

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:
ROCHDALE VILLAGE INC.
169-65 137TH AVE.
Jamaica, NY 11434

Inspection Number: 242655
Inspection Date(s): 02/22/2012 - 04/13/2012
Issuance Date: 08/15/2012

Inspection Site:
168-20 127th Street
Jamaica, NY 11434

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you 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.

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/15/2012. The conference will be held at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 242655

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434
Issuance Date: 08/15/2012

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye protection when exposed to eye or face hazards liquid chemicals, acids or caustic liquids, or chemical gases or vapors.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Chemical Supply Room(s) - On a daily basis employees enter into non-ventilated chemical supply rooms containing 55 gallon drums of products including, but not limited to Blitz Wax and Finish Remover (Corrosive), Acry Seal Undercoat Sealer, Compactorcide, Good Look, and also use New Mildew Stain Remover (Corrosive; pH 12.7), Super Power Plus (Corrosive; pH 12.8+), One Step Treatment (Corrosive; pH 11.5) Green Diamond Shield Floor Cleaner (Corrosive; pH 10), Zepynamic, Ultra Seal, Star Bright Floor Finish, One Step Prep, ZEP Foaming Coil Cleaner, and Graffiti & Spray Paint Remover. The employees pour / transfer, mix, transport, and use the products to perform maintenance tasks throughout the building and apartments to include waxing, cleaning, and stripping floors as well as, disinfecting and removing graffiti. These products contain hazardous chemicals including, but not limited to Sodium Hypochlorite, Potassium Hydroxide, 2-butoxyethanol, monoethanolamine, Glycol ether, Potassium Soap, ethanol, blend of isobutane, diethylene glycol methyl ether, tributoxymethyl phosphate, tetrasodium ethylenediamine tetraacetate, toluene, isobutane, and propane.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s) - On a daily basis employees enter into the Compactor Room / Garbage Pit to bag garbage disposed through the chutes on the various floors of the building. The garbage contains loose debris and broken glass.

Protective eye equipment was not required where there was reasonable probability of injury that could be prevented by such equipment, on or about 02/22/12 and 04/13/12.

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

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Inspection Date(s): 02/22/2012 - 04/13/2012
Issuance Date: 08/15/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	09/27/2012
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: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

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

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Chemical Supply Room(s) - On a daily basis employees enter into the non-ventilated chemical supply room containing 55 gallon drums of products including, but not limited to, Blitz Wax and Finish Remover (Corrosive), Acry Seal Undercoat Sealer, Compactorcide, Good Look, and also use New Mildew Stain Remover (Corrosive; pH 12.7), Super Power Plus (Corrosive; pH 12.8+), One Step Treatment (Corrosive; pH 11.5) Green Diamond Shield Floor Cleaner (Corrosive; pH 10), Zepynamic, Ultra Seal, Star Bright Floor Finish, One Step Prep, ZEP Foaming Coil Cleaner, and Graffiti & Spray Paint Remover. The employees pour / transfer, mix, transport, and use the products to perform maintenance tasks throughout the building and apartments to include waxing, cleaning, and stripping floors as well as, disinfecting and removing graffiti. These products contain hazardous chemicals including, but not limited to Sodium Hypochlorite, Potassium Hydroxide, 2-butoxyethanol, monoethanolamine, Glycol ether, Potassium Soap, ethanol, blend of isobutane, diethylene glycol methyl ether, tributoxyethyl phosphate, tetrasodium ethylenediamine tetraacetate, toluene, isobutane, and propane.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s) - On a daily basis employees enter into the Compactor Room / Garbage Pit to bag garbage disposed through the chutes on the various floors of the building. The garbage contains broken glass and needles.

The employer did not select and require employees to use appropriate hand protection when employees' hands are exposed to the above mentioned hazards, on or about 02/22/12 and 04/13/12

