

U.S. Department of Labor Occupational Safety and Health Administration
Marlton Executive Park
2 Executive Drive, Suite 120
Marlton, NJ 08053



09/26/2022

Regal Industrial Corporation
and its successors
92 Reese Road
Millville, NJ 08332

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (856) 596-5200.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me 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. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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. 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.

Sincerely,

Paula Dixon-Roderick
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
Marlton Executive Park
2 Executive Drive, Suite 120
Marlton, NJ 08053



Citation and Notification of Penalty

To:

Regal Industrial Corporation
and its successors
92 Reese Road
Millville, NJ 08332

Inspection Number: 1590242

Inspection Date(s): 04/18/2022 – 09/26/2022

Issuance Date: 09/26/2022

Inspection Site:

92 Reese Road
Millville, NJ 08332

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 either call to schedule an informal conference (see paragraph below) or** 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.

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 by calling (856) 596-5200. 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 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. You can also make your payment electronically at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide **abatement certification** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that **abatement documentation** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

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. 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 09/26/2022. The conference will be held by telephone or at the OSHA office located at Marlton Executive Park, 2 Executive Drive, Suite 120, Marlton, NJ 08053 on _____ at _____ . Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1590242

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332
Issuance Date: 09/26/2022

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, Marlton Executive Park, 2 Executive Drive, Suite 120, Marlton, NJ 08053.**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

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

29 CFR 1910.22(a)(2): The employer did not ensure that the floor of each workroom was maintained in a clean and, to the extent feasible, in a dry condition.

- a) Throughout Facility: On or about 04/18/22 and thereafter, floors were not maintained in a clean and dry condition from materials including, but not limited to, steel shot and paint coatings.
- b) East side of Building, in front of painting area: On or about 4/18/22, a pallet with boxes of Targuard was damaged and product was pooled on the floor.
- c) Next to Metallizing booth: On or about 6/15/22 and thereafter, floors around the welding units were pooled with liquid from an unmarked 1 gallon can. The condition was observed unchanged on 7/26/22.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$8,702.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 2 Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

- a) Facility: On or about 4/16/2022, a path to a designated exit door in the northeast corner of the building was blocked with pallets of paint, boxes, and steel parts.
- b) Facility: On or about 04/18/2022, a designated exit on the west side of the building leading into the yard was obstructed by metal barrels of steel shot.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7,252.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

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

29 CFR 1910.107(c)(2): Open flame or spark producing equipment was not kept from a spraying area nor within 20 feet, unless separated by a partition:

a) Facility: On or about 4/18/2022, precautions were not taken to prevent the ignition of flammable vapors from Category 2 and 3 flammable products including but not limited to High-Solids Polyurethane, Carboguard, and Macropoxy from ignition sources including, but not limited to, a Kubota Loader, Model SSV65, Serial 11679, which is a diesel powered truck. that can create sparks with its metal bucket when used for cleaning. The metal bucket of the truck is used to scrape combustible residue off of floors which can create sparks in and around the spraying area.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 21, 2022
Proposed Penalty:	\$10,151.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 4 Type of Violation: **Serious**

29 CFR 1910.107(c)(6): Electrical wiring and equipment not subject to deposits of combustible residues but located in a spraying area as herein defined were not explosion-proof type approved for Class I, group D locations and did not otherwise conform to the provisions of subpart S of this part, for Class I, Division 1, Hazardous Locations. Electrical wiring, motors, and other equipment outside of but within twenty (20) feet of any spray area, and not separated therefrom by partitions, produced sparks under normal operating conditions and did not otherwise conform to the provisions of subpart S of this part for Class I, Division 2 Hazardous Locations:

a) Girder spraying area: On or about 4/18/2022, precautions were not taken to prevent the ignition of flammable vapors from Category 2 and 3 flammable products used within the spraying area including but not limited to High-Solids Polyurethane, Carboguard, and Macropoxy. Ignition sources within the spraying area including, but not limited to, welding units, downflow units, outlets, and power converters, were not rated Class 1, Division 1.

b) Workspaces outside of girder spraying area: On or about 4/18/2022, precautions were not taken to prevent the ignition of flammable vapors from Category 2 and 3 flammable products used within the spraying area including but not limited to High-Solids Polyurethane, Carboguard, and Macropoxy from ignition sources including, but not limited to, extension cords, grinders, and outlets, were not rated Class 1, Division 2.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

October 21, 2022

Proposed Penalty:

\$10,151.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 5 Type of Violation: **Serious**

29 CFR 1910.107(g)(2): All spraying areas were not kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary:

a) Facility: On or about 4/18/2022, spraying areas were not kept free of accumulations of combustible residues of overspray from Category 2 and 3 flammable products including but not limited to High-Solids Polyurethane, Carboguard, and Macropoxy.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **October 21, 2022**
Proposed Penalty: **\$10,151.00**

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

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 6 Type of Violation: **Serious**

29 CFR 1910.107(g)(7): No smoking signs in large letters on contrasting color background were not conspicuously posted at all spraying areas.

a) Facility: On or about 4/18/2022, No Smoking signs were not posted in the facility near paint spraying areas.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$7,252.00

