

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
3300 Vickery Road  
North Syracuse, NY 13212  
Phone: 315-451-0808 Fax: 315-451-1351



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## Citation and Notification of Penalty

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**To:**  
Alstom Transportation Inc.  
and its successors  
David Woolever, Plant Manager  
1 Transit Drive  
Hornell, NY 14843

**Inspection Number:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016

**Inspection Site:**  
1 Transit Drive  
Hornell, NY 14843

*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.*

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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. 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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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](http://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 05/24/2016. The conference will be held by telephone or at the OSHA office located at 3300 Vickery Road, North Syracuse, NY 13212 on \_\_\_\_\_ at \_\_\_\_\_.

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



**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1108994**

Company Name: Alstom Transportation Inc.  
Inspection Site: 1 Transit Drive, Hornell, NY 14843  
Issuance Date: 05/24/2016

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, 3300 Vickery Road, North Syracuse, NY 13212**

Citation Number   1   and Item Number   1a   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   1b   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   1c   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   1d   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   1e   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   2a   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   2b   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   3a   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   3b   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number   3c   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_4\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_5a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_5b\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_5c\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_5d\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_5e\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_6a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_6b\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_7\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_8a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_8b\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_9a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_9b\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_9c\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_9d\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_10a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_10b\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
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Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_11a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_11b\_\_\_ was corrected \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_12a\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_12b\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_12c\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_13\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number \_\_\_1\_\_\_ and Item Number \_\_\_14\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number  15a  was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number  15b  was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number  15c  was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number  15d  was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number  16   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   1   and Item Number  17   was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number   2   and Item Number   1   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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.94(a)(5)(iv): For employees who use respirators required by this section, the employer did not implement a respiratory protection program in accordance with 29 CFR 1910.134.

**a) Sandblasting area, on or about 1/16/16: Employees working as sand blasters using supplied air respirators while exposed to silica were not trained in accordance with the company's Respiratory Protection Program, on the use and limitations of supplied air respirators nor on procedures for ensuring adequate air quality.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:	06/11/2016
Proposed Penalty:	\$6000.00

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant's chemical state and physical form:

- a) **Strip and Wash area, on or about 12/1/15: The employer did not evaluate exposure of welders to heavy metals including nickel, copper fume, iron oxide fume and chromium.**
- b) **Strip and Wash area, on or about 12/1/15: The employer did not evaluate exposure of plasma cutters to heavy metals including copper fume, iron oxide fume, nickel and chromium.**
- c) **Strip and Wash area, on or about 12/1/15: The employer did not evaluate exposure of fabricators such as grinders to heavy metals including iron oxide, copper, chromium and nickel dusts.**
- d) **Greenline area, on or about 12/1/15: The employer did not evaluate exposure of welders to heavy metal fume.**
- e) **Greenline area, on or about 12/1/15: The employer did not evaluate exposure of torch cutters to heavy metal fume.**
- f) **Greenline area, on or about 12/1/15: The employer did not evaluate exposure of fabricators to heavy metal dust.**

**Abatement certification must be submitted for this item.**

**Date By Which Violation Must be Abated:**

**07/12/2016**

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.134(f)(2): Employee(s) using a tight-fitting face-piece respirator were not annually fit tested:

**a) Spray painting area, on or about 1/15/16: An employee required to wear a 3M half face air purifying respirator while mixing paint in a spray paint booth downwind from spray painter was not fit-tested. Last fit-test was performed in 2013.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/11/2016

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the face-piece and exhalation valve:

**a) Sandblasting area, on or about 1/16/16: Supplied air respirator hoods used by sand blasters were stored in the open air in the break room, not protected from silica dust and heavy metal dusts including, but not limited to, cadmium and lead.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/11/2016

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.134(k)(5): Respiratory protection retraining was not conducted annually:

- a) **Spray painting area, on or about 1/14/16: A spray painter required to wear an air supplied respirator during spray paint applications was not trained on respiratory protection since 2007.**
- b) **Spray painting area, on or about 1/14/16: A spray painter required to wear a half face air purifying respirator during mixing operations was not trained on respiratory protection since 2007.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/26/2016

