

U.S. Department of Labor Occupational Safety and Health Administration
800 N. King Street
Suite 302
Wilmington, DE 19801



01/20/2023

Donovan Salvage Works, Inc.
and its successors
20262 Donovans Road
Georgetown, DE 19947

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (302) 573-6518.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.


As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob A. Ladd". The signature is written in a cursive style with a large initial "J".

Jacob A. Ladd
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
800 N. King Street
Suite 302
Wilmington, DE 19801



Citation and Notification of Penalty

To:

Donovan Salvage Works, Inc.
and its successors
20262 Donovans Road
Georgetown, DE 19947

Inspection Number: 1609174**Inspection Date(s):** 07/26/2022 - 09/02/2022**Issuance Date:** 01/20/2023**Inspection Site:**

20262 Donovans Road
Georgetown, DE 19947

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

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling (302) 573-6518. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

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

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/20/2023. The conference will be held by telephone or at the OSHA office located at 800 N. King Street, Suite 302, Wilmington, DE 19801 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1609174

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947
Issuance Date: 01/20/2023

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 800 N. King Street, Suite 302, Wilmington, DE 19801.**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 1609174
Inspection Date(s): 07/26/2022 - 09/02/2022
Issuance Date: 01/20/2023



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.22(a)(3): Walking-working surfaces are maintained free of hazards such as sharp or protruding objects, loose boards, corrosion, leaks, spills, snow, and ice.

a) 20262 Donovan Road Georgetown, DE - On or about July 26, 2022 the employer did not ensure that the walking working surface within the smelting area of the facility and the immediate area outside of the facility was properly maintained to prevent tripping and slipping hazards from scrap automotive parts and/or other chemicals present from the disassembled and scrap automotive parts.

Corrected During Inspection

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$9,376.00

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

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

Inspection Number: 1609174
Inspection Date(s): 07/26/2022 - 09/02/2022
Issuance Date: 01/20/2023



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.102(a): Cylinders. Employers must ensure that the in-plant transfer, handling, storage, and use of acetylene in cylinders comply with the provisions of CGA Pamphlet G-1-2003 ("Acetylene") (Compressed Gas Association, Inc., 11th ed., 2003).

a) 20262 Donovans Road Georgetown, DE - On or about July 26, 2022, it was determined that the employer did not properly store and/or support the empty fuel gas cylinders that were lying on the ground at the entrance of the building where smelting occurs and the Powered Industrial Truck [PIT] and other earth moving equipment is being driven.

Corrected During Inspection

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10,938.00

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

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

Inspection Number: 1609174
Inspection Date(s): 07/26/2022 - 09/02/2022
Issuance Date: 01/20/2023



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.106(b)(2)(vii)(a):Area(s) surrounding tank(s) containing flammable liquids were not provided with adequate drainage or dikes:

a) 20262 Donovan Road Georgetown, DE. - On or about July 26, 2022, it was determined that the employer did not have an effective drainage or dike established beneath the above ground propane storage fuel tanks.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 15, 2023
Proposed Penalty:	\$7,813.00

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: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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 4 a Type of Violation: **Serious**

29 CFR 1910.110(b)(6)(vi): Readily ignitable material such as weeds and long dry grass shall be removed within 10 feet of any container.

a) 26202 Donovan Road Georgetown, DE - On or about July 26, 2022, the employer stored fuel gas cylinders-tanks [e.g. propane cylinders] which had dead vegetation entangled around and beneath the cylinders-tanks.

Corrected During Inspection

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10,938.00



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury such as hand, face, arms as well as permanent impairment encountered.

a) 20262 Donovan Road Georgetown, DE - On or about September 2, 2022, it was determined that the employees performing smelting operations which involves the opening and closing of the smelter's door did not wear any personal protective equipment which would involve eye wear and protective heat resistant clothing against the possibility of a splash from liquid metal. The furnace temperature was determined to be between 1500 and 1600 degrees Fahrenheit.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: February 15, 2023
Proposed Penalty: \$10,938.00



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.132(f)(2): Each affected employee shall demonstrate an understanding of the training specified in paragraph (f)(1) of this section, and the ability to use PPE properly, before being allowed to perform work requiring the use of PPE.

a) 20262 Donovan Road Georgetown, DE - On or about July 26, 2022, it was observed after reviewing the training records of the employer that his employee records did not identify that the employer provided inadequate formal training associated with the smelting operations.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 15, 2023
Proposed Penalty:	\$0.00

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

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

Inspection Number: 1609174
Inspection Date(s): 07/26/2022 - 09/02/2022
Issuance Date: 01/20/2023



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

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

29 CFR 1910.157(e)(2): Portable fire extinguishers were not visually inspected at least monthly:

a) 20262 Donovan Road Georgetown, DE - On or about July26, 2022, the employer failed to perform monthly inspections on the portable fire extinguishers located within the smelting building.

