as requested in a document request dated 1/20/12 on the company's March 2011 Injury and Illness Prevention Program and their November 2011 Heat Illness Plan.
2. Provide training documentation that identified the type of training or the training provider as required by 3203(b)(2) on the training form.

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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3. Provide training documentation for a selected employee on the operation of compaction equipment as requested in document requests dated 1/20/12 and 3/1/12.

Date By Which Violation Must be Abated: 08/01/2012
Proposed Penalty: \$ 375.00

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Citation 1 Item 2 Type of Violation: General

T8 CCR 3395 Heat Illness Prevention

(f) Training.

(3) The employer's procedures required by subsections (f)(1)(B), (G), (H), and (I) shall be in writing and shall be made available to employees and to representatives of the Division upon request.

Reference T8 CCR 3395(f) Training.

(1) Employee training. Training in the following topics shall be provided to all supervisory and non-supervisory employees.

(B) The employer's procedures for complying with the requirements of this standard;

(G) The employer's procedures for responding to symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary;

(H) The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider;

(I) The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders.

Reference T8 CCR 3395
Scope and Application.

(1) This standard applies to all outdoor places of employment.

Exception: If an industry is not listed in subsection (a)(2), employers in that industry are not required to comply with subsection (e), High-heat procedures.

(2) List of industries subject to all provisions of this standard, including subsection (e):

(A) Agriculture

(B) Construction

(C) Landscaping

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(D) Oil and gas extraction

(E) Transportation or delivery of agricultural products, construction materials or other heavy materials (e.g. furniture, lumber, freight, cargo, cabinets, industrial or commercial materials), except for employment that consists of operating an air-conditioned vehicle and does not include loading or unloading.

(3) This section applies to the control of risk of occurrence of heat illness. This is not intended to exclude the application of other sections of Title 8, including, but not necessarily limited to, sections 1512, 1524, 3203, 3363, 3400, 3439, 3457, 6251, 6512, 6969, 6975, 8420 and 8602(e).

Note No. 1: The measures required here may be integrated into the employer's written Injury and Illness Program required by section 3203, or maintained in a separate document.

Note No. 2: This standard is enforceable by the Division of Occupational Safety and Health pursuant to Labor Code sections 6308 and 6317 and any other statutes conferring enforcement powers upon the Division. It is a violation of Labor Code sections 6310, 6311, and 6312 to discharge or discriminate in any other manner against employees for exercising their rights under this or any other provision offering occupational safety and health protection to employees.

(b) Definitions.

"Acclimatization" means temporary adaptation of the body to work in the heat that occurs gradually when a person is exposed to it. Acclimatization peaks in most people within four to fourteen days of regular work for at least two hours per day in the heat.

"Heat Illness" means a serious medical condition resulting from the body's inability to cope with a particular heat load, and includes heat cramps, heat exhaustion, heat syncope and heat stroke.

"Environmental risk factors for heat illness" means working conditions that create the possibility that heat illness could occur, including air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload severity and duration, protective clothing and personal protective equipment worn by employees.

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"Landscaping" means providing landscape care and maintenance services and/or installing trees, shrubs, plants, lawns, or gardens, or providing these services in conjunction with the design of landscape plans and/or the construction (i.e., installation) of walkways, retaining walls, decks, fences, ponds, and similar structures; except for employment by an employer who operates a fixed establishment where the work is to be performed and where drinking water is plumbed.

"Oil and gas extraction" means operating and/or developing oil and gas field properties, exploring for crude petroleum or natural gas, mining or extracting of oil or gas or recovering liquid hydrocarbons from oil or gas field gases.

"Personal risk factors for heat illness" means factors such as an individual's age, degree of acclimatization, health, water consumption, alcohol consumption, caffeine consumption, and use of prescription medications that affect the body's water retention or other physiological responses to heat.

"Shade" means blockage of direct sunlight. One indicator that blockage is sufficient is when objects do not cast a shadow in the area of blocked sunlight. Shade is not adequate when heat in the area of shade defeats the purpose of shade, which is to allow the body to cool. For example, a car sitting in the sun does not provide acceptable shade to a person inside it, unless the car is running with air conditioning. Shade may be provided by any natural or artificial means that does not expose employees to unsafe or unhealthy conditions.

"Temperature" means the dry bulb temperature in degrees Fahrenheit obtainable by using a thermometer to measure the outdoor temperature in an area where there is no shade. While the temperature measurement must be taken in an area with full sunlight, the bulb or sensor of the thermometer should be shielded while taking the measurement, e.g., with the hand or some other object, from direct contact by sunlight.

