

U.S. Department of Labor Occupational Safety and Health Administration
450 Mall Boulevard
Suite J
Savannah, GA 31406



06/15/2023

W8 Shipping LLC
and its successors
2001 Lower Rd.
Linden, NJ 07036

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 (912) 652-4393.

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,

Robert W Stocksdale
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
450 Mall Boulevard
Suite J
Savannah, GA 31406



Citation and Notification of Penalty

To:
W8 Shipping LLC
and its successors
2001 Lower Rd.
Linden, NJ 07036

Inspection Number: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023

Inspection Site:
4895 Old Louisville Rd.
Garden City, GA 31408

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 (912) 652-4393. 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 06/15/2023. The conference will be held by telephone or at the OSHA office located at 450

Mall Boulevard, Suite J, Savannah, GA 31406 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1639583

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408
Issuance Date: 06/15/2023

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, 450 Mall Boulevard, Suite J, Savannah, GA 31406.**

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

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

Inspection Number: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to fall hazards:

a) At 4895 Old Louisville Rd, Garden City, GA, in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and at times prior to, the employer exposed employees to fall hazards of six feet or greater without providing protective equipment when working from a car carrier while unloading cars and motorcycles.

Among other methods, one feasible and acceptable method to correct this hazard would be to ensure that fall protection such as truck netting, fixed or transportable anchor posts, or rolling platforms are installed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$8,036.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck-by, crushed-by, and ejection hazards:

a) At 4895 Old Louisville Rd, Garden City, GA in Warehouses 1, and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by, crushed-by, and ejection hazards while operating powered industrial trucks (PITs).

Among other methods, one feasible and acceptable means of abatement would be to utilize a restraint system while operating the PIT.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 20, 2023
Proposed Penalty:	\$14,063.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

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

29 CFR 1910.22(a)(1): The employer did not ensure that all places of employment, passageways, storerooms, service rooms, and walking-working surfaces are kept in a clean, orderly, and sanitary condition:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 2: On or about December 16, 2022, and times prior to, the employer exposed employees to fire hazards in that the accumulation of wood dust in Warehouse 2 was not maintained.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$8,036.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

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

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 2: On or about December 16, 2022, and times prior to, the employer exposed employees to inhalation hazards, in that exit doors were not marked as "EXIT" where employees were engaged in loading, maintenance, and carpentry activities.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$12,055.00

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: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.9(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

a) At 4895 Old Louisville Rd, Garden City, GA 31408 in Warehouse 1 while loading containers: On or about January 18, 2023, the employer did not monitor an employee who was exposed to a time weighted average (TWA) of 87.2 decibels on the A scale (dBA) or the equivalent dose of 67.92% for a run time of 373 minutes, which exceeded the time weighted average of 85 dBA, thus exposing employees to the noise hazards.

b) At 4895 Old Louisville Rd, Garden City, GA 31408 in Warehouse 2 while cutting wood: On or about January 18, 2023, the employer did not monitor an employee who was exposed to a time weighted average (TWA) of 89.7 decibels on the A scale (dBA) or the equivalent dose of 95.40% for a run time of 402 minutes, which exceeded the time weighted average of 85 dBA, thus exposing employees to the noise hazards.

An effective hearing conservation program [see CFR 29 1910.95(c) through (n)] shall include, at a minimum [for all employees exposed to noise levels with an 8-hour time-weighted average (TWA) of 85 dBA] the following elements:

1. Representative noise sampling to determine who must be included in the hearing conservation program [see 1910.95(d)].
2. The notification of employees exposed to the above noise levels [see 1910.95(e)].
3. Employee observation of the above monitoring [see 1910.95(f)].
4. A baseline audiogram for all employees exposed to noise levels equal to or in excess of an 8-hour TWA of 85 dBA [see 1910.95(g)].
5. Yearly audiograms for each overexposed employee. These audiograms shall meet the requirements of 1910.95(h). Testing shall be performed on instruments that meet the performance of calibration requirements of 1910.95(h) and appendices C, D, and E of 1910.95.
6. A variety of hearing protectors made available to all overexposed employees [see 1910.95(i)]. Hearing protection mandatory for employees exposed to noise levels above 90 dBA [see 1910.95(k)].

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

7. A training program emphasizing the following: the purpose of fitting, advantages and disadvantages of hearing protectors, the purpose and explanation of audiometric testing, and the effects of noise [see 1910.95(l)].
8. Employee access to copies of the noise standard (1910.95) and information pertaining to the standard [see 1910.95(l)].
9. Maintenance of employee exposure records and access to those records [see 1910.95(m)].