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

Citation 1 Item 2 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; this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Chemical Supply Room(s) - On a daily basis employees enter into non-ventilated chemical supply rooms containing 55 gallon drums of products including, but not limited to Blitz Wax and Finish Remover (Corrosive), Acry Seal Undercoat Sealer, Compactorcide, Good Look, and also use New Mildew Stain Remover (Corrosive; pH 12.7), One Step Treatment (Corrosive; pH 11.5) Green Diamond Shield Floor Cleaner (Corrosive; pH 10), Zepynamic, Ultra Seal, Star Bright Floor Finish, One Step Prep, ZEP Foaming Coil Cleaner, and Graffiti & Spray Paint Remover. The employees pour / transfer, mix, transport, and use the products to perform maintenance tasks throughout the building and apartments to include waxing, cleaning, and stripping floors, as well as, disinfecting and removing graffiti. These products contain hazardous chemicals including, but not limited to Sodium Hypochlorite, Potassium Hydroxide, 2-butoxyethanol, monoethanolamine, Glycol ether, Potassium Soap, ethanol, blend of isobutane, diethylene glycol methyl ether, tributoxyethyl phosphate, tetrasodium ethylenediamine tetraacetate, toluene, isobutane, and propane.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s) - On a routine basis employees enter into the non-ventilated compactor rooms to bag garbage after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate.

The employees were provided with an N95 respirator for the task without identifying and evaluating the respiratory hazard(s) in the workplace, on or about 02/22/12 and 04/13/12.

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

09/27/2012
\$4400.00

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: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces are permit-required confined spaces:

a) At the facility, 168-20 137th Avenue, Jamaica, N.Y. - Crawl Space. On a routine basis, Handymen and Plumbers enter into the crawl space of the building(s) which houses gas, steam, hot, and cold water pipes / lines to perform maintenance tasks including, but not limited to, cleaning out the house traps, bleed lines, cut and change out pipes, replace broken valves, turn valves on and off, and perform hot works such as brazing and soldering. These conditions meet the requirements of a permit required confined space as they present the potential of a hazardous atmosphere (gas); engulfment (water); limited means of egress; and, they are not designed for continuous occupancy. The employer did not evaluate the workplace to determine if any spaces are permit-required confined spaces, on or about 02/22/12 and 04/13/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	09/27/2012
Proposed Penalty:	\$7000.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 242655

Inspection Date(s): 02/22/2012 - 04/13/2012

Issuance Date: 08/15/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.

Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.146(c)(2): The employer did not inform exposed employees of permit spaces, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces. NOTE: A sign reading DANGER -- PERMIT-REQUIRED CONFINED SPACE, DO NOT ENTER or using other similar language would satisfy the requirement for a sign.

a) At the facility, 168-20 137th Avenue, Jamaica, N.Y. - Crawl Space. On a routine basis, Handymen and Plumbers enter into the crawl space of the building(s) which houses gas, steam, hot, and cold water pipes / lines to perform maintenance tasks including, but not limited to, cleaning out the house traps, bleed lines, cut and change out pipes, replace broken valves, turn valves on and off, and perform hot works such as brazing and soldering. The employer did not inform exposed employees by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces, on or about 02/22/12 and 04/13/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012

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: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.146(c)(4): The employer did not develop and implement a written permit space program that complies with this section when the employer decided that its employees will enter permit spaces. The written program shall be available for inspection by employees and their authorized representatives.

a) At the facility, 168-20 137th Avenue, Jamaica, N.Y. - Crawl Space. On a routine basis, Handymen and Plumbers enter into the crawl space of the building(s) which houses gas, steam, hot, and cold water pipes / lines to perform maintenance tasks including, but not limited to, cleaning out the house traps, bleed lines, cut and change out pipes, replace broken valves, turn valves on and off, and perform hot works such as brazing and soldering. The employer did not develop and implement a written permit space program that complies with this section when the employer decided that its employees will enter permit spaces, on or about 02/22/12 and 04/13/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 242655

Inspection Date(s): 02/22/2012 - 04/13/2012

Issuance Date: 08/15/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.

Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this section.

a) At the facility, 168-20 137th Avenue, Jamaica, N.Y. - Crawl Space. On a routine basis, Handymen and Plumbers enter into the crawl space of the building(s) which houses gas, steam, hot, and cold water pipes / lines to perform maintenance tasks including, but not limited to, cleaning out the house traps, bleed lines, cut and change out pipes, replace broken valves, turn valves on and off, and perform hot works such as brazing and soldering. The employer did not provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this section, on or about 02/22/12 and 04/13/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012

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: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.151(c): The employer did not ensure that where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Chemical Supply Room (with identifying sign). On a daily basis employees pour / transfer chemicals from 55 gallon drums into a secondary container (pail), mix, transport, and use the product to perform maintenance tasks throughout the building common areas. The products include, but are not limited to, Blitz Wax and Finish Remover (Corrosive), Super Power Plus (Corrosive; pH 12.8+), One Step Treatment (Corrosive; pH 11.5), Green Diamond Shield Floor Cleaner (Corrosive; pH 10). The employer did not ensure that where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body was provided within the work area for immediate emergency use, on or about 02/22/12 and 04/13/12.

