BEFORE THE

STATE OF CALIFORNIA

OCCUPATIONAL SAFETY AND HEALTH

APPEALS BOARD

DIR Cal/OSHA
RECEIVED
FEB 04 2013
DOSH-Santa Ana

A M E N D E D

In the Matter of the Appeal of:

ORANGE COUNTY METAL PROCESSING
1711 ast Kimberly Avenue
Fullerton, CA 92831

Employer

Docket No. 2013 - R3D1 - 9011

ORDER DISMISSING APPEAL

IMIS Number: 315526970

On **October 31, 2012**, Employer telephoned the Occupational Safety & Health Appeals Board (Appeals Board) indicating its intent to appeal citation(s) issued by the Division of Occupational Safety & Health (DOSH). Appeals Board Regulation §359.1(b) requires that a completed appeal form be filed for each contested citation within 10 days of acknowledgement by the Appeals Board of the intent to appeal. To date, no completed appeal forms have been received by the Appeals Board.

Therefore, Employer's appeal **is dismissed**. The citation is a final Order by operation of law.

KARI JOHNSON
Appeals Board Acting Executive Officer

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
SIGNED AND DATED AT SACRAMENTO, CALIFORNIA
DATED: 01/29/13

KJ:svp

NOTE: If you disagree with this order, you may petition the Appeals Board for reconsideration within 30 days. The petition must comply with the requirements of Labor Code sections 6614 through 6619. Please call the Appeals Board at (916) 274-5751 if you need assistance.

ATTEN: BRANDON HART/ CAL OSHA
FAX 558-2035

FROM: MANUEL P. REYNOSO/OCMP
FAX 714-871-1385

PAGES : 4

DATE: 6/8/12

RECEIVED
JUN - 8 2012
DOSH - Santa Ana

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

Santa Ana, CA 92705
Phone: (714) 558-4451 Fax: (714) 558-2035

RECEIVED
JUN - 8 2012
DOSH - Santa Ana

EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

EMPLOYER: ORANGE COUNTY METAL PROCESSING
ADDRESS: 1711 KIMBERLY AVE
FULLERTON, CA 92831

The law requires that violations observed during the inspection/investigation completed on 05/30/2011 at the place of employment located at 1711 KIMBERLY AVE, FULLERTON, CA be corrected within the time limit specified. Labor Code 6320(b), requires that you submit this signed statement under penalty of perjury which describes the measures for abating each citation which alleges a serious violation. **If the signed statement is not received within 10 working days after the end of the period fixed for abatement, the Division will be required to revoke any adjustments to the civil penalty based upon the assumption that you will abate the violation.** This action will result in a doubling of the civil penalty for serious violations. If you have filed a timely appeal with reference to a particular citation, the abatement date is stayed during the appeal process and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent meeting a specified abatement date, contact the Division early so that a request for extension can be considered.

This signed statement shall be posted for three (3) working days at or near each place the serious violation referred to in the citation occurred.

THIS FORM MUST BE RECEIVED AT THE ABOVE ADDRESS ON OR BEFORE 06/11/2012.

****

DESCRIBE AND LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO ABATE EACH SERIOUS VIOLATION

Citation Number	Number of Instances	Measures Taken to Abate Serious Violations	Abatement Date
2	6	We longer have any employees & in the process of closing.	12/14/11 ✓
3	1	We no longer have any employees.	12/14/11 ✓
4	1	We no longer have any employees	12-14-11 ✓
5	3	Oxygen cylinders have been seperated from fuel gas cylinders to meet requirements & no longer have employees	12-14-11 ✓

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). [ ] Yes [ ] No

I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at Fullerton, **California by**

Signature: [signature] Date: 6-7-12

Name: Manuel P. Reynoso Title: Owner

OFFICIAL USE ONLY

Division Engineer/Industrial Hygienist: [signature] Date: 6/14/12

District Manager: [signature] Date: 6/11/12

[ ] Close/Comments:

Items have been conditionally abated.

ENTERED 06-11-12

Region 3 District 1 Inspection No. 315526970 Identification No. A9562 Cal/OSHA Rpt. No. & Fiscal Year 023-12

Date mailed or delivered: 06/04/2011

Cal/OSHA 161 (09/01/2000)

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

Santa Ana, CA 92705
Phone: (714) 558-4454 Fax: (714) 558-2015

RECEIVED
JUN - 8 2012
POST Santa Ana

EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

EMPLOYER: ORANGE COUNTY METAL PROCESSING
ADDRESS: 1711 KIMBERLY AVE
FULLERTON, CA 92831

The law requires that violations observed during the inspection/investigation completed on 05/30/2012 at the place of employment located at 1711 KIMBERLY AVE, FULLERTON, CA be corrected within the time limit specified. Labor Code 6320(b), requires that you submit this signed statement under penalty of perjury which describes the measures for abating each citation which alleges a serious violation. **If the signed statement is not received within 10 working days after the end of the period fixed for abatement, the Division will be required to revoke any adjustments to the civil penalty based upon the assumption that you will abate the violation.** This action will result in a doubling of the civil penalty for serious violations. If you have filed a timely appeal with reference to a particular citation, the abatement date is stayed during the appeal process and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent meeting a specified abatement date, contact the Division early so that a request for extension can be considered.

