



Citation and Notification of Penalty

To:

U.S. Postal Service
and its successors
79 Postal Service Way
Scarborough, ME 04074

Inspection Number: 313993453
Inspection Date(s): 12/29/2009 - 05/21/2010

Issuance Date: 06/25/2010

Inspection Site:

79 Postal Service Way
Scarborough, ME 04074

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.

Enclosed you will find citations for alleged violations of the Occupational Safety and Health Act of 1970 (the Act) discovered during a recent inspection of your worksite as indicated on the enclosed citation.

PENALTIES HAVE BEEN PROPOSED pursuant to the Occupational Safety and Health Act of 1970 and subsequent amendments to that act. **REDUCTIONS** have been applied to the proposed penalties to recognize your company size, good faith safety and health program, and the citation history. Your reduction equals 0 % and is reflected on the enclosed citations. **NO FURTHER REDUCTIONS IN THE PROPOSED PENALTIES ARE CONTEMPLATED BY THIS AGENCY** unless factual information is provided to alter the justification for a citation item.

THIS CASE WILL NOT BE CLOSED UNTIL:

- 1) You provide this office with **Notification of corrective action** - For violations which you do not contest and which are noted on the citation with a specific abatement date, you must certify to OSHA, within 10 calendar days of the abatement date, that each violation has been corrected. The certification that the abatement is complete must include for each violation, the date and method of abatement and a statement that affected employees and their representatives have been informed of the abatement. Additionally, for violations on the citations that are indicated by the phrase, "**Specific abatement documentation required**", please send documents demonstrating that abatement is complete. These documents may include, but are not limited to, evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records; and
- 2) The penalty is PAID IN FULL

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.

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 decide to request an informal conference, please complete, remove and post the page 3 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.**

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 OSHA 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 OSHA 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.

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. **This information related to your inspection will be available 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 06/25/2010. The conference will be held at the OSHA office located at Edmund S. Muskie Federal Bldg., 40 Western Avenue, Room G-26, Augusta, Maine 04330 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: 79 Postal Service Way, Scarborough, ME 04074

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

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 29 CFR 1910.331 through 29 CFR 1910.335 that pertained to their respective job assignments:

Southern Maine P&DC - Electronic Technicians, Mail Processing Equipment Mechanics, Building Equipment Mechanics and Maintenance Mechanics who perform work, such as troubleshooting, on or near exposed live parts greater than 50 volts, and who vacuum electrical equipment were not trained in the hazards of arc flash, arc blast, and electric shock; and were not trained in the methods to eliminate and reduce their exposures.

Date By Which Violation Must be Abated: 12/25/2010
Proposed Penalty: \$ 70000.00

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

29 CFR 1910.332(c): The degree of training provided was not determined by the risk to the employee:

Southern Maine P&DC - The employer had not determined the degree of training necessary for employee safety based on the risk of their exposure to recognized electrical hazards when performing their job assignments. Affected employees include but are not limited to Electronic Technicians, Building Equipment Maintenance Mechanics, Mail Processing Equipment Mechanics, Maintenance Mechanics, Supervisors of Maintenance Operations, and the Manager of Maintenance Operations.

Date By Which Violation Must be Abated: 12/25/2010
Proposed Penalty: \$ 70000.00

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



Citation and Notification of Penalty

Company Name: U.S. Postal Service
Inspection Site: 79 Postal Service Way, Scarborough, ME 04074

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident and/or illness.

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

29 CFR 1910.333(a)(2): Where exposed live parts were not deenergized, other safety related work practices were not used to protect employees who could be exposed to the electrical hazards involved:

Southern Maine P&DC - Where exposed live parts greater than 50 volts up to and including 480 volts were not deenergized by Electronic Technicians, Mail Processing Equipment Mechanics and Building Equipment Mechanics performing work, such as troubleshooting on or near those parts, other safety related work practices were not used to protect against arc flash, arc blast, and electrical shock hazards.