b) At the facility, 168- 20 127th Avenue, Jamaica, N.Y. -- Chemical Supply Room (without identifying sign). On a daily basis employees pour / transfer chemicals from 55 gallon drums into a secondary container (pail), mix, transport, and use the product to perform maintenance tasks throughout the building common areas. The products include, but are not limited to, Blitz Wax and Finish Remover (Corrosive), Super Power Plus (Corrosive; pH 12.8+), One Step Treatment (Corrosive; pH 11.5), Green Diamond Shield Floor Cleaner (Corrosive; pH 10). The employer did not ensure that where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body was provided within the work area for immediate emergency use; the eyewash station was not in working order, on or about 02/22/12 and 04/13/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

09/27/2012
\$5500.00



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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 1910.1030(c)(1)(i): The employer has employee(s) with occupational exposure as defined by paragraph (b) of this section. The employer did not establish a written Exposure Control Plan designed to eliminate or minimize employee exposure.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Compactor Room(s) - On a daily basis the employees bag garbage that can contain used needles that may reasonably be contaminated with blood or other potentially infectious materials. The employer did not establish a written Exposure Control Plan designed to eliminate or minimize employee exposure, on or about 02/22/12, 04/13/12, and 05/26/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	09/27/2012
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.1030(g)(2)(i): The employer did not train each employee with occupational exposure in accordance with the requirements of this section. Such training must be provided at no cost to the employee and during working hours. The employer shall institute a training program and ensure employee participation in the program.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Compactor Room(s) - On a daily basis the employees bag garbage that can contain used needles that may reasonably be contaminated with blood or other potentially infectious materials. The employer did not train each employee with occupational exposure, on or about 02/22/12, 04/13/12, and 05/26/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012

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

Inspection Number: 242655
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Issuance Date: 08/15/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.1030(c)(2)(i): The employer has employee(s) with occupational exposure as defined by paragraph (b) of this section. The employer did not prepare an exposure determination.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Compactor Room(s) - On a daily basis the Porters and Compactor men bag garbage that can contain used needles that may reasonably be contaminated with blood or other potentially infectious materials. The employer did not prepare an exposure determination, on or about 02/22/12, 04/13/12, and 05/26/12.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

09/27/2012
\$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: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.1030(f)(1)(ii)(d): The employer did not make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure, and post-exposure evaluation and follow-up to all employees who have had an exposure incident.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Compactor Room(s) - On a daily basis the employees bag garbage that can contain used needles that may reasonably be contaminated with blood or other potentially infectious materials. The employer did not make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure, on or about 02/22/12, 04/13/12, and 05/26/12.

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Date by which Violation must be Abated:	09/27/2012
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Chemical Supply Room(s) - On a daily basis employees enter into the non-ventilated chemical supply room containing 55 gallon drums of products including, but not limited to Blitz Wax and Finish Remover (Corrosive), Acry Seal Undercoat Sealer, Compactorcide, Good Look, and also use New Mildew Stain Remover (Corrosive; pH 12.7), Super Power Plus (Corrosive; pH 12.8+), One Step Treatment (Corrosive; pH 11.5) Green Diamond Shield Floor Cleaner (Corrosive; pH 10), Zepynamic, Ultra Seal, Star Bright Floor Finish, One Step Prep, ZEP Foaming Coil Cleaner, Graffiti & Spray Paint Remover and Paint Thinner. The employees pour / transfer, mix, transport, and use the products to perform maintenance tasks throughout the building and apartments to include waxing, cleaning, and stripping floors, as well as, disinfecting and removing graffiti. These products contain hazardous chemicals including, but not limited to Sodium Hypochlorite, Potassium Hydroxide, 2-butoxyethanol, monoethanolamine, Glycol ether, Potassium Soap, ethanol, blend of isobutane, diethylene glycol methyl ether, tributoxyethyl phosphate, tetrasodium ethylenediamine tetraacetate, toluene, isobutane, and propane.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Compactor Room(s) - Employees enter into non-ventilated compactor rooms directly after the pesticide has been applied to bag garbage after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate and Eugenol. On a daily basis the employees bag garbage that contains glass and needles.