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DESCRIBE AND LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO ABATE EACH SERIOUS VIOLATION

Citation Number	Number of Instances	Measures Taken to Abate Serious Violations	Abatement Date
6	1	We no longer have any employees.	12/14/11 ✓
7	4	Access to eyewash have been unblocked & we no longer have any employees	12/14/11 ✓
8	10	We no longer have any employees	12/14/11 ✓
9	1	It has been remove and we no longer have any employees	12/14/11 ✓

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). [ ] Yes [ ] No

I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at Fullerton, **California by**

Signature: [signature] Date: 6/7/12

Name: Manuel P. Reynoso Title: Owner

OFFICIAL USE ONLY

Division Engineer/Industrial Hygienist: [signature] Date: 6/11/12

District Manager: [signature] Date: 6/11/12

[ ] Close/Comments:

Items have been conditionally abated.

EX 06-11-12

Region 3 District 1 Inspection No. 315526970 Identification No. A9562 Cal/OSHA Rpt. No. & Fiscal Year 023-12

Date mailed or delivered: 06/04/2011

Cal/OSHA 161 (09/01/2000)

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

Santa Ana District Office
Santa Ana, CA 9270
Phone: (714) 558-4451 Fax: (714) 558-2035

RECEIVED
JUN - 8 2012
DOSH - Santa Ana

EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

EMPLOYER: ORANGE COUNTY METAL PROCESSING
ADDRESS: 1711 KIMBERLY AVE
FULLERTON, CA 92831

The law requires that violations observed during the inspection/investigation completed on 05/30/2012 of the place of employment located at 1711 KIMBERLY AVE, FULLERTON, CA be corrected within the time limit specified. Labor Code 6320(b), requires that you submit this signed statement under penalty of perjury which describes the measures for abating each citation which alleges a serious violation. **If the signed statement is not received within 10 working days after the end of the period fixed for abatement, the Division will be required to revoke any adjustments to the civil penalty based upon the assumption that you will abate the violation.** This action will result in a doubling of the civil penalty for serious violations. If you have filed a timely appeal with reference to a particular citation, the abatement date is stayed during the appeal process and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent meeting a specified abatement date, contact the Division early so that a request for extension can be considered.

This signed statement shall be posted for three (3) working days at or near each place the serious violation referred to in the citation occurred.

THIS FORM MUST BE RECEIVED AT THE ABOVE ADDRESS ON OR BEFORE 06/11/2012.

****

DESCRIBE AND LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO ABATE EACH SERIOUS VIOLATION

Citation Number	Number of Instances	Measures Taken to Abate Serious Violations	Abatement Date
10	7	We no longer have any employees	12-14-11 ✓
11	1	We no longer have any employees	12-14-11 ✓
12	1	We no longer have any employees	12-14-11 ✓
13	4	Hydrochloric acid has been removed from premises (4-9-12). and provided a manifest, no longer have employees	12-14-11

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). [ ] Yes [ ] No

I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at Fullerton, **California by**

Signature: _____ Date: 6/7/12

Name: Manuel P. Reynoso Title: Owner

OFFICIAL USE ONLY

Division Engineer/Industrial Hygienist: _____ Date: 6/11/12

District Manager: _____ Date: 6/11/12

[ ] Close/Comments:

Items have been conditionally abated.

ENTERED 06-11-12

Region 3 District 1 Inspection No. 315526970 Identification No. A9562 Cal/OSHA Rpt. No. & Fiscal Year 023-12

Date mailed or delivered: 06/04/2011

Cal/OSHA 161 (09/01/2000)

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631:4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705
Phone: Fax: (714) 558-2035

Citation and Notification of Penalty

To:
ORANGE COUNTY METAL PROCESSING

and its successors
1711 KIMBERLY AVE
FULLERTON, CA 92831

Inspection Site:
1711 KIMBERLY AVE
FULLERTON, CA 92831

Inspection Number: 315526970
Inspection Date(s): 12/07/2011 - 05/30/2012

Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Report #: 023-12
Reporting ID: 0950631

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 (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer**. Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

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Informal Conference - You may request an informal conference with the Manager of the District Office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

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 agreement which resolves this matter without litigation or contest.

APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Division) and employs experienced attorneys as administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of a Citation. After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, for each contested citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board

2520 Venture Oaks Way, Suite 300

Sacramento, CA 95833

Telephone: (916) 274-5751

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. You must also attach to the appeal form a legible copy of the Citation you are appealing. In addition, please send a copy of Page 1 of this Citation and Notification of Penalty, the cover sheet.

Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

Important: You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, (916) 274-5751.

