



CITATION AND NOTIFICATION OF PENALTY

To:
CALIFORNIA CARTAGE COMPANY, LLC

and its successors,
2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

Inspection #: **1 0 7 9 1 6 5**
Inspection Date (s): 07/20/2015 – 11/17/2015
Issuance Date: 11/18/2015
CSHO ID: D1549
Optional Report #: 003-16
Reporting ID: 0950635

Inspection Site:
2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

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 (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 or (877) 252-1987
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. In addition, please send a copy of Page 1 of this Citation and Notification of Penalty, the cover sheet.

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, at (916) 274-5751 or (877) 252-1987.

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, inspection number, 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/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

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 160 and/or 161 forms 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 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.**

Note: Return the Cal/OSHA 160/161 forms to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach CA 90807
562 506-0810
FAX 562 426-8340

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.

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165
Inspection Dates: 07/20/2015 – 11/17/2015
Issuance Date: 11/18/2015
CSHO ID: D1549
Optional Report #: 003-16

**Citation and Notification of Penalty**

Company Name: CALIFORNIA CARTAGE COMPANY, LLC

Establishment DBA:

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

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

CALIFORNIA CODE OF REGULATIONS; TITLE 8**Subchapter 7. General Industry Safety Orders****Article 25. Industrial Trucks, Tractors, Haulage Vehicles, and Earthmoving Equipment****Section 3660 (a) Rated Capacity.**

The rated capacity of all industrial lift trucks and industrial tractors shall be displayed at all times on the vehicle in such a manner that it is readily visible to the operator.

VIOLATION:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, forklift trucks #230, #231, #240 and #245 did not have the vehicle's maximum working rating capacity displayed on the vehicle in such a manner that it was readily visible to the operator.

Corrected During Inspection

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$185.00

State of California

Department of Industrial Relations,
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165**Inspection Dates:** 07/20/2015 – 11/17/2015**Issuance Date:** 11/18/2015**CSHO ID:** D1549**Optional Report #:** 003-16**Citation and Notification of Penalty****Company Name:** CALIFORNIA CARTAGE COMPANY, LLC**Establishment DBA:**

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744Citation 1 Item 2 Type of Violation: **GENERAL**

CALIFORNIA CODE OF REGULATIONS; TITLE 8
Subchapter 7. General Industry Safety Orders
Article 9. Sanitation

Section 3362 (f) General Requirements.

Every enclosed workplace and personal service room shall be equipped and maintained, insofar as is practicable, to prevent the entrance or harborage of insects, rodents or other vermin. An effective program of extermination and control shall be instituted whenever their presence is detected.

VIOLATION:

During the course of the inspection including but not limited to on 7/20/2015, an expired mouse was observed under a soda vending machine in the employee break area near Bay 3 in Warehouse 13:

Corrected During Inspection**Date by Which Violation Must be Abated:****Proposed Penalty:****Corrected During Inspection****\$185.00**

State of California

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Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
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and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744**Citation 1 Item 3** Type of Violation: **GENERAL****CALIFORNIA CODE OF REGULATIONS; TITLE 8****Subchapter 7. General Industry Safety Orders****Article 21. Use, Care, and Protection of Abrasive Wheels****Section 3577 (e) Protection Devices.****Work rests.**

On offhand grinding machines, work rests shall be used to support the work. They shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted closely to the wheel with a maximum opening of one-eighth inch. The work rest shall be secured after each adjustment. The adjustment shall not be made with the wheel in motion.

VIOLATION:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, the Jet bench grinder serial number 12113651 in the maintenance shop near the south east side of the facility, was missing the work rest for the aluminum oxide grinding wheel mounted on its right (facing) arbor.

Corrected During Inspection**Date by Which Violation Must be Abated:****Corrected During Inspection****Proposed Penalty:****\$185.00**

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165**Inspection Dates:** 07/20/2015 – 11/17/2015**Issuance Date:** 11/18/2015**CSHO ID:** D1549**Optional Report #:** 003-16**Citation and Notification of Penalty****Company Name:** CALIFORNIA CARTAGE COMPANY, LLC**Establishment DBA:**

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744**Citation 1 Item 4** Type of Violation: **GENERAL****CALIFORNIA CODE OF REGULATIONS; TITLE 8****Subchapter 7. General Industry Safety Orders****Article 23. Mobile Ladder Stands and Scaffolds (Towers)****Section 3622 (g) General.****Wheels or Casters.**

All scaffold wheels, casters and swivels shall be provided with a positive locking device, or other effective means to prevent movement of the scaffold.