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 20, 2023
Proposed Penalty:	\$14,063.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

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

29 CFR 1910.110(e)(13)(ii): No more than two LP-Gas containers shall be used on an industrial truck for motor fuel purposes:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 1: On or about December 16, 2022, and times prior to, the employer exposed employees to burn hazards in that more than two LP-Gas containers were on an industrial truck.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$8,036.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.110(f)(2)(i): Containers in storage shall be located so as to minimize exposure to excessive temperature rise, physical damage, or tampering by unauthorized persons:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 1: On or about December 16, 2022, and times prior to, the employer exposed employees to burn and struck-by hazards, in that liquid propane gas cylinders, approximately 80 pounds each, were not protected from physical damage, tampering, or excessive temperature.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$14,063.00

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: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 8 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) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 1: On or about December 16, 2022, and times prior to, the employer exposed employees to chemical hazards in that proper eye protection was not provided or enforced when changing liquid propane tanks.
- b) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2: On or about December 16, 2022, and at times prior to, the employer exposed employees to impalement hazards in that proper eye protection was not enforced when working with a pneumatic nail gun.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 20, 2023
Proposed Penalty:	\$8,036.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.136(a): The employer did not ensure that each affected employee used protective footwear when working in areas where there was a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet were exposed to electrical hazards:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to crush hazards, in that protective shoes were not required for employees to wear throughout the warehouse.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$12,055.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasion; punctures; chemical burns; thermal burns; and harmful temperature extremes:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 1: On or about December 16, 2022, and times prior to, the employer exposed employees to chemical hazards in that proper hand protection was not provided or enforced when changing liquid propane tanks or handling damaged car batteries.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 20, 2023
Proposed Penalty:	\$12,055.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 11 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) At 4895 Old Louisville Rd, Garden City, GA 31408 in Warehouses 1 and 2: On or about December 16, 2022, and times prior to, the employer exposed employees to chemical hazards in that suitable facilities were not provided to employees that worked with corrosive materials such as, but not limited to, damaged car batteries.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$12,055.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.157(g)(4): Employees who have been designated to use fire fighting equipment as a part of the emergency action plan were not provided training in the use of appropriate equipment upon initial assignment and at least annually thereafter:

a) At 4895 Old Louisville Rd, Garden City, GA in Warehouses 1 and 2: On or about December 16, 2022, and times prior to, the employer exposed employees to fire hazards in that designated employees were not provided training in use of appropriate fire fighting equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$12,055.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.176(a): Permanent aisles or passageways were not appropriately marked:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 1: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by hazards in that there were not clearly marked passageways for pedestrians when powered industrial trucks were in close proximity.

b) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 2: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by hazards in that there were not clearly marked passageways for pedestrians when powered industrial trucks were in close proximity.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$10,046.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.178(l)(2)(ii): The employer did not ensure that each operator had successfully completed the training consisting of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by and caught in hazards, in that powered industrial truck training containing formal instruction and an operator evaluation was not provided to employees that performed forklift operations including loading and unloading of vehicles from trailers and into containers.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$12,055.00

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: 1639583
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Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by hazards, in that forklift operator evaluations were not conducted at least once every three years for employees who operated forklifts on a daily basis to complete loading and unloading operations.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8,036.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.178(m)(1): Trucks shall not be driven up to anyone standing in front of a bench or other fixed object:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by, caught in between, and crushing hazards, in that employees are positioned between a moving powered industrial truck and the inside wall of a shipping container.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$14,063.00

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: 1639583
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Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.178(n)(4): Industrial truck driver(s) were not required to travel with the load trailing whenever the load obstructed forward view:

a) At 4895 Old Louisville Rd, Garden City, GA 31408 in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by and crushing hazards, in that powered industrial trucks were not operated with the load trailing when the load obstructed the forward view of employees that performed vehicle transfer operations.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$14,063.00

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: 1639583
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Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.178(n)(7)(iii): On all grades the load and load engaging means were not tilted back if applicable, and were not raised only as far as necessary to clear the road surface:

a) At 4895 Old Louisville Rd, Garden City, GA in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by and crushing hazards, in that powered industrial trucks (PITs) were driven with a load fully raised by employees performing transfer operations and higher than necessary to clear the ground surface while loading the vehicles into containers for export.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$14,063.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.178(o)(1): Load(s) on powered industrial truck(s) were not stable or safely arranged:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by and entrapment hazards, in that safely arranged and stable loads were not handled by employees according to the standard operating procedure that performed unloading and loading tasks with the forklifts.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$14,063.00

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: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.213(r)(3): The point of operation on combination or universal woodworking machines was not guarded:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 2: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by and caught in hazards, in that employees were using a miter saw without proper guarding in place.