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PENALTY PAYMENT OPTIONS

Penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

If you are paying electronically, please have the Penalty Remittance Form on hand when you are ready to make you payment. The company name, index code, reporting ID, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dos to access the secure payment processing site.

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations

Cashier, Accounting Office

P. O. Box 420603

San Francisco, CA 94142-0603

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

NOTIFICATION OF CORRECTIVE ACTION

For violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the District Office listed on the Citation by submitting the CAL/OSHA 160 and/or 161 with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for serious and general violations is reduced by 50% on the presumption that the employer will correct the violations by the abatement date. **If the CAL/OSHA 161 is not received in the District Office within 10 days following the abatement date, the abatement credit is revoked, causing the penalty to double.**

Note: Return the CAL/OSHA 160/161 to the District Office listed on the Citation and as shown below:

Division of Occupational Safety and Health
Cal/OSHA Santa Ana District
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705
Phone: (714) 558-4451 Fax: (714) 558-2035

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EMPLOYEE RIGHTS

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

Employee Appeals - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a District Office of the Division.

Employees Participation in Informal Conference. Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

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State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 1 Type of Violation: Regulatory

California Code of Regulations, Title 8, 461. Permits to Operate.

(a) Except during the time that a request for a permit remains unacted upon or as permitted in Section 461(f), no air tank shall be operated unless a permit to operate has been issued.

On and prior to December 7, 2011, the employer failed to obtain a current permit or submit a request for a new permit for the air tank that employees operated.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 300.00

Citation 1 Item 2 Type of Violation: Regulatory

Califonria Code of Regulations, Title 8, 3664. Operating Rules.

(a) Every employer using industrial trucks or industrial tow tractors shall post and enforce a set of operating rules including the appropriate rules listed in Section 3650(t).

On and prior to December 7, 2011, the employer failed to post and enforce a set of operating rules including the appropriate rules listed in Sectionh 3650(t) at the work site where an industrial lift truck was operated.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 300.00

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

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State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 3 Type of Violation: Regulatory

California Code of Regulations, Title 8, 5203. Carcinogen Report of Use Requirements.

(a) Scope. All employers who use a regulated carcinogen shall report that use in writing to the Chief as required by this section.

Reference: (b) Definitions.

Chief means the Chief of the Division of Occupational Safety and Health, or designee.

Emergency means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which results in an unexpected and potentially hazardous release of a regulated carcinogen.

Regulated carcinogen means a recognized cancer causing substance, compound, mixture, or product regulated by sections 1529, 1532, 1532.2, 1535, 8358, 8359 or Article 110, sections 5200-5220.

Use means any use by an employer that could potentially result in employee exposure to a regulated carcinogen. Use includes, but is not limited to: manufacturing, sale, transfer, storage, disposal, handling, research utilization, and transportation of a regulated carcinogen.

On and prior to December 14, 2011, the employer failed to report the use of a regulated carcinogen, (Methylene Chloride) to the Chief of the Division of Occupational Safety and Health, or nearest district office.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 1500.00

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

ED_002793A_00003939-00011

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 4 Type of Violation: Regulatory

California Code of Regulations, Title 8, 14300.29. Forms.

(a) Basic requirement. You must use Cal/OSHA 300, 300A, and 301 forms, or equivalent forms, for recordable injuries and illnesses. The Cal/OSHA Form 300 is called the Log of Work-Related Injuries and Illnesses, the Cal/OSHA Form 300A is called the Summary of Work-Related Injuries and Illnesses, and the Cal/OSHA Form 301 is called the Injury and Illness Incident Report.

On and prior to December 7, 2011, the employer failed to use the Cal/OSHA 300, 300A, and 301 forms, or equivalent for recordable injuries and illnesses.

~~Date By Which Violation Must be Abated:~~ ~~ABATED~~
Proposed Penalty: $ 300.00

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

ED_002793A_00003939-00012

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 5 Type of Violation: General

California Code of Regulations, Title 8, 2340.21. Marking.

(a) Identification of Manufacturer and Ratings.

Electric equipment shall not be used unless the following markings have been placed on the equipment:

(1) The manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product may be identified; and

(2) Other markings giving voltage, current, wattage, or other ratings.

~~(b) Durability. The marking shall be of sufficient durability to withstand the environment involved.~~

On and prior to December 7, 2011, the employer failed to identify the manufacturer's name, trademark, or other descriptive markings giving voltage, current, wattage or other ratings and be of sufficient durability to withstand the environment involved on the items included but not limited to:

1) Energerized electrical panel located in north wall of building #1.

2) Energized electrical motor located next to 440 volt rectifier.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 335.00

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

ED_002793A_00003939-00013

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 6 Type of Violation: General

California Code of Regulations, Title 8, 5144. Respiratory Protection.

(d) Selection of respirators. This subsection requires the employer to evaluate respiratory hazard(s) in the workplace, identify relevant workplace and user factors, and base respirator selection on these factors. The subsection also specifies appropriately protective respirators for use in IDLH atmospheres, and limits the selection and use of air-purifying respirators.

(1) General requirements.