The employer did not perform a written hazard assessment on or about 02/22/12 and 04/13/12.

ROCHDALE VILLAGE INC., WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.132(d)(2), WHICH WAS CONTAINED IN OSHA INSPECTION# 307637892, CITATION NUMBER 01, ITEM NUMBER 002(a), ISSUED ON 01/08/2010, AND WAS AFFIRMED A FINAL ORDER ON 01/28/10 WITH RESPECT TO A WORKPLACE AT FARMERS BOULEVARD & BEDELL STREET, JAMAICA,

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U.S. Department of Labor
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Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

N.Y. 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	09/27/2012
Proposed Penalty:	\$27500.00

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Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

Citation 2 Item 2 a Type of Violation: **Repeat**

29 CFR 1910.134(c)(1): The employer did not establish and implement a written respiratory protection program with worksite-specific procedures where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer. The employer shall include in the program the following provisions of this section, as applicable:

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s) - Employees enter into the non-ventilated compactor rooms to bag garbage after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate. Employees were provided with, and required to wear an N95 respirator. The employer did not establish and implement a written respiratory protection program with worksite-specific procedures where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, on or about 02/22/12, 04/13/12 and 06/26/12.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Sections A, B & C of building. On a routine basis, the Handymen and Porters are responsible for changing the air conditioning filters for all apartments in all three sections of building. Employees are provided with, and required to wear N95 respirators for the task. The employer did not establish and implement a written respiratory protection program with worksite-specific procedures where respirators are necessary to protect the health of the employee, on or about 05/24 /12 and 05/25 /12.

ROCHDALE VILLAGE INC., WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.134(c)(1), WHICH WAS CONTAINED IN OSHA INSPECTION# 307637892, CITATION NUMBER 02, ITEM NUMBER 002(a), ISSUED ON 01/08/2010, WITH RESPECT TO A WORKPLACE AT FARMERS BOULEVARD & BEDELL STREET, JAMAICA, N.Y. 11434

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: 242655
Inspection Date(s): 02/22/2012 - 04/13/2012
Issuance Date: 08/15/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	09/27/2012
Proposed Penalty:	\$22000.00

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: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

Citation 2 Item 2 b Type of Violation: Repeat

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

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s). Employees enter into non-ventilated compactor rooms to bag garbage after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate. Employees were provided with, and required to wear an N95 respirator, on or about 02/22/12, 04/13/12, and 06/26/12.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Sections A, B & C of building. On a routine basis, the Handymen and Porters are responsible for changing the air conditioning filters for all apartments in all three sections of building. Employees are provided with, and required to wear N95 respirators for the task. The employees were provided with an N95 respirator for the task, on or about 05/24/12 and 05/25/12.

The employers did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace.

ROCHDALE VILLAGE INC., WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.134(e)(1), WHICH WAS CONTAINED IN OSHA INSPECTION# 307637892, CITATION NUMBER 02, ITEM NUMBER 002(b), ISSUED ON 01/08/2010, AND WAS AFFIRMED A FINAL ORDER ON 01/28/10 WITH RESPECT TO A WORKPLACE AT FARMERS BOULEVARD & BEDELL STREET, JAMAICA, N.Y. 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

Citation 2 Item 2 c Type of Violation: Repeat

29 CFR 1910.134(f)(1): The employer did not ensure that employees using a tight-fitting facepiece respirator pass an appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT) as stated in this paragraph.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s). Employees enter into non-ventilated compactor rooms to bag garbage after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate. Employees were provided with, and required to wear an N95 respirator, on or about 02/22/12, 04/13/12, and 06/26/12

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Sections A, B & C of building. On a routine basis, the Handymen and Porters are responsible for changing the air conditioning filters for all apartments in all three sections of building. Employees are provided with, and required to wear N95 respirators for the task, 05/24/12 and 05/25/12.

The employer did not ensure that employees using a tight-fitting facepiece respirator pass an appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT) as stated in this paragraph.

