



*Division of Occupational Safety and Health
Occupational Health Clinics*

09-17-20A10:13 RCVD

September 14, 2020

CERTIFIED MAIL

Ms. Mary Bylone, First Selectman
Town of Colchester
Town Hall
127 Norwich Avenue
Colchester, CT 06415

RE: Inspection #1486205
Colchester Hayward Volunteer Fire Department
52 Old Hartford Road
Colchester, CT 06415

Dear Ms. Bylone:

Enclosed you will find citations for violations of Connecticut's Occupational Safety and Health Act which may have accompanying proposed penalties.

Also enclosed is a booklet which explains your rights and responsibilities under the Act. 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. The informal conference provides an opportunity to resolve disputed matters pertaining to the citations without the necessity of recourse to the contest period litigation process.

Please be advised that when an informal conference is scheduled, it is mandatory that the "Notice to Employees of Informal Conference" on page 4 within the "Citation and Notification of Penalty", be posted.

If you have any questions about the enclosed citations, penalties, abatement dates, CONN-OSHA program or informal conference, please contact me.

Very truly yours,

Kenneth C. Tucker III
CONN-OSHA Director

kct/cfj

encs.

cc: Walter Cox, Fire Chief
Don Lee, Deputy Fire Chief

State of Connecticut, Department of Labor

Division of Occupational Safety & Health

38 Wolcott Hill Road

Wethersfield, CT 06109

Phone: (860) 263-6900 Fax: (860) 263-6940

INVOICE

Facility Name: Colchester Hayward Volunteer Fire Department

Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

Issuance Date: 09/14/2020

Summary of Penalties for Inspection Number: **1486205**

Citation 1, Serious **\$3940.00**

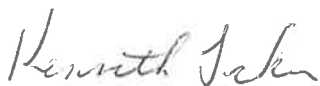
Citation 2, Other Than Serious **\$ 0.00**

TOTAL PROPOSED PENALTIES: **\$3940.00**

Please remit payment promptly to the Office for the total amount of uncontested penalties summarized above.

Make your check or money order payable to: "**CTDOL CONN-OSHA**". Please indicate the Inspection Number (indicated above) on the remittance. Send payment promptly to our office at the address listed above.

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



Kenneth C. Tucker III

CONN-OSHA Director

State of Connecticut, Department of Labor

Division of Occupational Safety & Health

38 Wolcott Hill Road

Wethersfield, CT 06109

Phone: (860) 263-6900 Fax: (860) 263-6940

Citation and Notification of Penalty

To: Ms. Mary Bylone, First Selectman

Town of Colchester

Town Hall

127 Norwich Avenue

Colchester, CT 06415

Inspection Number: 1486205

Inspection Date(s): 07/29/2020-08/14/2020

Issuance Date: 09/14/2020

CSHO ID: U0909

Optional Report No.: 554

Inspection Site:

Colchester Hayward Volunteer Fire Department

52 Old Hartford Road

Colchester, CT 06415

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 Connecticut Occupational Safety and Health Act. 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 penalty(ies) proposed, unless within 15 working day (excluding weekends and state holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the State of Connecticut, Department of Labor, Division of Occupational Safety and Health (CONN-OSHA) 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 state holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

Informal Conference – An informal conference is not required. However, if you wish to have such a conference you may request one with the CONN-OSHA Director during the 15 working day contest period. During the 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 CONN-OSHA Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 4 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the CONN-OSHA 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 Connecticut Occupational Health and Safety 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.) Make your check or money order payable to "CTDOL CONN-OSHA". Please indicate the Inspection Number on the remittance.

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

Notification of Corrective Action – For violations which you do not contest, you should notify CONN-OSHA promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the CONN-OSHA office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 180 days after the discrimination occurred with the CONN-OSHA office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the CONN-OSHA office at the address shown above and postmarked within 15 working days (excluding weekends and state 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 your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at www.OSHA.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with CONN-OSHA to discuss the Citation(s) issued on 09/14/2020. The conference will be held at the CONN-OSHA office located at 38 Wolcott Hill Road Wethersfield, CT 06109 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

31-370(a): 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 the hazard of outdated personal protective equipment (PPE). Several firefighters have turnout gear that they use to respond to such events as structure fires, motor vehicle accidents, etc., that has exceeded its ten year life span. The requirement for turnout gear's ten year lifespan is specified under The National Fire Protection Association, (NFPA) Standard 1851 and is considered the industry standard.

Location:

A. Colchester Hayward Volunteer Fire Department

1. The employer failed to ensure that all turnout gear used to respond to events such as structure fires, motor vehicle accidents, etc., was within the acceptable ten year life span.

One feasible and acceptable abatement method is to fund and purchase new gear for those firefighters that have gear older than 10 years.

Date by Which Violation Must be Abated:
Proposed Penalty:

December 15, 2020
\$640.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of PPE.