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceed the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

- a) **Throughout the facility, on or about 1/13/16: A noise monitoring program was not developed for employees working in high noise areas including, but not limited to, sand blast area. Screen sampling revealed that the employee was exposed to 90.5 decibels of noise.**
- b) **Throughout the facility, on or about 1/13/16: A noise monitoring program was not developed for employees working in high noise areas including, but not limited to, Greenline fabrication area in High Bay building. Full shift sampling revealed that employees were exposed to noise at 89.3 decibels of noise, based on an 8 hour time weighted average.**
- c) **Throughout the facility, on or about 1/13/16: A noise monitoring program was not developed for employees working in high noise areas including, but not limited to, Patco fabrication area. Sound level meter readings revealed that employees were exposed to 94 decibels of noise.**
- d) **Throughout the facility, on or about 1/13/16: A noise monitoring program was not developed for employees working in high noise areas including, but not limited to, power wash area in Strip and Wash building. Sound level meter readings revealed that employees were exposed to 105 decibels of noise.**

**Abatement certification must be submitted for this item**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/12/2016  
\$6000.00

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.95(l)(1): The employer did not post of copy of 29 CFR 1910.95 in the workplace where exposure was above 85 decibels, based on an eight hour time weighted average:

a) **Throughout the facility, on or about 1/13/16: A Greenline employee working as a fabricator was exposed 89.93 dBA of noise based on an 8 hour time weighted average for the 342 minutes sampled. A zero increment was included for the 138 minutes not sampled. A copy of the noise standard was not posted in the workplace.**

b) **Throughout the facility, on or about 1/13/16: A Greenline employee working as a fabricator was exposed 87.11 dBA of noise based on an 8 hour time weighted average for the 357 minutes sampled. A zero increment was included for the 83 minutes not sampled. A copy of the noise standard was not posted in the workplace.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/01/2016

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

Inspection Number: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

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

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

29 CFR 1910.107(b)(9): A clear space of not less than 3 feet on all sides of a spray booth was not kept free from storage or combustible construction:

**a) Plant 2, on or about 1/15/16: Boxes, parts and other equipment were stored within a three foot space around spray booth.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/06/2016  
\$4000.00

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

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**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.107(e)(9): Flammable liquids for use in spraying operations were transferred from one container to another without both containers being effectively bonded and grounded to prevent discharge sparks of static electricity.

**a) Paint Booth, main plant, on or about 1/13/16; Containers were not electrically interconnected when employees transfer acrylic lacquer thinner, a flammable liquid, from 55 gallon drum into a 1 gallon pail.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/06/2016

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

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**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
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**Citation 1 Item 3 c** Type of Violation: **Serious**

29 CFR 1910.159(c)(2): The employer did not properly maintain the installed automatic sprinkler system:

**Plant 2, on or about 1/15/16: The sprinkler system in a spray booth used for application of flammable solvent borne paints was not inspected annually. The sprinkler system was last inspected on 2/27/12. Flow testing was last done on 2/27/12.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/26/2016

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: 1108994  
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**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.124(f): Employees were not knowledgeable of the proper first-aid procedures appropriate to the dipping or coating hazards to which they were exposed:

**a) Strip and Wash Area, on or about 12/1/15: The employer did not ensure employees working around dip tanks were aware of first aid procedures appropriate for the hazards associated with the corrosive chemicals with which they work. Employees clean railcar parts by lowering them into dip tanks containing corrosive cleaning chemicals such as, but not limited to, Al-brite (containing sulfuric, phosphoric and hydrofluoric acids, pH of 0.5) and Truck and Tractor Cleaner (pH of 12.5 - 13.5).**

**Abatement certification must be submitted for this item**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/26/2016  
\$4000.00

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

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

29 CFR 1910.134(a)(2): A respirator was not provided by the employer to each employee when such equipment was necessary to protect the health of the employee:

- a) **Strip and Wash Area, on or about 12/2/15: Welders were exposed to chromium metal and its insoluble salts at 2.77 milligrams per cubic meter (mg/m<sup>3</sup>) or 2.8 times the permissible exposure limit (PEL) of 1 mg/m<sup>3</sup> based on the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. Welders did not wear respirators.**
- b) **Strip and Wash Area, on or about 12/2/15: Welders were exposed to nickel at 1.12 milligrams per cubic meter (mg/m<sup>3</sup>) or 1.12 times the permissible exposure limit (PEL) of 1 mg/m<sup>3</sup> based on the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. Welders did not wear respirators.**
- c) **Strip and Wash Area, on or about 12/2/15: Welders were exposed to copper fume at .19 milligrams per cubic meter (mg/m<sup>3</sup>) or 1.9 times the permissible exposure limit (PEL) of .1 mg/m<sup>3</sup> based on the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. Welders did not wear respirators.**
- d) **Strip and Wash Area, on or about 12/2/15: Welders were exposed to iron oxide fume at 77.8 milligrams per cubic meter (mg/m<sup>3</sup>) or 7.8 times the permissible exposure limit (PEL) of 10 mg/m<sup>3</sup> based on the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. Welders did not wear respirators.**

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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**e) Strip and Wash Area, on or about 12/2/15: Welders were exposed to total dust at 95.1 milligrams per cubic meter (mg/m<sup>3</sup>) or 6.3 times the permissible exposure limit (PEL) of 15 mg/m<sup>3</sup> based on the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. Welders did not wear respirators.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:	06/26/2016
Proposed Penalty:	\$7000.00

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.252(c)(2)(i)(C): Mechanical ventilation was not provided in confined spaces or where the welding space contained partitions, balconies, or other structural barriers to the extent that they significantly obstructed cross ventilation:

a) Strip and Wash Area, on or about 12/2/15: Welders working under railroad cars, 5.8 feet from the floor, and where welding screens provided an impediment to natural air flow, were not provided with mechanical ventilation. Welders were exposed to total particulate and fumes of chromium metal, manganese, copper, iron oxide and nickel.

b) Strip and Wash Area, on or about 12/1/15: Plasma cutters working under railroad cars, 6.2 feet from the floor, and where welding screens provided and impediment to natural air flow were not provided with mechanical ventilation. Cutters were exposed to total dust and fumes of copper, iron oxide, zinc oxide and manganese.

**Abatement note: Abatement must be done in steps to include use of respirators, developing a plan and use of approved and effective engineering controls to be done in following stages:**

- 1) Employees must be placed in effective and approved respirators while complying with the requirements of an effective respiratory protection program that complies with 29 CFR 1910.134 and includes medical evaluations, fit -testing and training. (30 days)
- 2) A plan to reduce employee exposures must be submitted with preference of reducing exposures through appropriate engineering controls. (60 days)
- 3) Appropriate engineering controls with verification of their effectiveness must be in place to reduce employee exposures. (90 days)

**Plan 06/26/2016; PPE 07/26/2016; Engineering Controls 08/25/2016**  
**Abatement documentation must be submitted for this item**

**Date By Which Violation Must be Abated:**

**08/25/2016**

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of air contaminants listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration as listed below:

- a) Strip and Wash Area, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to milligrams per cubic meter of chromium salts as an 8-hr. time weighted average (TWA), 2.8 times the permissible exposure limit (PEL) of 1 milligram per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled.
- b) Strip and Wash Area, on or about 12/2/15: An employee MIG welding the undercarriage of a rail car was exposed to 1.12 milligrams per cubic meter of nickel as an 8-hr. time weighted average (TWA), 1.1 times the permissible exposure limit (PEL) of 1 milligram per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled.
- c) Strip and Wash Area, on or about 12/2/15: An employee MIG welding the undercarriage of a rail car was exposed to .19 milligrams per cubic meter of copper fume as an 8-hr. time weighted average (TWA), 1.9 times the permissible exposure limit (PEL) of 0.1 milligrams per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled.
- d) Strip and Wash Area, on or about 12/2/15: An employee MIG welding the undercarriage of a rail car was exposed to 77.8 milligrams per cubic meter of iron oxide fume as an 8-hr. time weighted average (TWA), 7.8 times the permissible exposure limit (PEL) of 10 milligrams per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled.

