

U.S. Department of Labor

Occupational Safety and Health Administration

51 Century Blvd.

Suite 340

Nashville, TN 37214

Phone: (615)232-3803 FAX: (615)232-3827



Citation and Notification of Penalty

To:
U.S. Postal Service

Inspection Number: 301511051
Inspection Date(s): 08/12/2010 - 08/12/2010

and its successors
525 Royal Parkway
Nashville, TN 37229

Issuance Date: 02/09/2011

Inspection Site:
525 Royal Parkway
Nashville, TN 37229

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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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. 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 page 4 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.

OSHA does not agree to any restrictions or 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 U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing 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, etc.

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, but not sooner than 30 calendar days after the Citation Issuance Date. 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 02/09/2011. The conference will be held at the OSHA office located at 51 Century Blvd., Suite 340, Nashville, TN, 37214 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: U.S. Postal Service
Inspection Site: 525 Royal Parkway, Nashville, TN 37229

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

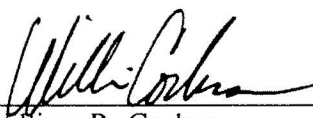
Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to falls and/or struck/crushing hazards:

- a) Dock Leveler 40 - On or about 08/11/10, employees were exposed to falls and/or struck/crushing hazards when defective dock levelers were not inspected/repared or repaired before use.

Among other methods, one feasible and acceptable method to correct this hazard would be to follow ANSI standard MH30.1-2000, For the Safety, Performance and Testing of Dock Leveling Devices.

NOTE: ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 03/07/2011
Proposed Penalty: \$ 70000.00



William R. Cochran
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
51 Century Blvd.
Suite 340
Nashville, TN 37214
Phone: (615)232-3803 FAX: (615)232-3827



INVOICE/ DEBT COLLECTION NOTICE

Company Name: U.S. Postal Service
Inspection Site: 525 Royal Parkway, Nashville, TN 37229
Issuance Date: 02/09/2011

Summary of Penalties for Inspection Number 301511051

Citation 1, Willful	= \$ 70000.00
TOTAL PROPOSED PENALTIES	= \$ 70000.00

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.

OSHA does not agree to any restrictions or conditions 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 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 2 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 3%. 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.



William R. Cochran
Area Director

02/09/2011

Date

U. S. DEPARTMENT OF LABOR

OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

GUIDELINES FOR PREPARING AN ADEQUATE ABATEMENT LETTER

Abatement letters must specify action taken to correct citation items and the date stated corrections were completed. Please use the following guidelines for assistance in completing an abatement letter. IN ADDITION, IF NO SETTLEMENT AGREEMENT IS REACHED AND YOU DO NOT CONTEST, PENALTIES ARE DUE 15 WORKING DAYS AFTER RECEIPT OF CITATIONS, AFTER WHICH THEY ARE CONSIDERED DELINQUENT AND YOU MAY BE SUBJECT TO INTEREST AND ADMINISTRATIVE FEES.

State the Citation Number, the Item Number(s) and the instance letter. Enter date of completion and the specific corrective action taken, including any applicable dimensions, photographs, materials, specifications, personal protective equipment, engineering controls, measurements or readings. If overexposure to an air contaminant or noise has been cited, sampling results need to be reported to verify compliance and document effectiveness of controls.

Example: Citation #1, Item #1, Instance (a) - Date: 00/00/00
A guard was installed on the Black and Decker table saw.

We cannot close your file if the abatement letter does not give abatement dates and the specific corrective action taken. You may also use the included form as a reminder and to assist you with this request.

If an informal conference is scheduled, you may wish to bring the abatement letter to the meeting.

Thank You.

U.S. Department of Labor

Occupational Safety and Health Administration
Nashville Area Office
51 Century Boulevard, Suite 340
Nashville, TN 37214
Telephone: 615-232-3803
Facsimile: 615-232-3827



Reply to the Attention of: Area Director

COMPANY: U.S. Postal Service

RE: OSHA Inspection Number: 301511051

Dear Sirs:

Under the provisions of the Occupational Safety and Health Act of 1970, the Area Director needs to be informed when violations are abated. This form is intended as a reminder and to aid you in fulfilling this request.

When the corrective action is completed, please complete the appropriate entries, sign and return to the following address:

U. S. Department of Labor - OSHA
Nashville Area Office
51 Century Boulevard, Suite 340
Nashville, TN 37214

CITATION # ITEM #	DATE CORRECTED	BRIEF DESCRIPTION OF HOW CORRECTED

Signature: _____

Date: _____