Date By Which Violation Must be Abated: 12/25/2010
Proposed Penalty: \$ 70000.00

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

29 CFR 1910.334(c)(1): Unqualified persons performed testing work on electric circuits or equipment:

Southern Maine P&DC - Electrical testing, such as but not limited to two handed voltage testing, was performed by unqualified employees such as Electronic Technicians, Building Equipment Mechanics and Mail Processing Equipment Mechanics in that the work was being done bare handed on live electric circuits and equipment, and bare handed while testing for absence of voltage.

Date By Which Violation Must be Abated: 12/25/2010

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



Citation and Notification of Penalty

Company Name: U.S. Postal Service
Inspection Site: 79 Postal Service Way, Scarborough, ME 04074

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

29 CFR 1910.333(b)(2): While any employee(s) was exposed to contact with parts of fixed electric equipment or circuits which had been deenergized, the circuits energizing the parts were not locked out or tagged or both in accordance with the requirements of this paragraph. The requirements shall be followed in the order which they are presented:

Southern Maine P&DC - The lockout/tagout procedures used by employees vacuuming the space inside electrical cabinets of mail processing equipment did not include a test for absence of voltage, nor did employees test for absence of voltage.

Date By Which Violation Must be Abated: 12/25/2010
Proposed Penalty: \$ 70000.00



Citation and Notification of Penalty

Company Name: U.S. Postal Service
Inspection Site: 79 Postal Service Way, Scarborough, ME 04074

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident and/or illness.

Citation 1 Item 5a Type of Violation: **Willful**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with, and/or did not use, electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed:

Southern Maine P&DC - Electronic Technicians, Mail Processing Equipment Mechanics, and Building Equipment Mechanics who troubleshoot live electrical parts greater than 50 volts, conduct voltage tests on de-energized electrical equipment to verify energy isolation, and perform work such as troubleshooting low voltage equipment near exposed live parts greater than 50 volts were not provided with appropriate electrical protective equipment, such as but not limited to voltage rated gloves, leather protectors, flame resistant clothing, arc rated face shield, balaclava and/or an arc rated hood.

Date By Which Violation Must be Abated: 12/25/2010
Proposed Penalty: \$ 70000.00

Citation 1 Item 5b Type of Violation: **Willful**

29 CFR 1910.335(a)(1)(iv): Employees exposed to the danger of head injury from electric shock or burns due to contact with exposed energized parts did not wear nonconductive head protection:

Southern Maine P&DC - Electronic Technicians, Mail Processing Equipment Mechanics, and Building Equipment Mechanics who troubleshoot live electrical parts greater than 50 volts, conduct voltage tests on de-energized electrical equipment to verify energy isolation, and perform work such as troubleshooting low voltage equipment near exposed live parts greater than 50 volts did not wear nonconductive head protection to protect against the hazards of electric shock, arc flash, and arc blast.

Date By Which Violation Must be Abated: 12/25/2010

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



Citation and Notification of Penalty

Company Name: U.S. Postal Service
Inspection Site: 79 Postal Service Way, Scarborough, ME 04074

Citation 1 Item 5c Type of Violation: **Willful**

29 CFR 1910.335(a)(1)(v): Employees exposed to the danger of injury to the eyes or face from electric arcs or flashes or from flying objects resulting from electrical explosion did not wear protective equipment for the eyes or face:

Southern Maine P&DC - Electronic Technicians, Mail Processing Equipment Mechanics, and Building Equipment Mechanics who troubleshoot live electrical parts greater than 50 volts, conduct voltage tests on de-energized electrical equipment to verify energy isolation, and perform work such as troubleshooting low voltage equipment near exposed live parts greater than 50 volts were not provided with arc rated face shields.