ROCHDALE VILLAGE INC., WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.134(f)(1), WHICH WAS CONTAINED IN OSHA INSPECTION# 307637892, CITATION NUMBER 02, ITEM NUMBER 002(c), ISSUED ON 01/08/2010, AND WAS AFFIRMED A FINAL ORDER ON 01/28/10 WITH RESPECT TO A WORKPLACE AT FARMERS BOULEVARD & BEDELL STREET, JAMAICA, N.Y. 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

Citation 2 Item 2 d Type of Violation: Repeat

29 CFR 1910.134(k)(3): The employer did not provide training prior to requiring the employee to use a respirator in the workplace.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s). Employees enter into non-ventilated compactor rooms to bag garbage after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate. Employees were provided with, and required to wear an N95 respirator, on or about 02/22/12, 04/13/12, and 06/26/12

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- All apartments in building; Sections A, B & C. On a routine basis, the Handymen and Porters are responsible for changing the air conditioning filters for all apartments in all three sections of building. Employees are provided with, and required to wear N95 respirators for the task, on or about 02/22/12 and 04/13/12.

The employer did not provide training prior to requiring the employee to use a respirator in the workplace.

ROCHDALE VILLAGE INC., WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.134(k)(3), WHICH WAS CONTAINED IN OSHA INSPECTION# 307637892, CITATION NUMBER 02, ITEM NUMBER 002(d), ISSUED ON 01/08/2010, AND WAS AFFIRMED A FINAL ORDER ON 01/28/10 WITH RESPECT TO A WORKPLACE AT FARMERS BOULEVARD & BEDELL STREET, JAMAICA, N.Y. 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

09/27/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

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

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area.

a) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. -- Chemical Supply Room(s) - On a daily basis employees enter into non-ventilated chemical supply rooms containing 55 gallon drums of products including but not limited to Blitz Wax and Finish Remover (Corrosive), Acry Seal Undercoat Sealer, Compactorcide, Good Look, and also use New Mildew Stain Remover (Corrosive; pH 12.7), Super Power Plus (Corrosive; pH 12.8+), One Step Treatment (Corrosive; pH 11.5) Green Diamond Shield Floor Cleaner (Corrosive; pH 10), Zepynamic, Ultra Seal, Star Bright Floor Finish, One Step Prep, ZEP Foaming Coil Cleaner, and Graffiti & Spray Paint Remover. The employees pour / transfer, mix, transport, and use the products to perform maintenance tasks throughout the building and apartments to include waxing, cleaning, and stripping floors as well as, disinfecting and removing graffiti. These products contain hazardous chemicals including, but not limited to Sodium Hypochlorite, Potassium Hydroxide, 2-butoxyethanol, monoethanolamine, Glycol ether, Potassium Soap, ethanol, blend of isobutane, diethylene glycol methyl ether, tributoxyethyl phosphate, tetrasodium ethylenediamine tetraacetate, toluene, isobutane, and propane.

b) At the facility, 168- 20 137th Avenue, Jamaica, N.Y. - Compactor Room(s) - Employees enter into non-ventilated compactor rooms to bag garbage directly after powder pesticide, EcoExempt D, has been applied throughout the areas. The product contains 2-Phenethyl Propionate and Eugenol.

The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area, on or about 02/22/12 and 04/13/12.

ROCHDALE VILLAGE INC., WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.1200(h)(1), WHICH WAS CONTAINED IN OSHA INSPECTION# 307637892, CITATION NUMBER 02, ITEM NUMBER 003(c), ISSUED ON 01/08/2010, AND WAS AFFIRMED A FINAL ORDER ON 01/28/10 WITH

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: 242655
Inspection Date(s): 02/22/2012 - 04/13/2012
Issuance Date: 08/15/2012



Citation and Notification of Penalty

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434

RESPECT TO A WORKPLACE AT FARMERS BOULEVARD & BEDELL STREET, JAMAICA,
N.Y. 11434

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

09/27/2012
\$22000.00

A handwritten signature in dark ink, appearing to read "Kay Gee", written over a horizontal line.

for

Kay Gee
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
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



INVOICE / DEBT COLLECTION NOTICE

Company Name: ROCHDALE VILLAGE INC.
Inspection Site: 168-20 127th Street, Jamaica, NY 11434
Issuance Date: 08/15/2012

Summary of Penalties for Inspection Number	242655
Citation 1, Serious	\$44900.00
Citation 2, Repeat	\$71500.00
TOTAL PROPOSED PENALTIES	\$116400.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

OSHA does not agree to any restrictions or 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 or conditions do not exist.

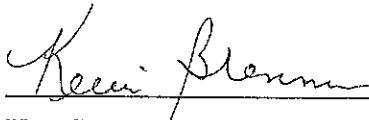
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Kay Gee

Area Director

8/15/12

Date