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

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 7 Type of Violation: **Serious**

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

a) Facility: On or about 4/18/2022, a written respiratory protection program specific to the Millville location was not established or implemented for employees, including but not limited to Painters and Metallizers, required to wear 3M half face respirators and blasting hoods.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 21, 2022
Proposed Penalty:	\$7,252.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 8 Type of Violation: **Serious**

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

a) Facility: On or about 4/18/2022, an emergency eyewash station on the eastern wall was blocked with pallets of paint, pallets of steel, and boxes. Employees use corrosive materials, including, but not limited to, Macropoxy 646 MR and Targuard, to spray finish steel.

b) Facility: On or about 4/18/2022, immediate access to the emergency eyewash located in the northwest corner was prevented as the eyewash was obstructed to less than approximately two feet with metal 55 gallon drums of steel shot on wooden pallets.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10,151.00

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

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 -09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 9 Type of Violation: **Serious**

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

a) Facility: On or about 3/27/2022, employees who operate forklifts were not provided with formal instruction training and practical training prior to using the forklifts.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$8,702.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 10 Type of Violation: **Serious**

29 CFR 1910.243(c)(3): Abrasive wheels used on vertical portable grinder(s) (right angle head grinders) were not provided with safety guard(s) having a maximum exposure angle of 180 degrees and located between the operator and wheel:

- a) Blasting Booth Area: On or about 4/18/2022, safety guards were not affixed to a DeWalt Angle Grinder Model DWE402.
- b) Blasting Booth Area: On or about 4/18/2022, safety guards were not affixed to a Makita Angle Grinder Model GA7021.
- c) Blasting Booth Area: On or about 4/18/2022, safety guards were not affixed to a Bauer Heavy Duty Angle Grinder Model 1865E-B, Serial 374642137.
- d) Blasting Booth Area: On or about 4/18/2022, safety guards were not affixed to a Bauer Heavy Duty Angle Grinder Model 1865E-B.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 21, 2022
Proposed Penalty:	\$10,151.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 11 Type of Violation: **Serious**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

- a) Blasting Booth Area: On or about 4/18/2022, extension cords were observed to be split and spliced into the RadioShack 3 amp Regulated Power Supply used to power the blasting hose deadman switch and the blasting hose lights.
- b) Blasting Booth Area: On or about 4/18/2022, a connection between the tail of the West Tech deadman switch and the cord for the blasting hose was split and exposing internal wiring.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$7,252.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 12 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(ii):Flexible cords were not used only in continuous lengths without splice or tap:

a)Blasting Booth Area: On or about 4/18/2022, extension cords used for in the blasting area for equipment including, but not limited to, grinders and light that had been damaged from blasting activities were spliced or repaired and put back into use.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$7,252.00

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

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 3 Item 13 Type of Violation: **Serious**

29 CFR 1910.1200(g)(1): Employer did not have a safety data sheet in the workplace for each hazardous chemical which they use.

a) Paint Shop: On or about 4/18/2022, the employer did not have safety data sheets for products used in the facility, such as, but not limited to, Zinc Clad, Macropoxy 646, and Targuard, which are corrosives.

NOTE: THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT CERTIFICATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$10,151.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

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

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level was protected from falling by one or more of the systems described in 29 CFR 1910.28(b)(1)(i):

a) Blast Booth Area: On or about 6/1/2022, employees working on top of the blasting booth approximately 15 feet above the ground below were coupling a tarp to the booth before starting the blasting process. The employees did not wear fall protection nor were guardrails installed.

b) Blast Booth Area: On or about 6/1/2022, employees working on top of the blasting booth approximately 15 feet above the ground below were jumping over an approximately two foot gap at the top of the booth to couple a tarp to the booth before starting the blasting process. The employees did not wear fall protection nor were guardrails installed.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **October 21, 2022**
Proposed Penalty: **\$116,022.00**

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 4 Item 2 Type of Violation: **Willful - Serious**

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

a) Facility: On or about 4/18/2022, the employer did not provide medical evaluations to employees, including but not limited to Metalizers and Painters, required to wear 3M elastomeric half face respirators and airline blasting hoods.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$99,444.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 09/26/2022
Issuance Date: 09/26/2022



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 4 Item 3 Type of Violation: **Willful - Serious**

29 CFR 1910.134(k)(1): 29 CFR 1910.134(k)(1): The employer did not provide effective training that covered the required elements in 1910.134(k)(1)(i) through 1910.134(k)(1)(vii):

a) Facility: On or about 4/18/2022, the employer did not provide training to employees, including but not limited to Metallizers and Painters, required to wear 3M half face respirators and airline blasting hoods.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 21, 2022
\$116,022.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 4 Item 4 a Type of Violation: **Willful - Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which described how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) would be met:

a) Facility: The employer did not maintain a written hazard communication program for the chemicals used at the facility, such as, but not limited to, Zinc Clad, Macropoxy 646 MR, a corrosive, and Targuard, on or about 04/18/22.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **October 21, 2022**
Proposed Penalty: **\$116,022.00**