VIOLATION:

Prior to and during the course of the inspection, including but not limited to on 7/20/2015 the mobile ladder stand in use in the storage area of the maintenance shop near the south east side of the facility, was missing its rubber floor stops rendering the positive locking device ineffective.

Corrected During Inspection**Date By Which Violation Must be Abated:****Corrected During Inspection****Proposed Penalty:****\$185.00**

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
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562 506-0810 FAX 562 426-8340

Inspection #: 1079165**Inspection Dates:** 07/20/2015 – 11/17/2015**Issuance Date:** 11/18/2015**CSHO ID:** D1549**Optional Report #:** 003-16**Citation and Notification of Penalty****Company Name:** CALIFORNIA CARTAGE COMPANY, LLC**Establishment DBA:**

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744Citation 1 Item 5 Type of Violation: **GENERAL**

CALIFORNIA CODE OF REGULATIONS; TITLE 8
Subchapter 7. General Industry Safety Orders
Article 107. Dusts, Fumes, Mists, Vapors and Gases

Section 5144 (e)(1) Respiratory Protection.**Medical evaluation.**

Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used, and the medical status of the employee. Accordingly, this subsection specifies the minimum requirements for medical evaluation that employers must implement to determine the employee's ability to use a respirator.

General.

The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.

VIOLATION:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, an employee working in the fuel depot on the west side of the facility, had been supplied with and directed to use a 3M 6001 tight-fitting half face respirator and had not been provided with a medical evaluation to determine the employee's ability to use the respirator, prior to use of same during the course of employment.

Corrected During Inspection

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$185.00

(Continued)

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165
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**Citation and Notification of Penalty**

Company Name: CALIFORNIA CARTAGE COMPANY, LLC

Establishment DBA:

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

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

CALIFORNIA CODE OF REGULATIONS; TITLE 8**Subchapter 7. General Industry Safety Orders****Article 107. Dusts, Fumes, Mists, Vapors and Gases****Section 5144 (f) Respiratory Protection.****Fit testing.**

This subsection requires that, before an employee may be required to use any respirator with a negative or positive pressure tight-fitting facepiece, the employee must be fit tested with the same make, model, style, and size of respirator that will be used. This subsection specifies the kinds of fit tests allowed, the procedures for conducting them, and how the results of the fit tests must be used.

- (1) The employer shall ensure that employees using a tight-fitting facepiece respirator pass an appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT) as stated in this subsection.
- (2) The employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.
- (3) The employer shall conduct an additional fit test whenever the employee reports, or the employer, PLHCP, supervisor, or program administrator makes visual observations of, changes in the employee's physical condition that could affect respirator fit. Such conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight.
- (4) If after passing a QLFT or QNFT, the employee subsequently notifies the employer, program administrator, supervisor, or PLHCP that the fit of the respirator is unacceptable, the employee shall be given a reasonable opportunity to select a different respirator facepiece and to be retested.
- (5) The fit test shall be administered using an OSHA-accepted QLFT or QNFT protocol. The OSHA-accepted QLFT and QNFT protocols and procedures are contained in Appendix A.
- (6) QLFT may only be used to fit test negative pressure air-purifying respirators that must achieve a fit factor of 100 or less.

(7) If the fit factor, as determined through an OSHA-accepted QNFT protocol, is equal to or greater than 100 for tight-fitting half facepieces, or equal to or greater than 500 for tight-fitting full facepieces, the QNFT has been passed with that respirator.

(8) Fit testing of tight-fitting atmosphere-supplying respirators and tight-fitting powered air-purifying respirators shall be accomplished by performing quantitative or qualitative fit testing in the negative pressure mode, regardless of the mode of operation (negative or positive pressure) that is used for respiratory protection.