Date By Which Violation Must be Abated: 12/25/2010

Citation 1 Item 6 Type of Violation: **Willful**

29 CFR 1910.335(b)(1): Safety signs, safety symbols, or accident prevention tags were not used where necessary to warn employees about electrical hazards which could endanger them, as required by 29 CFR 1910.145:

In the following locations electrical equipment was not marked to warn qualified persons of potential electric arc flash hazards:

- a) Rough Cull Induction Area - Panel board L010A
- b) #1 Switch Gear Room - Panel PDP-NW
- c) #1 Switch Gear Room - Panel EL3
- d) Primary Switch Room #2 - All of the switchboards

Date By Which Violation Must be Abated: 12/25/2010
Proposed Penalty: \$ 70000.00



Company Name: U.S. Postal Service
Inspection Site: 79 Postal Service Way, Scarborough, ME 04074

29 CFR 1910.303(g)(1)(ii): Working space about electric equipment rated 600 volts, nominal, or less was used for storage:

In the following locations working space about electric equipment was used for storage:

- a) Electrical disconnect for "Barney's" LL1 inclined belt conveyor - Letter tray carts were stored in front of the electrical disconnect switch.
- b) Electrical disconnect for "Barney's" CC2 belt conveyor - Letter tray carts were stored in front of the electrical disconnect switch.
- c) Battery Room, 240 volt heavy duty safety switches 13, 14, 15, 16, and 17 - The switches were obstructed by two electric pallet jacks that were being electrically charged.
- d) Battery Room, Electrical disconnect for the overhead door - The switch was obstructed by a pallet used to store batteries.
- e) IPSS Room, CRAHU-1 Heavy Duty Safety Switch - The switch was obstructed by a manually propelled cart.

The U.S. Postal Service was previously cited for a violation of an equivalent standard 29 CFR 1910.303(g)(1) which was contained in OSHA inspection number 309452597, Citation number 1, Item number 1 and was affirmed as final order on 12/18/07, with respect to a workplace located at 435 S. St. Clair, Toledo, Ohio.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 10000.00

WILLIAM J. COFFIN
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
Edmund S. Muskie Federal Bldg.
40 Western Avenue, Room G-26
Augusta, ME 04330
Phone: (207)626-9160 FAX: (207)622-8213

INVOICE/ DEBT COLLECTION NOTICE

Company Name: U.S. Postal Service
Inspection Site: 79 Postal Service Way, Scarborough, ME 04074
Issuance Date: 06/25/2010

Summary of Penalties for Inspection Number 313993453

Citation 1, Willful	= \$ 420000.00
Citation 2, Repeat	= \$ 10000.00
TOTAL PROPOSED PENALTIES	= \$ 430000.00

To avoid additional charges, please remit payment promptly to this OSHA 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 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 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.

U.S. Postal Service

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 three percent (3%) 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 second and subsequent demand letters sent in an attempt to collect the unpaid debt. Costs will not be assessed for first demand letters and payment default letters.


WILLIAM J. COFFIN
Area Director

Date 6/25/10

NOTIFICATION OF CORRECTIVE ACTION

WILLIAM J. COFFIN, Area Director
U.S. Department of Labor - OSHA
Edmund S. Muskie Federal Bldg.
40 Western Avenue, Room G-26
Augusta, ME 04330
Phone: (207)626-9160

U.S. Postal Service
79 Postal Service Way
Scarborough, ME 04074

The hazard referenced in Inspection Number 313993453 for the violation identified as
Citation _____ and Item _____ was corrected on _____
by [how corrected] _____

The hazard referenced for the violation identified as
Citation _____ and Item _____ was corrected on _____
by [how corrected] _____

The hazard referenced _____ identified as
Citation _____ was corrected on _____
by [how corrected] _____

The hazard referenced for the violation identified as
Citation _____ and Item _____ was corrected on _____
by [how corrected] _____

The hazard referenced for the violation identified as
Citation _____ and Item _____ was corrected on _____
by [how corrected] _____

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

Signature

Taxpayer Identification Number

Typed or Printed Name