A) The employer shall select and provide an appropriate respirator based on the respiratory hazard(s) to which the worker is exposed and workplace and user factors that affect respirator performance and reliability.

On and prior to December 7, 2011, the employer failed to evaluate respiratory hazard(s) in the workplace, identify relevant workplace and user factors, base respirator selection on these factors, and provide an appropriate respirator based on the respiratory hazard(s) to which employees were exposed. As a result, the Division learned employees were exposed to various respiratory hazards including but not limited to: methylene chloride, sodium cyanide and acetone and were not provided with the appropriate respiratory protection.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 450.00

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

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State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 7 Type of Violation: General

California Code of Regulations, Title 8, 2500.8. Uses Not Permitted.

(a) Unless specifically permitted otherwise in Section 2500.7, flexible cords and cables shall not be used:

(2) where run through holes in walls, ceilings, or floors.

On December 14, 2011, the Division identified an energized flexible cord that was run through a hole in the wall. The energized flexible cord was connected to a refrigerator located in the employee breakroom area.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 150.00

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

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State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 8 Type of Violation: General

California Code of Regulations, Title 8, 2500.10. Pull at Joints and Terminals.

(a) Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided which will prevent pull from being directly transmitted to joints or terminal screws.

On and prior to December 14, 2011, the employer failed to ensure that all flexible cords and cables were connected to devices and fittings so that strain relief is provided to prevent pull from being directly transmitted to joints and terminal screws. As a result, the Division identified an energized flexible cord that had pull directly transmitted to the joint, on a 440 volt rectifier which pulled back the outer cover, exposing employees to the inner wires.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 335.00

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

ED_002793A_00003939-00016

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 9 Type of Violation: General

California Code of Regulations, Title 8, 3362. General Requirements.

(g) When exterior water intrusion, leakage from interior water sources, or other uncontrolled accumulation of water occurs, the intrusion, leakage or accumulation shall be corrected because of the potential for these conditions to cause the growth of mold.

On and prior to December 14, 2011, the employer failed to correct the exterior water intrusion and accumulation of water, resulting in the growth of mold on the overhead wooden beam supporting the roof structure.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 150.00

Citation 1 Item 10 Type of Violation: General

California Code of Regulations, Title 8, 3364. Sanitary Facilities.

(b) Toilet facilities shall be kept clean, maintained in good working order and be accessible to the employees at all times. Where practicable, toilet facilities should be within 200 feet of locations at which workers are regularly employed and should not be more than one floor-to-floor flight of stairs from working areas.

On and prior to December 14, 2011, the employer failed to ensure the toilet facility used by employees was kept clean and maintained in good working order.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 225.00

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

ED_002793A_00003939-00017

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 11 Type of Violation: General

California Code of Regulations, Title 8, 3364. Sanitary Facilities.

(d) An adequate supply of toilet paper shall be provided for every water closet.

On and prior to December 14, 2011, the employer failed to provide toilet paper for every water closet.

1) The men's water closet located in the plating shop area had two separate stalls and neither of them contained any toilet paper for employees to use.

~~Date By Which Violation Must be Abated: ABATED~~
Proposed Penalty: $ 225.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
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Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 12 Type of Violation: General

California Code of Regulations, Title 8, 3400. Medical Services and First Aid.

(c) There shall be adequate first-aid materials, approved by the consulting physician, readily available for employees on every job. Such materials shall be kept in a sanitary and usable condition. A frequent inspection shall be made of all first-aid materials, which shall be replenished as necessary.

On and prior to December 7, 2011, the employer failed to ensure there was adequate first-aid materials, approved by the consulting physician. The two wall-mounted first-aid kits located in buildings #1 and #2, did not contain any supplies for employee use.

~~Date By Which Violation Must be Abated:~~ ~~ABATED~~
Proposed Penalty: $ 225.00

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

ED_002793A_00003939-00019

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 13 Type of Violation: General

California Code of Regulations, Title 8, 3650. Industrial Trucks. General.

(t) Industrial trucks and tow tractors shall be operated in a safe manner in accordance with the following operating rules:

(1) Only drivers authorized by the employer and trained in the safe operations of industrial trucks or industrial tow tractors pursuant to Section 3668 shall be permitted to operate such vehicles.

On and prior to December 7, 2011, the employer failed to ensure that each powered industrial truck operator had been trained and evaluated on the industrial lift truck that was being operated.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 750.00

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

ED_002793A_00003939-00020

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 14 Type of Violation: General

California Code of Regulations, Title 8, 5162. Emergency Eyewash and Shower Equipment.

(e) Maintenance. Plumbed eyewash and shower equipment shall be activated at least monthly to flush the line and to verify proper operation. Other units shall be maintained in accordance with the manufacturer's instructions.

On and prior to December 7, 2011, the employer failed to activate and flush the lines to verify proper operation on the plumbed eyewash and shower equipment throughout the facility at least monthly.