VIOLATION:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, an employee working in the fuel depot on the west side of the facility, had been supplied with and directed to use a 3M 6001 tight-fitting, half face respirator and had not been provided with fit testing with the same make, model, style and size of the respirator used during the course of employment.

Corrected During Inspection

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$185.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165
Inspection Dates: 07/20/2015 – 11/17/2015
Issuance Date: 11/18/2015
CSHO ID: D1549
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Citation and Notification of Penalty

Company Name: CALIFORNIA CARTAGE COMPANY, LLC
Establishment DBA:

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

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

CALIFORNIA CODE OF REGULATIONS; TITLE 8
Subchapter 5. Electrical Safety Orders
Article 4. Requirements for Electrical Installations

Section 2340.12 (a) Mechanical Execution of Work.

Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings shall be effectively closed to afford protection substantially equivalent to the wall of the equipment.

VIOLATION INSTANCE ONE:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, an electrical breaker panel labeled "Panel D" rated at 240 volts in Warehouse 13 on the south side of the facility had several missing, uncovered breakers in same exposing the live copper bus bar, contacts and wiring.

VIOLATION INSTANCE TWO:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, next to the employee lunch area adjacent to Bay 3 in Warehouse 13, an electrical circuit box marked "Sub-Panel B" rated at 240 volts had a missing, uncovered breaker in same exposing the live copper bus bar, contacts and wiring.

(Continued)

VIOLATION INSTANCE THREE:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, next to the employee lunch area near Bay 3 in Warehouse 13, an electrical raceway trough rated at 240 volts was missing its front cover, plate exposing live contacts and wiring.

VIOLATION INSTANCE FOUR:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, next to the employee lunch area near Bay 3 in Warehouse 13, an electrical light fixture rated at 120 volts was missing its bulb exposing live contacts.

VIOLATION INSTANCE FIVE:

Prior to and during the course of the inspection including but not limited to on 10/5/15, two uncovered knockout holes were observed in an electrical raceway trough next to the employee break area on the north side of Warehouse 16 exposing live contacts and wiring.

VIOLATION INSTANCE SIX:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, a missing uncovered breaker was observed in "Subpanel A" rated at 240 volts near the north east corner of Warehouse 13.

Corrected During Inspection

Date by Which Violation Must be Abated:	Corrected During Inspection	
Proposed Penalty:		\$3375.00

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165
Inspection Dates: 07/20/2015 – 11/17/15
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Citation and Notification of Penalty

Company Name: CALIFORNIA CARTAGE COMPANY, LLC
Establishment DBA:

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

Citation 3 Item 1 Type of Violation: **SERIOUS**

CALIFORNIA CODE OF REGULATIONS; TITLE 8
Subchapter 7. General Industry Safety Orders
Article 10. Personal Safety Devices and Safeguards

Section 3385 (a) Foot Protection.

Appropriate foot protection shall be required for employees who are exposed to foot injuries from electrical hazards, hot, corrosive, poisonous substances, falling objects, crushing or penetrating actions, which may cause injuries or who are required to work in abnormally wet locations.

VIOLATION:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, employees working on and in proximity to forklift industrial trucks in and around Warehouses 13, 16 and 17, were exposed to foot injuries from falling objects and crushing actions, and were not provided with appropriate foot protection such as steel toe reinforced boots.

Date By Which Violation Must be Abated:

January 08, 2016

Proposed Penalty:

\$10,125.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

Inspection #: 1079165**Inspection Dates:** 07/20/2015 – 11/17/2015**Issuance Date:** 11/18/2015**CSHO ID:** D1549**Optional Report #:** 003-16**Citation and Notification of Penalty****Company Name:** CALIFORNIA CARTAGE COMPANY, LLC**Establishment DBA:**

and its successors

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744**Citation 4 Item 1** Type of Violation: **SERIOUS****CALIFORNIA CODE OF REGULATIONS; TITLE 8****Subchapter 7. General Industry Safety Orders****Article 21. Use, Care, and Protection of Abrasive Wheels****Section 3578 (g) Permissible Wheel Exposure for Periphery Grinding.****Exposure Adjustment.**

Guards of the types described in subsections (a) and (b) of this section where the operator stands in front of the opening, shall be constructed so that the peripheral protecting member can be adjusted to the constantly decreasing diameter of the wheel. The maximum angular exposure above the horizontal plane of the wheel spindle as specified in subsections (a) and (b) of this section shall never be exceeded, and the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch.