Corrected During Inspection

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10,938.00

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: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

(a) 20262 Donovan Road Georgetown, DE - On or about July 26, 2022 it was determined that the employer did not provide adequate training to their employees working within the smelting area of the property, to understand the principle associated with the use of the fire extinguishers if and when there is an incipient stage fire that needs to be extinguished.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 15, 2023
Proposed Penalty:	\$0.00

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: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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 7 a Type of Violation: **Serious**

29 CFR 1910.178(l)(1)(i): The employer shall ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l).

a)26202 Donovan Road Georgetown, DE: On or about July 26, 2022, the employer failed to ensure operator(s) of the Hyster Powered Industrial Truck [PIT] who were lifting the large ingots of aluminum within the building of the furnace warehouse area of the facility were trained and evaluated prior to operating the equipment.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: February 15, 2023
Proposed Penalty: \$10,938.00



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

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

a) 26202 Donovan Road Georgetown, DE.- On or about July 26, 2022, the employer failed to ensure that an evaluation of the performance of propane Powered Industrial Truck operators was conducted at least once every three years. No record of the Hyster Powered Industrial Truck was provided.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: February 15, 2023
Proposed Penalty: \$0.00

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

Inspection Number: 1609174
Inspection Date(s): 07/26/2022 - 09/02/2022
Issuance Date: 01/20/2023



Citation and Notification of Penalty

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.178(n)(4): Where the load being carried obstructed forward view, drivers were not required to travel with the load trailing:

a)26202 Donovans Road Georgetown, DE - On or about July 26, 2022, the employer failed to require the propane powered industrial truck [PIT] operator, who loaded automotive engines in a steel basket connected to its forks to operate the PIT in a trailing position which would have allowed for unobstructed vision during operation.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

Date By Which Violation Must be Abated:
Proposed Penalty:

February 15, 2023
\$0.00

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: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.178(q)(7): Industrial trucks shall be examined before being placed in service, and shall not be placed in service if the examination shows any condition adversely affecting the safety of the vehicle. Such examination shall be made at least daily. Where industrial trucks are used on a round-the-clock basis, they shall be examined after each shift. Defects when found shall be immediately reported and corrected.

a) 26202 Donovan Road Georgetown, DE On or about July 9, 2022, the employer did not ensure the Hyster Powered Industrial Truck [PIT] being operated by employees was examined prior to its use. Items that can affect the safe operation of the equipment and safety of the operator-employee such as but not limited to lights and tires were not serviceable.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 15, 2023
Proposed Penalty:	\$0.00

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: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:


a) Donovan Salvage Works, Inc. - On or about July 26, 2022, the employer failed to provide information and training related to the hazards of chemicals in the workplace. Employees are exposed to hazardous chemicals to include, but not limited to, propane, acetylene and waste lubricants.

b) Donovan Salvage Works, Inc. - On or about July 26, 2022, the employer did not provide employees who handle hazardous chemicals training, including an explanation of the new safety data sheet format which was instituted in December of 2013.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 15 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: February 15, 2023
Proposed Penalty: \$9,376.00



Jacob A. Ladd
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
800 N. King Street
Suite 302
Wilmington, DE 19801



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Donovan Salvage Works, Inc.
Inspection Site: 20262 Donovans Road, Georgetown, DE 19947
Issuance Date: 01/20/2023

Summary of Penalties for Inspection Number: 1609174

Citation 1 Item 1, Serious	\$9,376.00
Citation 1 Item 2, Serious	\$10,938.00
Citation 1 Item 3, Serious	\$7,813.00
Citation 1 Item 4a, Serious	\$10,938.00
Citation 1 Item 5a, Serious	\$10,938.00
Citation 1 Item 5b, Serious	\$0.00
Citation 1 Item 6a, Serious	\$10,938.00
Citation 1 Item 6b, Serious	\$0.00
Citation 1 Item 7a, Serious	\$10,938.00
Citation 1 Item 7b, Serious	\$0.00
Citation 1 Item 7c, Serious	\$0.00
Citation 1 Item 7d, Serious	\$0.00

TOTAL PROPOSED PENALTIES:**\$81,255.00**

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

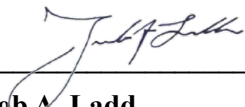
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to two times.

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

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Jacob A. Ladd

Area Director

Date