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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e) **Strip and Wash Area, on or about 12/2/15:** An employee MIG welding the undercarriage of a rail car was exposed to 95.1 milligrams per cubic meter of total dust as an 8-hr. time weighted average (TWA), 6.3 times the permissible exposure limit (PEL) of 15 milligrams per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled.

See abatement information in Citation 1, Item 5b.

**Plan 06/26/2016**  
**PPE 07/26/2016**  
**Engineering Controls 08/25/2016**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated: 08/25/2016

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

a) **Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled.**

**Abatement note: Abatement must be done in steps to include use of respirators, developing a plan and use of approved and effective engineering controls to be done in following stages:**

- 1) Employees must be placed in effective and approved respirators while complying with the requirements of an effective respiratory protection program that complies with 29 CFR 1910.134 and includes medical evaluations, fit -testing and training. (30 days)**
- 2) A plan to reduce employee exposures must be submitted with preference of reducing exposures through appropriate engineering controls. (60 days)**
- 3) Appropriate engineering controls with verification of their effectiveness must be in place to reduce employee exposures. (90 days)**

**Plan 06/26/2016**  
**PPE 07/26/2016**  
**Engineering Controls 08/25/2016**

**Abatement documentation must be submitted for this item**

**Date By Which Violation Must be Abated:**

**08/25/2016**





**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1025(e)(1)(i): For any employees exposed to lead above the permissible exposure limit for more than 30 days per year the employer did not implement engineering and work practice controls, including administrative controls, to reduce employee exposure to lead to the lowest feasible level:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. Engineering controls, such as but not limited to mechanical ventilation, and work practice controls were not provided for welders overexposed to lead above the PEL at least 30 days per year.**

**Abatement note: Abatement must be done in steps to include use of respirators until effective engineering controls are implemented, developing a plan and use of approved and effective engineering controls to be done in following stages:**

- 1) Employees must be placed in effective and approved respirators while complying with the requirements of an effective respiratory protection program that complies with 29 CFR 1910.134 and includes medical evaluations, fit -testing and training. (30 days)**
- 2) A plan to reduce employee exposures must be submitted with preference of reducing exposures through appropriate engineering controls. (60 days)**
- 3) Appropriate engineering controls such as, but not limited to, local ventilation or portable ventilation units and verification of their effectiveness must be in place to reduce employee exposures. (90 days)**

**Plan 06/26/2016; PPE 07/26/2016; Engineering Controls 08/25/2016**  
**Abatement documentation must be submitted for this item**

08/25/2016

**Date By Which Violation Must be Abated:**

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.1000(c): An employee(s) was exposed to silica as crystalline quartz in excess of the 8-hour time weighted average limits of 1.895 milligrams per cubic meter (mg/m<sup>3</sup>) listed in Table Z-3:

**a) Sandblast area, on or about 2/10/16: Sand blasters blasting railcar parts with Blackblast were exposed to silica at 3.45 milligrams per cubic meter (mg/m<sup>3</sup>) or 1.8 times the permissible exposure limit (PEL) of 1.895 mg/m<sup>3</sup> based on the 212 minute sampling period. A zero increment was included for the 268 minutes not sampled.**

**Abatement certification must be submitted for this item**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/26/2016  
\$5000.00

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

Inspection Number: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

**a) Sandblasting area, on or about 2/10/16: Sandblasters overexposed to silica did not use engineering or administrative controls to keep dust levels low so as to minimize exposure to silica. Acceptable engineering controls include, but are not limited to, using high efficiency vacuum to replace dry sweeping; an acceptable administrative control includes, but is not limited to, utilizing a housekeeping program with more frequent cleaning that doesn't allow for excessive dust build-up on surfaces, maintaining the area free from accumulations of dust over a period of time.**

**Abatement certification must be submitted for this item**

Date By Which Violation Must be Abated:

06/26/2016

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1025(d)(2): An initial determination was not made to determine if any employee may be exposed to lead at or above the action level:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. No initial determination for exposure to lead was made.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:	06/26/2016
Proposed Penalty:	\$7000.00