(See Figures A-7, 8, 9, 10, 11, and 12 of Appendix B.)

VIOLATION:

Prior to and during the course of the inspection including but not limited to on 7/20/2015, the Jet model JBG8A bench grinder, serial number 12113651 in use in the maintenance shop on the south east side of the facility did not have its tongue guard adjusted to within 1/4 inch of the periphery of the aluminum oxide grinding wheel mounted on its right (facing) arbor.

Corrected During Inspection

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$3375.00

(Continued)

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Cal/OSHA Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach, California 90807
562 506-0810 FAX 562 426-8340

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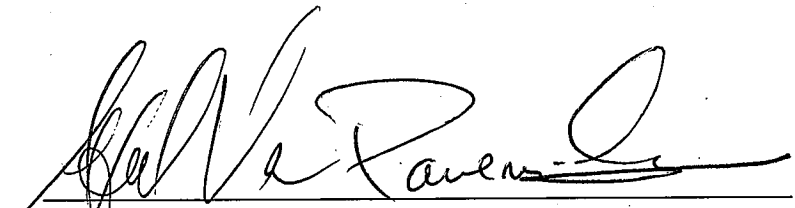
Inspection Site: 2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744**Citation 5 Item 1** Type of Violation: **SERIOUS****CALIFORNIA CODE OF REGULATIONS; TITLE 8****Subchapter 7. General Industry Safety Orders****Article 25. Industrial Trucks, Tractors, Haulage Vehicles, and Earthmoving Equipment**

Every industrial truck and tractor shall be equipped with a parking brake or other effective device to prevent the vehicle moving when unattended.

VIOLATION:

Prior to and during the course of the inspection, including but not limited to on 7/20/2015, the Toyota model 8FGCU25 industrial forklift truck, shop number 231, was functionally tested in the fuel depot area on the west side of the facility and found to not have a functioning, effective parking brake.

Corrected During Inspection**Date by Which Violation Must be Abated:****Corrected During Inspection****Proposed Penalty:****\$3375.00**



Alfred Varela / Paul M. Grier, MS
District Manager / Compliance Officer

(Continued)



NOTICE OF PROPOSED PENALTIES

Company Name: CALIFORNIA CARTAGE COMPANY, LLC

and its successors,

Inspection Site: 2401 E. PACIFIC COAST HIGHWAY, WILMINGTON, CA 90744

Mailing Address: 2401 E. PACIFIC COAST HIGHWAY, WILMINGTON, CA 90744

Issuance Date: 11/18/2015

Reporting ID: 0950635

CSHO ID: D1549

Summary of Penalties for Inspection Number 1079165

Citation 1 Item 1, General	\$185.00
Citation 1 Item 2, General	\$185.00
Citation 1 Item 3, General	\$185.00
Citation 1 Item 4, General	\$185.00
Citation 1 Item 5, General	\$185.00
Citation 1 Item 6, General	\$185.00
Citation 2 Item 1, Serious	\$3375.00
Citation 3 Item 1, Serious	\$10125.00
Citation 4 Item 1, Serious	\$3375.00
Citation 5 Item 1, Serious	\$3375.00

TOTAL PROPOSED PENALTIES:	\$21,360.00
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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, 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/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

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:

**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.

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA
Accounting Office - Cashiering Unit
P.O. Box 420603
San Francisco, CA 94142-0603
Phone (415) 703-4291 or (415) 703-4308 Fax (415) 703-3037

Please mail or fax this form back to the above address to properly credit your payment.

PENALTY REMITTANCE FORM

CIVIL PENALTY INFO	INSPECTION NO.:	1079165	REPORTING ID:	0950635
ESTABLISHMENT NAME:	CALIFORNIA CARTAGE COMPANY, LLC			FEIN/SEIN:
CONTACT PERSON:	John Cordova			
PHONE NO.:	(562) 590-7026		FAX NO.:	
SITE ADDRESS:	2401 E. PACIFIC COAST HIGHWAY, WILMINGTON, CA 90744			
MAILING ADDRESS:	2401 E. PACIFIC COAST HIGHWAY, WILMINGTON, CA 90744			

CITATION INFORMATION: 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.