~~Date By Which Violation Must be Abated:~~ ~~ABATED~~
Proposed Penalty: $ 750.00

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

ED_002793A_00003939-00021

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 15 Type of Violation: General

California Code of Regulations, Title 8, 5194. Hazard Communication.

(g) Material Safety Data Sheets.

(1) Manufacturers and importers shall obtain or develop a material safety data sheet for each hazardous substance they produce or import. Employers shall have a material safety data sheet for each hazardous substance which they use.

On and prior to December 7, 2011, the employer failed to have material safety data sheets for each hazardous substance which they used. Employees used various hazardous substances and chemicals to include but not limited to: methylene chloride, hydrochloric acid, zinc acid brightener, cyanide zinc brightener, and sodium cyanide.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 600.00

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

ED_002793A_00003939-00022

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 16 Type of Violation: General

California Code of Regulations, Title 8, 5202. Methylene chloride.

(d) Exposure monitoring.

(1) Characterization of employee exposure.

(A) Where MC is present in the workplace, the employer shall determine each employee's exposure by either:

1. Taking a personal breathing zone air sample of each employee's exposure; or

2. Taking personal breathing zone air samples that are representative of each employee's exposure.

This occupational health standard establishes requirements for employers to control occupational exposure to methylene chloride (MC). Employees exposed to MC are at increased risk of developing cancer, adverse effects on the heart, central nervous system and liver, and skin or eye irritation. Exposure may occur through inhalation, by absorption through the skin, or through contact with the skin. MC is a solvent which is used in many different types of work activities, such as paint stripping, polyurethane foam manufacturing, and cleaning and degreasing. Under the requirements of subsection (d), each covered employer must make an initial determination of each employee's exposure to MC. If the employer determines that employees are exposed below the action level, the only other provisions of this section that apply are that a record must be made of the determination, the employees must receive information and training under subsection (l) and, where appropriate, employees must be protected from contact with liquid MC under subsection (h). The provisions of the MC standard are as follow:

(a) Scope and application. This section applies to all occupational exposures to methylene chloride (MC), Chemical Abstracts Service Registry Number 75-09-2, in general industry, construction and shipyard employment.

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
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Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

On and prior to December 14, 2011, the employer failed to make an initial determination of each employee's exposure to Methylene Chloride. During the inspection on that day, the Division identified a container of Jasco Premium Paint & Epoxy Remover that employees used to remove paint. This product contains a concentration 60.0-100.0% Methylene Chloride, a known carcinogen.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 1400.00

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

ED_002793A_00003939-00024

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 17 Type of Violation: General

California Code of Regulations, Title 8, 5452. Fire Protection.

(a) In sprinklered buildings, the automatic sprinkler system in rooms containing spray application operations shall conform to Article 159, and in unsprinklered buildings where sprinklers are installed only to protect spraying areas, the installation shall conform to such standards insofar as they may be applicable. Sprinkler installations shall also conform to the provisions of this Section. Sprinkler heads shall be located so as to provide water distribution throughout the entire booth.

Reference: Article 159. Automatic Sprinkler Systems

CCR T8 6170. Automatic Sprinkler Systems.

(a) Scope and Application.

(1) The requirements of this section apply to all automatic sprinkler systems.

(c) General Requirements.

(2) Maintenance.

(A) The employer shall properly maintain an automatic sprinkler system installed to comply with this section. The employer shall assure that a main drain flow test is performed on each system annually. The inspector's test valve shall be opened at least every two years to assure that the sprinkler system operates properly.

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

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
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Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

On and prior to December 14, 2011, the employer failed to properly maintain the automatic sprinkler system installed in the rooms that contained spraying operations. The systems are required to be tested annually and the last time the system was inspected, tested and certified by the Fire Marshall was on June 10, 2010.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 750.00

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

ED_002793A_00003939-00026

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
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Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 1 Item 18 Type of Violation: General

California Code of Regulations, Title 8, 6151. Portable Fire Extinguishers.

(c) General Requirements.

(1) The employer shall provide portable fire extinguishers and shall mount, locate and identify them so that they are readily accessible to employees without subjecting the employees to possible injury.

(4) The employer shall assure that portable fire extinguishers are maintained in a fully charged and operable condition and kept in their designated places at all times except during use.

On and prior to December 7, 2011, the employer failed to identify all portable fire extinguishers throughout the facility, so that they were readily accessible to employees. Additionally, the employer failed to assure that all portable fire extinguishers were maintained in a fully charged and operable condition and also kept in their designated places at all times.

1) Portable fire extinguisher was mounted but not identified in the paint shop area in building #2.

2) Portable fire extinguishers were not in their designated locations in building #1 on the west wall and in building #2 in the powder coating area.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 450.00

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

ED_002793A_00003939-00027

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 2 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 2340.1. Maintenance.

Electrical equipment shall be maintained free from recognized hazards that are likely to cause death or serious physical harm to employees.

On and prior to December 7, 2011, the employer failed to ensure that all electrical equipment was maintained and free from recognized hazards. As a result the Division identified several items that were not properly maintained, including but not limited to:

1) Two 440 volt rectifiers were missing panels, exposing energized bus bars.