(c) Provision of water. Employees shall have access to potable drinking water meeting the requirements of Sections 1524, 3363, and 3457, as applicable. Where drinking water is not plumbed or otherwise continuously supplied, it shall be provided in sufficient quantity at the beginning of the work shift to provide one quart per employee per hour for drinking for the entire shift. Employers may begin the shift with smaller quantities of water if they have effective procedures for replenishment during the shift as needed to allow employees to drink one quart or more per hour. The frequent drinking of water, as described in subsection (f)(1)(C), shall be encouraged.

(d) Access to shade.

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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(1) Shade required to be present when the temperature exceeds 85 degrees Fahrenheit. When the outdoor temperature in the work area exceeds 85 degrees Fahrenheit, the employer shall have and maintain one or more areas with shade at all times while employees are present that are either open to the air or provided with ventilation or cooling. The amount of shade present shall be at least enough to accommodate 25 % of the employees on the shift at any time, so that they can sit in a normal posture fully in the shade without having to be in physical contact with each other. The shaded area shall be located as close as practicable to the areas where employees are working.

(2) Shade required to be available when the temperature does not exceed 85 degrees Fahrenheit. When the outdoor temperature in the work area does not exceed 85 degrees Fahrenheit employers shall either provide shade as per subsection (d)(1) or provide timely access to shade upon an employee's request.

(3) Employees shall be allowed and encouraged to take a cool-down rest in the shade for a period of no less than five minutes at a time when they feel the need to do so to protect themselves from overheating. Such access to shade shall be permitted at all times.

Exceptions to subsection (d):

(1) Where the employer can demonstrate that it is infeasible or unsafe to have a shade structure, or otherwise to have shade present on a continuous basis, the employer may utilize alternative procedures for providing access to shade if the alternative procedures provide equivalent protection.

(2) Except for employers in the agricultural industry, cooling measures other than shade (e.g., use of misting machines) may be provided in lieu of shade if the employer can demonstrate that these measures are at least as effective as shade in allowing employees to cool.

(e) High-heat procedures. The employer shall implement high-heat procedures when the temperature equals or exceeds 95 degrees Fahrenheit. These procedures shall include the following to the extent practicable:

(1) Ensuring that effective communication by voice, observation, or electronic means is maintained so that employees at the work site can contact a supervisor when necessary. An electronic device, such as a cell phone or text messaging device, may be used for this purpose only if reception in the area is reliable.

(2) Observing employees for alertness and signs or symptoms of heat illness.

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Company Name: EDCO WASTE & RECYCLING SERVICES
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(3) Reminding employees throughout the work shift to drink plenty of water.

(4) Close supervision of a new employee by a supervisor or designee for the first 14 days of the employee's employment by the employer, unless the employee indicates at the time of hire that he or she has been doing similar outdoor work for at least 10 of the past 30 days for 4 or more hours per day.

(f) Training.

(1) Employee training. Effective training in the following topics shall be provided to each supervisory and non-supervisory employee before the employee begins work that should reasonably be anticipated to result in exposure to the risk of heat illness:

(A) The environmental and personal risk factors for heat illness, as well as the added burden of heat load on the body caused by exertion, clothing, and personal protective equipment.

(B) The employer's procedures for complying with the requirements of this standard.

(C) The importance of frequent consumption of small quantities of water, up to 4 cups per hour, when the work environment is hot and employees are likely to be sweating more than usual in the performance of their duties.

(D) The importance of acclimatization.

(E) The different types of heat illness and the common signs and symptoms of heat illness.

(F) The importance to employees of immediately reporting to the employer, directly or through the employee's supervisor, symptoms or signs of heat illness in themselves, or in co-workers.

(G) The employer's procedures for responding to symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary.

(H) The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider.

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(1) The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders. These procedures shall include designating a person to be available to ensure that emergency procedures are invoked when appropriate.

(2) Supervisor training. Prior to supervising employees performing work that should reasonably be anticipated to result in exposure to the risk of heat illness effective training on the following topics shall be provided to the supervisor:

(A) The information required to be provided by section (f)(1) above.

(B) The procedures the supervisor is to follow to implement the applicable provisions in this section.

(C) The procedures the supervisor is to follow when an employee exhibits symptoms consistent with possible heat illness, including emergency response procedures.

(D) How to monitor weather reports and how to respond to hot weather advisories.

(3) The employer's procedures for complying with each requirement of this standard required by subsections (f)(1)(B), (G), (H), and (I) shall be in writing and shall be made available to employees and to representatives of the Division upon request.