PAYMENT INSTRUCTIONS:

- Put a "✓" next to the Citation(s) that you are paying.
- Write the amount paid in the "AMOUNT PAID" column.
- Please indicate the "TOTAL AMOUNT PAID".

✓	SUMMARY OF PENALTIES PAID	AMOUNT PAID
	Citation 1 Item 1, General	\$
	Citation 1 Item 2, General	\$
	Citation 1 Item 3, General	\$
	Citation 1 Item 4, General	\$
	Citation 1 Item 5, General	\$
	Citation 1 Item 6, General	\$
	Citation 2 Item 1, Serious	\$
	Citation 3 Item 1, Serious	\$
	Citation 4 Item 1, Serious	\$
	Citation 5 Item 1, Serious	\$
	TOTAL AMOUNT PAID	\$

(Continued)

TYPE OF PAYMENT ENCLOSED

Fill in the check, e-check reference, or money order information below:	
CHECK # _____ ENCLOSED IN THE AMOUNT OF:	\$ _____
E-CHECK REFERENCE # _____ PAID IN THE AMOUNT OF:	\$ _____
MONEY ORDER # _____ ENCLOSED IN THE AMOUNT OF:	\$ _____

Please make check or money order payable to Department of Industrial Relations - Cal/OSHA and mail to the Cashier, Accounting Office, at the above address. Reference the Inspection Number on the "memo" portion of your check or money order.

Note: For your convenience, the Department of Industrial Relations accepts electronic payments at:

www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html.

Again, please mail or fax this form to the above address or fax number to ensure payments are properly credited.

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Occupational Safety and Health
Long Beach District Office
3939 Atlantic Avenue, Room 212
Long Beach CA 90807



INFORMATION MEMORANDUM

CALIFORNIA CARTAGE COMPANY, LLC
2401 E. PACIFIC COAST HIGHWAY
WILMINGTON, CA 90744

An inspection or investigation of a place of employment located at 2401 E. PACIFIC COAST HIGHWAY, Wilmington, was conducted by Paul Grier on 07/20/2015. This Information Memorandum is intended to direct your attention to the following conditions which can be potentially hazardous to the safety and health of employees in the future. If these conditions were not corrected before employees are exposed, violations of safety and health standards would occur and you would receive one or more citations covering these violations, which will entail a civil penalty. In addition one or more of the citations may be classified as Willful based on the information contained in the memorandum.

Item No.	No. of Instances	Description of potential hazard
1	1	<p>SAMPLE OF PAINT CHIPS TAKEN FROM WEST SIDE OF WAREHOUSE 13 CAME BACK FROM LAB AS CONTAINING .33% LEAD BY WEIGHT.</p> <p>REQUIRED ACTION:</p> <p>Employers are required to conduct a hazard assessment for employee exposure to lead and to institute employee exposure control methodology as set forth in 8 CCR 5198 and 8 CCR 1532.1, including but not limited to if the paint is removed.</p>

Signature

Compliance Safety and Health Officer

Signature

District Manager

Date of issuance:

11/18/2015

0950635

RID

D1549

CSHO ID

003-16

Optional Report Nr.

1079165

Inspection Nr.

**EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF
REGULATORY AND/OR GENERAL VIOLATIONS**

2. EMPLOYER: CALIFORNIA CARTAGE, LLC

ADDRESS:

Street

City

State

Zip

3. The law requires that violations observed during the inspection/investigation completed on 11/18/15 of the place of employment located at _____ be corrected within the time limit specified. Please notify the Division as soon as these conditions have been corrected by returning this completed form. Your response by completing, signing and mailing this form to the issuing office on or before the compliance date may avoid a follow-up inspection of your facilities. **Failure to timely complete and return this form may result in issuance of a citation and civil penalty for violation of 8 CCR 340.4(c).**

NOTE: This form does not serve as a request for a time extension. If there are serious problems beyond your control that prevent meeting a specified abatement date, contact the Division early, well within the 15-day limit allowed for an appeal.