2) 100 Amp electrical panels were missing breakers and were not properly identified.

3) Wall mounted light switch was missing a face plate cover.

4) Energized recepticles were broken and missing covers.

5) Electrical motors, equipment, junction boxes, raceways were rusted and deteriorated.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 7875.00

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

ED_002793A_00003939-00028

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 3 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 3382. Eye and Face Protection.

(a) Employees working in locations where there is a risk of receiving eye injuries such as punctures, abrasions, contusions, or burns as a result of contact with flying particles, hazardous substances, projections or injurious light rays which are inherent in the work or environment, shall be safeguarded by means of face or eye protection. Suitable screens or shields isolating the hazardous exposure may be considered adequate safeguarding for nearby employees.

The employer shall provide and ensure that employees use protection suitable for the exposure.

On and prior to December 14, 2011, the employer failed to safeguard employees by providing and ensuring that employees use face or eye protection while working with hazardous substances including but not limited to: hydrochloric acid, zinc acid brightener, and sodium cyanide.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 6300.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
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Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 4 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 3384. Hand Protection.

(a) Hand protection shall be required for employees whose work involves unusual and excessive exposure of hands to cuts, burns, harmful physical or chemical agents or radioactive materials which are encountered and capable of causing injury or impairments.

On and prior to December 14, 2011, the employer failed to require hand protection for employees whose work involved unusual and excessive exposure to chemical agents that are capable of causing injury impairments. As a result, employees were exposed to hazardous chemicals and substances which include but are not limited to: hydrochloric acid, sodium cyanide and zinc acid brightener and were not required to wear hand protection.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 7875.00

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

ED_002793A_00003939-00030

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
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Inspection Number: 315526970
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Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 5 Item 1 Type of Violation: Serious

California Code of Regulation, Title 8, 4650. Storage, Handling, and Use of Cylinders.

(d) Oxygen cylinders in storage shall be separated from fuel gas cylinders or combustible materials (especially oil or grease) a minimum distance of 20 feet or by a non-combustible barrier at least 5 feet high, or a minimum of 18 inches (46 centimeters) above the tallest cylinder and having a fire-resistance rating of at least one hour.

On and prior to December 7, 2011, the employer failed to ensure the oxygen cylinders in storage were separated from fuel gas cylinders by a minimum of 20 feet or ensure there was a non-combustible barrier at least 5 feet high between them. As a result, the Division identified 2 oxygen cylinders in storage secured directly next to 2 acetylene (fuel/gas) cylinders.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 7875.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
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CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 6 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 5154. Ventilation and Personal Protective Equipment Requirements for Open-Surface Tank Operations.

(j) Personal Protection.

(1) All employees required to work in such a manner that any part of their person may be wet, splashed or contaminated with liquids other than water, shall be provided with appropriate protective clothing and equipment as prescribed in 8 CCR, Article 10. Such persons shall also be instructed as to hazards and safeguards of their respective jobs as required in Section 5194(h) and Section 5162(c).

Reference: T8 CCR Article 10. Personal Safety Devices and Safeguards

3383. Body Protection.

(a) Body protection may be required for employees whose work exposes parts of their body, not otherwise protected as required by other orders in this article, to hazardous or flying substances or objects.

On and prior to December 14, 2011, the employer failed to provide personal protection to employees where any part of their person may become wet, splashed or contaminated with liquids other than water while working near the open-surface tanks. The open-surface tanks contained hazardous substances which include but are not limited to: hydrochloric acid, sodium cyanide, and zinc acid brightener.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 6300.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
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Inspection Number: 315526970
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Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 7 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 5162. Emergency Eyewash and Shower Equipment.

(c) Location. Emergency eyewash facilities and deluge showers shall be in accessible locations that require no more than 10 seconds for the injured person to reach. If both an eyewash and shower are needed, they shall be located so that both can be used at the same time by one person. The area of the eyewash and shower equipment shall be maintained free of items which obstruct their use.

On and prior to December 7, 2011, the employer failed to ensure that all emergency eyewash and shower equipment were maintained free of items which obstruct their use. As a result, the Division identified 2 eyewash and shower stations that were blocked and not accessible for employee use in the event of an emergency.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 7875.00

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
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Inspection Number: 315526970
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CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 8 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 5194. Hazard Communication.

(h) Employee Information and Training.

(1) Employers shall provide employees with effective information and training on hazardous substances in their work area at the time of their initial assignment, and whenever a new hazard is introduced into their work area. Information and training may relate to general classes of hazardous substances to the extent appropriate and related to reasonably foreseeable exposures of the job.

On and prior to December 14, 2011, the employer failed to provide employees with effective information and training on the hazardous substances contained in their work area at the time of their intitial assignment, and whenever a new hazardous substance was introduced to their work area.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 6300.00

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

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
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Inspection Number: 315526970
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CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 9 Item 1 Type of Violation: Serious

California Code of Regulations, Title 8, 5202. Methylene chloride.