AVD:

On and prior to 1/13/2012, the employer failed to establish and implement a written Heat Illness Prevention Plan that addressed all of the procedures required by the T8 CCR 3395 standard. The written Heat Illness Prevention Plan provided by the employer to the Division as a result of a document request dated 1/20/12 did not include all of the procedures required by T8 CCR 3395(f)(1)(B). Procedures missing from the employers written Heat Illness Plan provided to the Division included;

- * Water monitoring and replenishment procedures - T8 CCR 3395(c).
- * A discussion that when temperatures reach 85 degrees F, that shade is required - T8 CCR 3395(d)(1).
- * During high heat conditions the employer shall ensure effective communication between supervisor and employee(s) when the temperature equals or exceeds 95 degrees Fahrenheit - T8 CCR 3395(e)(1).
- * During high heat conditions the employer shall ensure they have a procedure for observing employees for alertness and signs or symptoms when the temperature equals or exceeds 95 degrees Fahrenheit - T8 CCR 3395(e)(2).

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- * During high heat conditions the employer shall ensure for reminding employees to drink plenty of water throughout the work shift when the temperature equals or exceeds 95 degrees Fahrenheit - T8 CCR 3395(e)(3).
- * During high heat conditions the employer shall ensure close supervision of new employees by the supervisor or designated person for the employee's first 14 days of employment when the temperature equals or exceeds 95 degrees Fahrenheit - T8 CCR 3395(e)(4).
- * Employee training discussing the procedures to be followed to contact emergency medical services and ensure clear and precise directions to the worksite as required by T8 CCR 3203(f)(1)(H & I).
- * Supervisor training on the procedures they are to follow to implement the applicable heat illness provisions described in this heat illness program - T8 CCR 3395(f)(2)(B).
- * Supervisor training on the procedures they are to follow when an employee exhibits symptoms consistent with possible heat illness including emergency response procedures - T8 CCR 3395(f)(2)(C).
- * Supervisor training on how they will monitor weather reports and will respond to weather advisories - T8 CCR 3395(f)(2)(D).

Date By Which Violation Must be Abated:
Proposed Penalty:

08/01/2012
\$ 560.00

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Company Name: EDCO WASTE & RECYCLING SERVICES
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Citation 1 Item 3 Type of Violation: **General**

T8 CCR 4355, Operating Rules for Compaction Equipment.

(a) General.

(1) The employer shall develop a written set of operating procedures. These operating procedures shall include at least the applicable operating rules contained in this section.

(2) Employees shall not be assigned or permitted to operate compaction equipment unless they have been trained and instructed in safe methods for such operation. Such training shall include the operating instructions provided by the manufacturer for each machine.

AVD:

On and prior to 1/13/2012, the employer failed to comply with the general operating rules of compaction equipment when it; ~~failed to:~~ *ALL*

1. Failed to develop a written set of operating rules the mobile collection/ compaction equipment, the Bridgeport Model #34 Ranger Refuse truck box, and provide a copy to the Division as requested in document requests dated 1/20/12 and 3/1/12 and.

2. Allowed an employee to operate the packer on a Bridgeport Model #34 Ranger, Serial # 08-1149-08, mobile trash collection truck, compaction equipment, without ensuring that they were properly trained in the operating rules and the operating instructions provided by the manufacturer.

Date By Which Violation Must be Abated:

08/01/2012

Proposed Penalty:

\$ 750.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA San Diego District (0950632; 4032)
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108

Inspection Number: 315343236
Inspection Dates: 01/13/2012 - 06/29/2012
Issuance Date: 06/29/2012
CSHO ID: P8116
Optional Inspection Nbr: 018-12



Phone: (619) 767-2280 Fax: (619) 767-2299

Citation and Notification of Penalty

Company Name: EDCO WASTE & RECYCLING SERVICES
Inspection Site: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945

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

3314. The Control of Hazardous Energy for the Cleaning, Repairing, Servicing, Setting-Up, and Adjusting Operations of Prime Movers, Machinery and Equipment, Including Lockout/Tagout.

(g) Hazardous Energy Control Procedures. A hazardous energy control procedure shall be developed and utilized by the employer when employees are engaged in the cleaning, repairing, servicing, setting-up or adjusting of prime movers, machinery and equipment.

(1) The procedure shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance, including but not limited to, the following:

- (A) A statement of the intended use of the procedure;
- (B) The procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy;
- (C) The procedural steps for the placement, removal and transfer of lockout devices and tagout devices and responsibilities; and,
- (D) The requirements for testing a machine or equipment, to determine and verify the effectiveness of lockout devices, tagout devices and other hazardous energy control devices.

(2) The employer's hazardous energy control procedures shall be documented in writing.

(A) The employer's hazardous energy control procedure shall include separate procedural steps for the safe lockout/tagout of each machine or piece of equipment affected by the hazardous energy control procedure.