This signed statement or a summary shall be posted for three (3) working days at or near each place the regulatory and/or general violation(s) referred to in the citation occurred.

4. PLEASE COMPLETE AND MAIL BY 12/18/15

5. LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO CORRECT EACH CITATION & ITEM NUMBER OF THE UNSAFE CONDITIONS AND DATE OF ABATEMENT

[] Continued on additional page

6. All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). ☐ Yes ☐ No
7. This certifies that all the unsafe conditions listed in the Division's Citation dated 11/18/15 have now been corrected and all submitted abatement information is accurate.

Signature: _____ Date: _____

Name: _____ Title: _____

8. **OFFICE USE ONLY**

Division Engineer/Industrial Hygienist: _____ Date: _____

District Manager: _____ Date: _____

[] Close / Comments:

9. Region 3 District 5 Inspection No. 1079165 ID No. D1549 Cal/OSHA Rpt.No. 003 FY 16

10. Date mailed or delivered: 11/19/15

CAL/OSHA 160 (09/01/00)

EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

2. EMPLOYER: CALIFORNIA CARTAGE LLC

ADDRESS:

Street

City

State

Zip

3. The law requires that violations observed during the inspection/investigation completed on 11/18/15 of the place of employment located at _____ be corrected within the time limit specified. Labor Code 6320(b), requires that you submit this signed statement under penalty of perjury which describes the measures for abating each citation which alleges a serious violation. **If the signed statement is not received within 10 working days after the end of the period fixed for abatement, the Division will be required to revoke any adjustments to the civil penalty based upon the assumption that you will abate the violation.** This action will result in a doubling of the civil penalty for serious violations. If you have filed a timely appeal with reference to a particular citation, the abatement date is stayed during the appeal process and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent meeting a specified abatement date, contact the Division early so that a request for extension can be considered.

This signed statement shall be posted for three (3) working days at or near each place the serious violation referred to in the citation occurred.

4. **THIS FORM MUST BE RECEIVED AT THE ABOVE ADDRESS ON OR BEFORE**
12/18/15

5. **DESCRIBE AND LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO ABATE EACH SERIOUS VIOLATION**

Citation Number	Number of Instances	Measures Taken to Abate Serious Violation	Abatement Date

[] Continued on additional page

6. All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). ☐ Yes ☐ No
7. I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at _____, California by

Signature: _____ Date: _____

Name: _____ Title: _____

8. **OFFICE USE ONLY**

Division Engineer/Industrial Hygienist: _____ Date: _____

District Manager: _____ Date: _____

[] Close / Comments:

9. Region 3 District 5 Inspection No. 1079165 ID No. D1549 Cal/OSHA Rpt.No. 003 FY 16

10. Date mailed or delivered: 11/19/15

EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

2. EMPLOYER: CALIFORNIA CARTAGE LLC

ADDRESS:

Street

City

State

Zip

3. The law requires that violations observed during the inspection/investigation completed on 11/18/15 of the place of employment located at _____ be corrected within the time limit specified. Labor Code 6320(b), requires that you submit this signed statement under penalty of perjury which describes the measures for abating each citation which alleges a serious violation. **If the signed statement is not received within 10 working days after the end of the period fixed for abatement, the Division will be required to revoke any adjustments to the civil penalty based upon the assumption that you will abate the violation.** This action will result in a doubling of the civil penalty for serious violations. If you have filed a timely appeal with reference to a particular citation, the abatement date is stayed during the appeal process and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent meeting a specified abatement date, contact the Division early so that a request for extension can be considered.

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12/18/15

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Citation Number	Number of Instances	Measures Taken to Abate Serious Violation	Abatement Date

[] Continued on additional page

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Executed at _____, California by

Signature: _____ Date: _____

Name: _____ Title: _____

8. **OFFICE USE ONLY**

Division Engineer/Industrial Hygienist: _____ Date: _____

District Manager: _____ Date: _____

[] Close / Comments:

9. Region 3 District 5 Inspection No. 1079165 ID No. D1549 Cal/OSHA Rpt.No. 003 FY 16

10. Date mailed or delivered: 11/19/15