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.1025(g)(1)(i): The employer did not provide, at no cost to the employee, and ensure that the employee used appropriate protective work clothing and equipment that prevented contamination of the employee and the employee's garments, such as, but not limited to coveralls or similar full-body work clothing:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. The employer failed to provide protective clothing to prevent contamination of employee's street clothes for employees exposed to lead in excess of the PEL.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:	06/26/2016
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(i)(1)(i): The protective work clothing and equipment provided by the employee to prevent contamination of the employee and the employee's garments from airborne cadmium did not include coveralls or similar full-body work clothing:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to provide change rooms with shower facilities for employees exposed to cadmium in excess of the PEL.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:

06/26/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.1025(i)(2)(i): Clean change rooms were not provided for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. The employer failed to provide change rooms with shower facilities for employees exposed to lead in excess of the PEL.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated: 06/26/2016  
Proposed Penalty: \$7000.00





**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1025(i)(4)(ii): Lunchroom facilities for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators, were not provided with a temperature controlled, positive pressure, filtered air supply:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. The employer failed to provide a lunch room with positive pressure.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:

06/26/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1025(i)(4)(iv): Employees entering lunchroom facilities with protective work clothing or equipment were not required to remove surface lead dust by vacuuming, downdraft booth, or other cleaning method(s):

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. The employer failed to ensure that employees remove surface lead contamination from clothing before entering the lunchroom.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:

06/26/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(j)(1): The employer did not provide clean change rooms, hand washing facilities, showers, and lunchroom facilities that complied with 29 CFR 1910.141 for employees whose airborne exposure to cadmium was above the permissible exposure limit (PEL):

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to provide change rooms with shower facilities for employees exposed to cadmium in excess of the PEL**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:

06/26/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.1025(j)(1)(i): A medical surveillance program was not instituted for all employee(s) who were, or could be exposed to lead above the action level for more than 30 days per year:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. The employer failed to provide a medical surveillance program for employees exposed to lead over 30 days per year.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated: 06/26/2016  
Proposed Penalty: \$7000.00

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

Inspection Number: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



### Citation and Notification of Penalty

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(l)(1)(i)(A): The employer did not institute a medical surveillance program for all employees who were or potentially were exposed to cadmium at or above the action level on 30 or more days per year:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to establish a medical surveillance program for employees with exposures to cadmium over the action level for at least 30 days per year.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:

06/26/2016

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

**Citation 1 Item 11 a** Type of Violation: **Serious**

29 CFR 1910.1025(l)(1)(ii): The employer did not train each employee who is subject to exposure to lead at or above the action level, or for whom the possibility of skin or eye irritation exists, in accordance with the requirements of 29 CFR 1910.1025:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee MIG welding the undercarriage of a rail car was exposed to 173 micrograms per cubic meter of lead as an 8-hr. time weighted average (TWA), 3.5 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, during the 415 minute sampling period. A zero increment was included for the 65 minutes not sampled. The employer failed to provide training for employees exposed to lead.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:	06/26/2016
Proposed Penalty:	\$7000.00

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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**Citation 1 Item 11 b** Type of Violation: **Serious**

29 CFR 1910.1027(m)(4)(i): The employer did not institute a training program for all employees who were potentially exposed to cadmium, ensure employee participation in the program, and maintain a record of the contents of such program:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to provide a training program for employees exposed to cadmium.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:

08/25/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.1027(c): The employer did not ensure that no employee was exposed to an airborne concentration of cadmium in excess of five micrograms per cubic meter of air (5ug/m<sup>3</sup>), calculated as an eight-hour time-weighted average (TWA):

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to ensure employees were not exposed to cadmium above the PEL. Engineering controls such as, but not limited to mechanical ventilation and work practice controls were not provided.**

**Abatement note: Abatement must be done in steps to include use of respirators until effective engineering controls are implemented, developing a plan and use of approved and effective engineering controls to be done in following stages:**