Location:

A. Colchester Hayward Volunteer Fire Department

1. The employer failed to complete a hazard assessment which would include a review of tasks that members of the Colchester Hayward Volunteer Fire Department are required to perform during the performance of their job duties and to identify hazards that may be associated with performing those tasks and finally addressing those hazards thru Administrative Controls, Engineering Controls or through the use of PPE.

Date by Which Violation Must be Abated:
Proposed Penalty:

December 15, 2020
\$490.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

Alleged violations that involve similar or related hazards and may increase the potential for injuries and/or illnesses have been grouped.

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

31-372-101

1910.147(c)(4)(i): Lockout/Tagout procedures were not developed for specific equipment within the facilities, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section.

Location:

A. Colchester Hayward Volunteer Fire Department Facilities

1. The employer failed to develop specific lockout/tagout procedures for specific equipment within the Colchester Hayward Volunteer Fire Department facilities such as electrical circuit breaker panels.

Date by Which Violation Must be Abated:
Proposed Penalty:

December 15, 2020
\$350.00

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

1910.147(c)(6)(ii): The employer did not certify that periodic inspections of the energy control procedures had been performed.

Location:

A. Colchester Hayward Volunteer Fire Department

1. The employer had a lockout/tagout program, but it was online and corrupt showing that periodic inspections of the program had not been completed.

Date by Which Violation Must be Abated:

December 15, 2020

Proposed Penalty:

\$0.00

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

31-372-101

1910.156(d): The employer did not maintain and inspect, at least annually, firefighting equipment to assure the safe operational condition of the equipment. Portable fire extinguishers and respirators shall be inspected at least monthly. Firefighting equipment that is in damaged or unserviceable condition shall be removed from service and replaced.

Location:

A. Colchester Hayward Volunteer Fire Department

1. The employer has not completed an annual inspection of all firefighter's turnout gear, including coat, pants helmets, gloves, etc., by a qualified and competent personnel.

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$640.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

1910.176(c): Storage areas were not kept free from accumulation of materials that constituted hazards from tripping, fire, explosion, or pest harborage.

Location:

A. Equipment Repair Room

1. The equipment repair room has items stored in such a manner to create a possible trip hazard or struck-by hazard.

Date by Which Violation Must be Abated:

October 30, 2020

Proposed Penalty:

\$280.00

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

31-372-101

1910.212(b): Machine(s) designed for fixed location(s) were not securely anchored to prevent walking or moving.

Location:

A. Equipment Repair Room

1. A bench grinder that could be anchored, was found not anchored.

Date by Which Violation Must be Abated:

October 30, 2020

Proposed Penalty:

\$350.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

1910.215(a)(4): Work rest(s) on grinding machinery were not adjusted closely to the wheel with a maximum opening of one eighth of an inch.

Location:

A. Equipment Repair Room

1. A bench grinder was found to have its work-rest approximately one-half inch away from the abrasive wheel.

Date by Which Violation Must be Abated:
Proposed Penalty:

October 30, 2020
\$350.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

Alleged violations that involve similar or related hazards and may increase the potential for injuries and/or illnesses have been grouped.

Citation 1 Item 8a Type of Violation: **Serious**

31-372-101

1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials. a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour.

Location:

A. Equipment Repair Room

1. Small acetylene and oxygen cylinders were found to be stored together.

Date by Which Violation Must be Abated:

October 30, 2020

Proposed Penalty:

\$420.00

Citation 1 Item 8b Type of Violation: **Serious**

31-372-101

1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6.

Location:

A. Equipment Repair Room

1. Oxygen and acetylene cylinders were found to be stored in an unsecured manner and subject to being knocked over.

Date by Which Violation Must be Abated:

October 30, 2020

Proposed Penalty:

\$0.00

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

1910.1030(c)(1)(iv): The Exposure Control Plan was not reviewed and updated at least annually, whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure, and to reflect new or revised employee positions with occupational exposure.

Location:

A. Colchester Hayward Volunteer Fire Department

1. The Fire Department failed to update their exposure control plan since January 2009.

Date by Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$420.00

<p>SPECIFIC ABATEMENT CERTIFICATION AND DOCUMENTATION IS REQUIRED FOR ALL SERIOUS CITATIONS</p>
--

State of Connecticut
Department of Labor
Division of Occupational Safety & Health

Inspection Number: 1486205
Inspection Date: 07/29/2020-08/14/2020
Issuance Date: 09/14/2020

Citation and Notification of Penalty

Facility Name: Colchester Hayward Volunteer Fire Department
Inspection Site: 52 Old Hartford Road, Colchester, CT 06415

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

31-372-101

1910.157(e)(2): The employer did not ensure that portable fire extinguishers were visually inspected at least monthly.

Location:

A. Colchester Hayward Volunteer Fire Department

1. Portable fire extinguishers were not visually inspected and logged in at least monthly.

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$0.00

SPECIFIC ABATEMENT CERTIFICATION IS REQUIRED FOR ALL <i>OTHER THAN SERIOUS</i> CITATIONS
--



Kenneth C. Tucker III
CONN-OSHA Director