AVD:

On or before 12/31/11 the employer's Hazardous Energy Control Procedures for Truck Maintenance did not address the required elements discussed in T8 CCR 3314(g)(1)(B, D), T8 CCR 3314(g)(2) and T8 CCR 3314(g)(2)(A).

Date By Which Violation Must be Abated: 07/13/2012
Proposed Penalty: \$ 6750.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA San Diego District (0950632; 4032)
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108

Inspection Number: 315343236
Inspection Dates: 01/13/2012 - 06/29/2012
Issuance Date: 06/29/2012
CSHO ID: P8116
Optional Inspection Nbr: 018-12



Phone: (619) 767-2280 Fax: (619) 767-2299

Citation and Notification of Penalty

Company Name: EDCO WASTE & RECYCLING SERVICES
Inspection Site: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945

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

3314. The Control of Hazardous Energy for the Cleaning, Repairing, Servicing, Setting-Up, and Adjusting Operations of Prime Movers, Machinery and Equipment, Including Lockout/Tagout.
(h) Periodic inspection.

The employer shall conduct a periodic inspection of the energy control procedure(s) at least annually to evaluate their continued effectiveness and determine necessity for updating the written procedure(s).

(1) The periodic inspection shall be performed by an authorized employee or person other than the one(s) utilizing the hazardous energy control procedures being inspected.

(2) Where lockout and/or tagout is used for hazardous energy control, the periodic inspection shall include a review between the inspector and authorized employees of their responsibilities under the hazardous energy control procedure being inspected.

(3) The employer shall certify that the periodic inspections have been performed. The certification shall identify the machine or equipment on which the hazardous energy control procedure was being utilized, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

AVD:

On or before 12/31/11 the employer failed to perform Periodic Inspections required by T8 CCR 3314(h).

The Employer had been previously notified of the requirements of periodic inspections through citations that had been issued in prior cases.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$ 67500.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA San Diego District (0950632; 4032)
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108

Inspection Number: 315343236
Inspection Dates: 01/13/2012-06/29/2012
Issuance Date: 06/29/2012
CSHO ID: P8116
Optional Inspection Nbr: 018-12



Phone: (619) 767-2280 Fax: (619) 767-2299

Citation and Notification of Penalty

Company Name: EDSCO WASTE & RECYCLING SERVICES
Inspection Site: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945

Citation 4 Item 1 Type of Violation: Serious Accident Related

T8 CCR 4002. Moving Parts of Machinery or Equipment.

(a) All machines, parts of machines, or component parts of machines which create hazardous revolving, reciprocating, running, shearing, punching, pressing, squeezing, drawing, cutting, rolling, mixing or similar action, including pinch points and shear points, not guarded by the frame of the machine(s) or by location, shall be guarded.

AVD:

On and before 12/31/11 the employer failed to guard the pinch point of the Garbage Truck's (#765, CA License # 8T20986) body and packer. As a result, on 12/31/11 an employee suffered a serious injury while replacing the packer's hydraulic cylinders.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$ 18000.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA San Diego District (0950632; 4032)
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108

Inspection Number: 315343236
Inspection Dates: 01/13/2012-06/29/2012
Issuance Date: 06/29/2012
CSHO ID: P8116
Optional Inspection Nbr: 018-12



Phone: (619) 767-2280 Fax: (619) 767-2299

Citation and Notification of Penalty

Company Name: EDCO WASTE & RECYCLING SERVICES
Inspection Site: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945

Citation 5 Item 1 Type of Violation: Serious Accident Related

4355. Operating Rules for Compaction Equipment

(c) Mobile Collection/Compaction Equipment.

(5) Before cleaning, repairing, servicing or adjusting collection equipment, a lockout procedure complying with Section 3314 shall be established and shall be followed.

AVD:

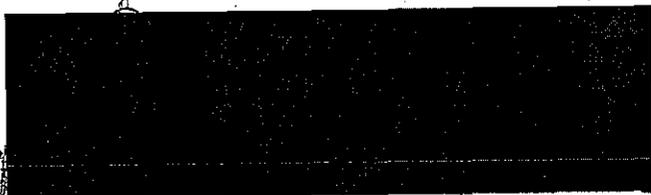
On and before 12/31/11, the employer failed to establish and follow an effective Hazardous Energy Control Plan (Lockout-Tagout) meeting all the requirements of T8 CCR 3314 prior to employees servicing and repairing garbage truck #765. The employer failed to de-energize the truck throughout the servicing and repair process. Furthermore, when the hydraulic cylinders were extend into place, the employer failed to minimize the hazard to employees due to such movement. As a result, on 12/31/2011 an employee suffered a serious injury when replacing the packer's hydraulic cylinders.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$ 18000.00