**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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- 1) **Employees must be placed in effective and approved respirators while complying with the requirements of an effective respiratory protection program that complies with 29 CFR 1910.134 and includes medical evaluations, fit -testing and training. (30 days)**
- 2) **A plan to reduce employee exposures must be submitted with preference of reducing exposures through appropriate engineering controls. (60 days)**
- 3) **Appropriate engineering controls, such as but not limited to local ventilation or portable ventilation units, with verification of their effectiveness must be in place to reduce employee exposures. (90 days)**

**PPE 06/26/2016**  
**Plan 07/26/2016**  
**Engineering Controls 08/25/2016**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:	08/25/2016
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(f)(1)(i): The employer did not implement engineering and work practice controls to reduce and maintain employee exposure to cadmium at or below the permissible exposure limit (PEL):

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. Engineering controls such as, but not limited to mechanical ventilation and work practice controls were not provided.**

**Abatement note: Abatement must be done in steps to include use of respirators until effective engineering controls are implemented, developing a plan and use of approved and effective engineering controls to be done in following stages:**

- 1) Employees must be placed in effective and approved respirators while complying with the requirements of an effective respiratory protection program that complies with 29 CFR 1910.134 and includes medical evaluations, fit -testing and training. (30 days)**
- 2) A plan to reduce employee exposures must be submitted with preference of reducing exposures through appropriate engineering controls. (60 days)**
- 3) Appropriate engineering controls such as, but not limited to, local ventilation or portable ventilation units and verification of their effectiveness must be in place to reduce employee exposures. (90 days)**

**PPE 06/26/2016; Plan 07/26/2016; Engineering Controls 08/25/2016**

**Abatement documentation must be submitted for this item**

**Date By Which Violation Must be Abated:**

**08/25/2016**

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:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(f)(2)(i): When the permissible exposure limit (PEL) was exceeded, the employer did not establish and implement a written compliance program to reduce employee exposure to cadmium to or below the PEL by means of engineering and work practice controls:

a) **Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to implement a written compliance program for employees exposed to cadmium above the PEL.**

**Abatement note: Abatement must be done in steps to include use of respirators until effective engineering controls are implemented, developing a plan and use of approved and effective engineering controls to be done in following stages:**

- 1) Employees must be placed in effective and approved respirators while complying with the requirements of an effective respiratory protection program that complies with 29 CFR 1910.134 and includes medical evaluations, fit -testing and training. (30 days)**
- 2) A plan to reduce employee exposures must be submitted with preference of reducing exposures through appropriate engineering controls. (60 days)**
- 3) Appropriate engineering controls such as, but not limited to, local ventilation or portable ventilation units, with verification of their effectiveness must be in place to reduce employee exposures. (90 days)**

**PPE 06/26/2016; Plan 07/26/2016; Engineering Controls 08/25/2016**

**Abatement documentation must be submitted for this item**

**Date By Which Violation Must be Abated:**

**08/25/2016**

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(d)(1)(i): The employer did not determine whether any employee was exposed to cadmium at or above the action level:

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee performing plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 2.4 times the action level of 2.5 micrograms/m<sup>3</sup>, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to determine employee exposure to cadmium above the action level.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated: 06/26/2016  
Proposed Penalty: \$7000.00

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1027(e)(1): The employer did not establish a regulated area wherever an employee's exposure to airborne concentrations of cadmium was, or could reasonably have been expected to be, in excess of the permissible exposure limit (PEL):

**a) Patco Area, Strip and Wash Building, on or about 12/1/15: An employee plasma cutting the undercarriage of a rail car was exposed to 6.02 micrograms per cubic meter of cadmium as an 8-hr. time weighted average (TWA), 1.2 times the permissible exposure limit (PEL) of 5 micrograms per cubic meter, during the 413 minute sampling period. A zero increment was included for the 67 minutes not sampled. The employer failed to establish a regulated area for employees exposed to cadmium above the PEL.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/26/2016  
\$7000.00

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

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

29 CFR 1910.1030(c)(1)(iv): The Exposure Control Plan for blood-borne pathogens was not reviewed and updated at least annually:

**a) Throughout the facility, on or about 1/14/16: The exposure control plan developed on 9/27/2011 had not since been reviewed. Employees stripping rail cars are exposed to hypodermic needles in seat cushions.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/26/2016  
\$5000.00

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1030(c)(2)(i)(B): The exposure determination did not include a list of all job classifications in which some employees have occupational exposure:

**a) Throughout the facility, on or about 1/14/16: The exposure control plan developed on 9/27/2011 did not include employees that strip cars during railcar refurbishment as having occupational exposure to blood-borne pathogens or other potentially infectious (OPIM) materials in the form of needles.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/26/2016

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1030(c)(2)(i)(C): The exposure determination did not include a list of all tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and that are performed by employees in job classifications listed in accordance with 29 CFR 1910.1030(c)(2)(i)(B):

**a) Throughout the facility, on or about 1/14/16: The exposure control plan developed on 9/27/2011 did not include tasks performed by employees that create occupational exposure to blood-borne pathogens or other potentially infectious materials (OPIM) in the form of needles such as during stripping of cars during railcar refurbishment.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/26/2016

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1030(g)(2)(i): The employer did not ensure that each employee with occupational exposure participated in a training program:

**a) Throughout the facility, on or about 1/14/16: Employees stripping cars during railcar refurbishment with occupational exposure to blood-borne pathogens or other potentially infectious materials (OPIM) in the form of needles were not provided with a training program on blood-borne pathogens.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:

06/26/2016

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:** 1108994  
**Inspection Date(s):** 11/30/2015 - 02/11/2016  
**Issuance Date:** 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.1200(f)(7): Stationary process containers were not labeled in accordance with paragraph 29 CFR 1910.1200(f)(6) nor were alternative methods in lieu of affixing labels to individual stationary process containers employed in accordance with 29 CFR 1910.1200(f)(7):

- a) Maintenance in Plant 1, on or about 1/14/16: A parts washer containing Simple Green used by maintenance employees for degreasing small parts did not contain a label with hazard warnings.**
- b) Strip and Wash area, on or about 1/14/16: A dip tank containing Al-brite into which employees lower railcar parts by hoist for the purpose of cleaning did not contain a label as to its identity and relevant hazard warnings.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated: 06/06/2016  
Proposed Penalty: \$5000.00

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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**Citation 1 Item 17** Type of Violation: **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) Throughout the facility, on or about 1/14/16: Training and information on the hazards of chemical hazards was not provided for employees including, but not limited to, painters working with flammable lacquers and thinners; employees sand blasting rail car parts with silica containing abrasive blasting agent; laborers lowering parts by hoist into dip tanks containing corrosive cleaning products and employees exposed to heavy metals during welding and torch cutting operations.**

**Abatement documentation must be submitted for this item**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/26/2016  
\$7000.00

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: 1108994  
Inspection Date(s): 11/30/2015 - 02/11/2016  
Issuance Date: 05/24/2016



**Citation and Notification of Penalty**

**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843

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

29 CFR 1910.141(g)(2): Employees were permitted to consume food or beverage in area(s) exposed to toxic materials:

a) **Break room near sand blast booth, on or about 2/10/16: The break room was not cleaned regularly to remove residues of silica along with heavy metals such as cadmium, chromium salts, manganese and zinc, to which employees were overexposed.**

**Abatement certification must be submitted for this item.**

Date By Which Violation Must be Abated:  
Proposed Penalty:

06/11/2016  
\$0.00

A handwritten signature in black ink, appearing to read "Chris Adams", written over a horizontal line.

**Christopher Adams, CIH, CSP**  
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  
3300 Vickery Road  
North Syracuse, NY 13212  
Phone: 315-451-0808 Fax: 315-451-1351



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Alstom Transportation Inc.  
**Inspection Site:** 1 Transit Drive, Hornell, NY 14843  
**Issuance Date:** 05/24/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1108994</b>
<b>Citation 1, Serious</b>	<b>\$105000.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$105000.00</b>

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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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 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.



**Christopher Adams, CIH, CSP**

Area Director

5-24-16

Date