(l) Employee information and training.

(1) The employer shall provide information and training for each affected employee prior to or at the time of initial assignment to a job involving potential exposure to MC.

(2) The employer shall ensure that information and training is presented in a manner that is understandable to the employees.

Reference:

This occupational health standard establishes requirements for employers to control occupational exposure to methylene chloride (MC). Employees exposed to MC are at increased risk of developing cancer, adverse effects on the heart, central nervous system and liver, and skin or eye irritation. Exposure may occur through inhalation, by absorption through the skin, or through contact with the skin. MC is a solvent which is used in many different types of work activities, such as paint stripping, polyurethane foam manufacturing, and cleaning and degreasing. Under the requirements of subsection (d), each covered employer must make an initial determination of each employee's exposure to MC. If the employer determines that employees are exposed below the action level, the only other provisions of this section that apply are that a record must be made of the determination, the employees must receive information and training under subsection (l) and, where appropriate, employees must be protected from contact with liquid MC under subsection (h). The provisions of the MC standard are as follows:

(a) Scope and application. This section applies to all occupational exposures to methylene chloride (MC), Chemical Abstracts Service Registry Number 75-09-2, in general industry, construction and shipyard employment

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State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
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Inspection Number: 315526970
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Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

On and prior to December 14, 2011, the employer failed to provide information and training to affected employees exposed to Methylene Chloride. On the day of the inspection, the Division identified a container of Jasco Premium Paint & Epoxy Remover that employees used to remove paint. This product contains a concentration 60.0-100.0% Methylene Chloride, a known carcinogen.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 5625.00

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

ED_002793A_00003939-00036

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
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Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 10 Item 1 Type of Violation: Willful General

California Code of Regulations, Title 8, 3203. Injury and Illness Prevention Program

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

(1) Identify the person or persons with authority and responsibility for implementing the Program.

(2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.

(3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees

(4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards.

(5) Include a procedure to investigate occupational injury or occupational illness.

(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard.

(7) Provide training and instruction.

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

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Inspection Dates: 12/07/2011 - 05/30/2012
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Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

On and prior to December 14, 2011, the employer failed to establish, implement and maintain an effective Injury and Illness Prevention Program, in that, the systems, procedures, methods and training required by Subsection (a)(1), (2), (3), (4), (5), (6), and (7) listed above.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 10500.00

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

ED_002793A_00003939-00038

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 11 Item 1 Type of Violation: Willful General

California Code of Regulations, Title 8, 5144. Respiratory Protection.

(c) Respiratory protection program. This subsection requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator.

(1) In any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, the employer shall establish and implement a written respiratory protection program with worksite-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use. The employer shall include in the program the following provisions, as applicable:

(A) Procedures for selecting respirators for use in the workplace;

(B) Medical evaluations of employees required to use respirators;

(C) Fit testing procedures for tight-fitting respirators;

(D) Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations;

(E) Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;

(F) Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators;

(G) Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations;

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

(H) Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and

(I) Procedures for regularly evaluating the effectiveness of the program.

On and prior to December 14, 2011, the employer failed to develop and implement a written respiratory protection program with worksite-specific procedures and elements for required respirator use to include the procedures and training as outlined in Subsections (c)(1)(A), (B), (C), (D), (E), (F), (G), (H), and (I) listed above.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 8750.00

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 12 Item 1 Type of Violation: Willful General

California Code of Regulations, Title 8, 5194. Hazard Communication.

(e) Written Hazard Communication Program.

(1) Employers shall develop, implement, and maintain at the workplace a written hazard communication program for their employees which at least describes how the criteria specified in sections 5194(f), (g), and (h) for labels and other forms of warning, material safety data sheets, and employee information and training will be met, and which also includes the following:

(A) A list of the hazardous substances known to be present using an identity that is referenced on the appropriate material safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas);

(B) The methods the employer will use to inform employees of the hazards of non-routine tasks (for example, the cleaning of reactor vessels), and the hazards associated with substances contained in unlabeled pipes in their work areas.

Reference: T8 CCR 5194. Hazard Communication.

(f) Labels and Other Forms of Warning.

(g) Material Safety Data Sheets.

(h) Employee Information and Training.

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

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Inspection Dates: 12/07/2011-05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
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Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

On and prior to December 14, 2011, the employer failed to develop, implement, and maintain at the workplace a written hazardous communication program for their employees, which at least describes how the criteria specified in sections 5194(f), (g), and (h) for labels and other forms of warning, material safety data sheets, and employee information and training will be met.

Date By Which Violation Must be Abated:	ABATED
Proposed Penalty:	$ 8750.00

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

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State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District (0950631; 4031)
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705

Inspection Number: 315526970
Inspection Dates: 12/07/2011 - 05/30/2012
Issuance Date: 06/04/2012
CSHO ID: A9562
Optional Inspection Nbr: 023-12

Citation and Notification of Penalty

Company Name: ORANGE COUNTY METAL PROCESSING
Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831

Citation 13 Item 1 Type of Violation: Willful Serious

California Code of Regulations, Title 8, 5169. Special Precautions for Cyanide in Open Surface Tanks.