OR IN THE ALTERNATIVE

29 CFR 1910.213(d)(1): Circular handfed crosscut table saw(s) were not guarded by an automatically adjusting hood which completely enclosed that portion of the saw above the table and above the material being cut:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 2: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by and caught in hazards, in that employees were using a miter saw without proper guarding in place.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 20, 2023
Proposed Penalty:	\$14,063.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 21 Type of Violation: **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 describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouse 1: On or about December 16, 2022, and times prior to, the employer exposed employees to chemical hazards in that a written hazard communication program was not developed, implemented, or maintained in the workplace when employees worked with or used hazardous chemicals such as but not limited to, liquid propane, Argon, and SSAE 75W-90 Full Synthetic Gear Oil.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 20, 2023
\$12,055.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and did not ensure that they were readily accessible during each work shift to employees when they were in their work area(s):

a) At 4895 Old Louisville Road, Garden City, GA 31408 in Warehouses 1 and 2: On or about December 16, 2022, and times prior to, the employer exposed employees to chemical hazards in that a safety data sheets (SDS) were not maintained and readily accessible during each work shift for the chemicals on-site such as, but not limited to, liquid propane, Argon, and SAE 75W-90 Full Synthetic Gear Oil.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: July 20, 2023
Proposed Penalty: \$12,055.00

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: 1639583
Inspection Date(s): 12/16/2022 - 12/16/2022
Issuance Date: 06/15/2023



Citation and Notification of Penalty

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

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

29 CFR 1910.178(m)(2): Employee(s) stood under or passed under the elevated portion of a powered industrial truck(s):

a) At 4895 Old Louisville Rd, Garden City, GA 31408 in Warehouses 1 and 2, and the Lot: On or about December 16, 2022, and times prior to, the employer exposed employees to struck-by, crushing, and entrapment hazards, in that employees performed unloading and loading operations while working under elevated loads on powered industrial trucks (PITs).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: July 20, 2023
Proposed Penalty: \$120,539.00

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: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

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

- a) At 4895 Old Louisville Road, Garden City, 31408: On or about December 16, 2022, and times prior to, the employer exposed employees to electrical hazards, in that areas in front of electrical panels in Warehouse 1 were used as storage and blocked by damaged motorcycles where employees work.
- b) At 4895 Old Louisville Road, Garden City, 31408: On or about December 16, 2022, and at times prior to, the employer exposed employees to electrical hazards, in that areas in front of electrical panels in Warehouse 2 were used as storage and blocked by pallets, barrels of chains, and other miscellaneous containers where employees work.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$0.00

Robert W Stocksdale
Area Director

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
450 Mall Boulevard
Suite J
Savannah, GA 31406



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: W8 Shipping LLC
Inspection Site: 4895 Old Louisville Rd., Garden City, GA 31408
Issuance Date: 06/15/2023

Summary of Penalties for Inspection Number: 1639583

Citation 1 Item 1, Serious	\$8,036.00
Citation 1 Item 2, Serious	\$14,063.00
Citation 1 Item 3, Serious	\$8,036.00
Citation 1 Item 4, Serious	\$12,055.00

Citation 1 Item 5, Serious	\$14,063.00
Citation 1 Item 6, Serious	\$8,036.00
Citation 1 Item 7, Serious	\$14,063.00
Citation 1 Item 8, Serious	\$8,036.00
Citation 1 Item 9, Serious	\$12,055.00
Citation 1 Item 10, Serious	\$12,055.00
Citation 1 Item 11, Serious	\$12,055.00
Citation 1 Item 12, Serious	\$12,055.00
Citation 1 Item 13, Serious	\$10,046.00
Citation 1 Item 14, Serious	\$12,055.00
Citation 1 Item 15, Serious	\$8,036.00
Citation 1 Item 16, Serious	\$14,063.00
Citation 1 Item 17, Serious	\$14,063.00
Citation 1 Item 18, Serious	\$14,063.00
Citation 1 Item 19, Serious	\$14,063.00
Citation 1 Item 20, Serious	\$14,063.00
Citation 1 Item 21, Serious	\$12,055.00
Citation 1 Item 22, Serious	\$12,055.00
Citation 2 Item 1, Willful - Serious	\$120,539.00
Citation 3 Item 1, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: \$379,709.00

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.

Robert W Stocksdale

Area Director

Date