Compliance Officer/District Manager

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

State of California
Division of Occupational Safety and Health
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Telephone: (619) 767-2280 Fax: (619) 767-2299



NOTICE OF PROPOSED PENALTIES

Company Name: EDCO WASTE & RECYCLING SERVICES
Inspection Site: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945
Mailing Address: 6670 FEDERAL BLVD, LEMON GROVE, CA 91945
Issuance Date: 06/29/2012
Reporting ID: 0950632
Index Code: 4032

Summary of Penalties for Inspection Number 315343236

Citation 1, General	= \$	1685.00
Citation 2, Serious	= \$	6750.00
Citation 3, Serious	= \$	67500.00
Citation 4, Serious	= \$	18000.00
Citation 5, Serious	= \$	18000.00
TOTAL PROPOSED PENALTIES	= \$	111935.00

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make your payment. The company name, index code, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh to access the secure payment processing site.

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH - CAL/OSHA
CASHIER, ACCOUNTING OFFICE
P. O. BOX 420603
SAN FRANCISCO, CA 94142-0603
(415) 703-4291, or (415) 703-4295 Fax (415) 703-3030

CAL/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions or endorsements do not exist.

State of California
Division of Occupational Safety and Health



Investigation Summary
Wed Jun 27, 2012 2:57pm

Reporting ID	Investigation Summary Number	OSHA-36 Number	OSHA-36 Establishment Name
0950632	201077591	101469062	EDCO DISPONSAL CORPORATION
Event Date	12/31/11	Event Time	01:15 pm
Type of Event	FIXING TRASH TRUCK, TRASH FELL ON		

Inspection Number/ Establishment Name	315343236 EDCO DISPONSAL CORPORATION
Injured/Deceased Name	Venustiano Noriega
Sex:	M. Male
Age:	62
Injury:	B. Hospitalized
Nature:	12 Fracture
Part of Body:	14 Hip(s)
Source of Injury:	43 Other
Event Type:	02 Caught in or between
Environmental Factor:	18 Other
Human Factor:	10 Operational position not appropriate for task
Task:	A Regularly Assigned
Substance Code:	
Occupational Code	507 - BUS, TRUCK AND STATIONARY ENGINE MECHANICS

Abstract:

At approximately 1613 hours on 12/31/11 Employee #1 reported to the Division Than Employee #5, a regular employee of EDCO Waste and Recycling Services Inc. (EDCO), suffered a broken pelvis while connecting a hydraulic cylinder to the packer device in a garbage truck. Employee #5 was working in the truck maintenance facility for the Employer. The employer is a company that picks up garbage from residential and business properties throughout the area. Emergency medical treatment was provided by paramedics from Lemon Grove Fire Dept. Employee #5 was transported to Scripps Mercy Hospital where he was hospitalized in excess of 24 hours. The employer properly reported the injury to the Division in accordance with T8 CCR 342(a). The Division opened its inspection on 1/13/12.

At the time of the accident Employee #5 was working with Employee #6 and #7 in the truck body (Model #34 Ranger Serial #08-1149-08 of garbage truck #765, CA license #8T20986. The three employees were in the process of installing/connecting two hydraulic cylinders that were attached to the truck body to the movable packer of the garbage truck. For the cylinders to be connected to the packer, the cylinders needed to be extended outward and be pinned to the packer. To extend the hydraulic cylinders the trucks hydraulic system was connected to the hydraulic cylinders and use the trucks hydraulic system to extend the cylinders outward. The use of the truck's hydraulic system to extend the hydraulic cylinders was a planned action known by all three employees.

At the time that hydraulic pressure was applied to the cylinders, Employee #5 stated that he was in the hopper area standing on top of the packer. Employee #7 was located in front of the packer inside the truck body behind the truck wall. When the cylinders were being extended out it is believed at least one of the two cylinders contacted the packer causing it to move. Employee #5 stated that when the packer moved, he fell down with his legs in-between the packer and the fixed wall of the truck body. Employee #5 received crushing type injuries when his body was pinched between the packer and the fixed truck body wall. The movement of the packer was stopped by employee #6 when Employee #7 yelled to Employee #6 to stop the hydraulic pressure. There were no guards installed to protect or prevent either Employee #5 or #7's arms or limbs from entering the danger zone of the packer/truck body's pinch point if the packer were to move for any reason. Additionally the packer was not blocked or otherwise made incapable of movement.

CSHO Signature:		Date:	6/29/12
DM Signature:		Date:	6-29-12
RM Signature:		Date:	