Dikes or other arrangements shall be provided to prevent the possibility of intermixing of cyanide and acid in the event of tank rupture.

On and prior to December 14, 2011, the employer failed to take special precautions for the open surface cyanide tank by providing dikes or other arrangements to prevent the possibility of intermixing cyanide and acid in the event of a tank rupture. As a result, the Division identified an open tank containing a zinc cyanide solution and an open tank containing a hydrochloric acid solution that shared the same secondary containment, which is specifically designed to capture the liquids in the event of a tank rupture.

Date By Which Violation Must be Abated: ABATED
Proposed Penalty: $ 70000.00

Compliance Officer/District Manager

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

ED_002793A_00003939-00043

State of California
Division of Occupational Safety and Health
Cal/OSHA Santa Ana District
2000 East McFadden Avenue, Suite 122
Santa Ana, CA 92705
Phone: (714) 558-4451 Fax: (714) 558-2035

NOTICE OF PROPOSED PENALTIES

Company Name: ORANGE COUNTY METAL PROCESSING

Inspection Site: 1711 KIMBERLY AVE, FULLERTON, CA 92831
Mailing Address: 1711 KIMBERLY AVE, FULLERTON, CA 92831
Issuance Date: 06/04/2012

Reporting ID: 0950631

Index Code: 4031

Summary of Penalties for Inspection Number 315526970

Citation 1, General	= $	**9195.00**
Citation 2, Serious	= $	**7875.00**
Citation 3, Serious	= $	**6300.00**
Citation 4, Serious	= $	**7875.00**
Citation 5, Serious	= $	**7875.00**
Citation 6, Serious	= $	**6300.00**
Citation 7, Serious	= $	**7875.00**
Citation 8, Serious	= $	**6300.00**
Citation 9, Serious	= $	**5625.00**
Citation 10, Willful	= $	**10500.00**
Citation 11, Willful	= $	**8750.00**
Citation 12, Willful	= $	**8750.00**
Citation 13, Willful	= $	**70000.00**
TOTAL PROPOSED PENALTIES	= $	**163220.00**

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make you payment. The company name, index code, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh to access the secure payment processing site.

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DIVISION OF OCCUPATIONAL SAFETY AND HEALTH - CAL/OSHA
CASHIER, ACCOUNTING OFFICE
P. O. BOX 420603
SAN FRANCISCO, CA 94142-0603
(415) 703-4291 or (415) 703-4295 or Fax (415) 703-3037

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

ED_002793A_00003939-00045

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH - CAL/OSHA
Cashier, Accounting Office
P.O. Box 420603
San Francisco, CA 94142-0603
Phone (415) 703-4291 or (415) 703-4295 Fax (415) 703-3037

PENALTY REMITTANCE FORM

CIVIL PENALTY INFORMATION INSPECTION NUMBER 315526970 REPORTING ID 0950631 INDEX CODE 4031

ESTABLISHMENT NAME ORANGE COUNTY METAL PROCESSING

CONTACT PERSON _____

PHONE NO. _____ FAX NO. _____

SITE ADDRESS 1711 KIMBERLY AVE, FULLERTON

MAILING ADDRESS 1711 KIMBERLY AVE, FULLERTON, CA, 92831

CITATION INFORMATION (Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed.)

Payment is for the following Citation Items: (i.g. Citation 1, Items 1-5; Citation 3)

_____

TYPE OF PAYMENT ENCLOSED

CHECK OR MONEY ORDER INFORMATION

CHECK ENCLOSED IN THE AMOUNT OF $_____

~~MONEY ORDER ENCLOSED IN THE AMOUNT OF $_____~~

(Please make check or money order payable to **CAL/OSHA** and mail to the Cashier, Accounting Office, at the above address. Reference the Inspection Number on the "memo" portion of your check or money order.)

Go to www.dir.ca.gov/dosh to access the on-line third party secure payment processing site or complete this section and fax to (415) 703-3037

CREDIT CARD INFORMATION: CONVENIENCE FEE APPLIES

CREDIT CARD NO. _____ EXPIRATION DATE _____

CREDIT TYPE_____ SECURITY CODE (last 3 digits on back of card) _____(4 digits on front of Amex card)

NAME OF CARDHOLDER _____ SIGNATURE _____

EMAIL ADDRESS _____

CARDHOLDER PHONE NO. _____ FAX NO. _____

AMOUNT OF PAYMENT $_____

---------- FOR OFFICE USE ONLY ----------

AUTHORIZATION NO. _____ DATE PROCESSED _____

PROCESSED BY _____

Please call (415) 703-4291or (415) 703-4295 or complete the information above and fax to (415) 703-3037
ELECTRONIC FUNDS TRANSFER EFT OPTION-NO CONVENIENCE FEE APPLIES: GO TO www.dir.ca.gov/dosh

Cal/OSHA-2 PRF 6/10

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