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



Citation and Notification of Penalty

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332

Citation 4 Item 4 b Type of Violation: **Willful - Serious**

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) Paint Shop: Effective information and training was not provided to employees that used chemicals used at the facility, such as, but not limited to, Zinc Clad, Macropoxy 646 and Targuard, on or about 4/18/22.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **October 21, 2022**
Proposed Penalty: **\$0.00**

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

U.S. Department of Labor
Occupational Safety and Health Administration
Marlton Executive Park
2 Executive Drive, Suite 120
Marlton, NJ 08053



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Regal Industrial Corporation
Inspection Site: 92 Reese Road, Millville, NJ 08332
Issuance Date: 09/26/2022

Summary of Penalties for Inspection Number: 1590242

Citation 3 Item 1, Serious	\$8,702.00
Citation 3 Item 2, Serious	\$7,252.00
Citation 3 Item 3, Serious	\$10,151.00
Citation 3 Item 4, Serious	\$10,151.00
Citation 3 Item 5, Serious	\$10,151.00
Citation 3 Item 6, Serious	\$7,252.00
Citation 3 Item 7, Serious	\$7,252.00
Citation 3 Item 8, Serious	\$10,151.00
Citation 3 Item 9, Serious	\$8,702.00
Citation 3 Item 10, Serious	\$10,151.00
Citation 3 Item 11, Serious	\$7,252.00
Citation 3 Item 12, Serious	\$7,252.00
Citation 3 Item 13, Serious	\$10,151.00
Citation 4 Item 1, Willful - Serious	\$116,022.00
Citation 4 Item 2, Willful - Serious	\$99,444.00
Citation 4 Item 3, Willful - Serious	\$116,022.00
Citation 4 Item 4a, Willful - Serious	\$116,022.00
Citation 4 Item 4b, Willful - Serious	\$0.00
Citation 5 Item 1, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: **\$562,080.00**

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. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing

House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment 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 two 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 one percent (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.

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.

Paula Dixon-Roderick

Area Director

Date

U.S. Department of Labor Occupational Safety and Health Administration
701 Route 73 South
Building 2, Suite 120
Marlton, NJ 08053



08/24/2022

Regal Industrial LLC
and its successors
92 Reese Road
Millville, NJ 08332

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (856) 596-5200.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me 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. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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. 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.

Sincerely,

Paula Dixon-Roderick
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
701 Route 73 South
Building 2, Suite 120
Marlton, NJ 08053



Citation and Notification of Penalty

To:
Regal Industrial LLC
and its successors
92 Reese Road
Millville, NJ 08332

Inspection Number: 1590242
Inspection Date(s): 04/18/2022 – 08/24/2022
Issuance Date: 08/24/2022

Inspection Site:
92 Reese Road
Millville, NJ 08332

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 either call to schedule an informal conference (see paragraph below) or** 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.

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 by calling (856) 596-5200. 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 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. You can also make your payment electronically at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide **abatement certification** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that **abatement documentation** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

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. 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 08/24/2022. The conference will be held by telephone or at the OSHA office located at 701 Route 73 South, Building 2, Suite 120, Marlton, NJ 08053 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1590242

Company Name: Regal Industrial LLC
Inspection Site: 92 Reese Road, Millville, NJ 08332
Issuance Date: 08/24/2022

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 701 Route 73 South, Building 2, Suite 120, Marlton, NJ 08053.**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Regal Industrial LLC
Inspection Site: 92 Reese Road, Millville, NJ 08332

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

- a) Facility: On or about 2/28/2022, an employee not wearing eye protection was injured from metal dust getting into both eyes.
- b) Facility: On or about 2/28/2022, an employee not wearing eye protection was injured from paint getting into both eyes.
- c) Blast Room: On or about 3/9/2022, an employee not wearing eye protection was injured from metal getting into an eye.
- d) Facility: On or about 6/1/2022, Painters were observed applying spray coatings wearing safety glasses, not appropriate goggles.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	September 20, 2022
Proposed Penalty:	\$10,151.00

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



Citation and Notification of Penalty

Company Name: Regal Industrial LLC
Inspection Site: 92 Reese Road, Millville, NJ 08332

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

29 CFR 1904.29(b)(3): Each recordable injury or illness was not entered on the OSHA 300 Log and/or an incident report (OSHA Form 301 or equivalent) within seven (7) calendar days of receiving information that a recordable injury or illness has occurred:

- a) Facility: An employee injury sustained on 2/28/2022 from metal dust in the employee's eye and resulting in 2 days away from work. This injury was not recorded within seven days on the OSHA 300 log or equivalent form.
- b) Facility: An employee injury sustained on 2/28/2022 from paint in the employee's eyes and resulting in 1 day away from work. This injury was not recorded within seven days on the OSHA 300 log or equivalent form.
- c) Facility: An employee injury sustained on 3/9/2022 from metal in the employee's eyes and resulting in 2 days away from work. This injury was not recorded within seven days on the OSHA 300 log or equivalent form.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1,450.00

Paula Dixon-Roderick
Area Director

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 one percent (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.

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.

Paula Dixon-Roderick

Area Director

Date