



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

www.state.nj.us/health

JAMES E. MCGREEVEY
Governor

CLIFTON R. LACY, M.D.
Commissioner

August 1, 2002

Joel Popkin, Administrator
Borough of Neptune City
106 W. Sylvania Avenue
P.O. Box 2098
Neptune City, NJ 07753

Re: Insp. No.: 10295DHSS
Insp. Date: April 19, 2002
Issue Date: May 10, 2002
Insp. Site: Neptune City Borough
Department of Public Works
41 THF Way
Neptune City, NJ 07753

Dear Mr. Popkin:

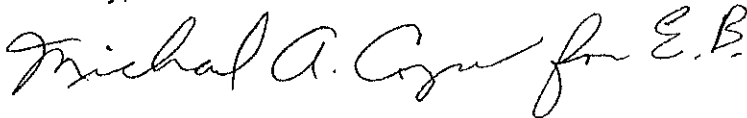
Pursuant to an agreement with the Department of Labor (DOL), your request for a delay in complying with the Order to Comply is warranted due to the consideration by the Public Employees Occupational Safety and Health (PEOSH) Program of the following factors:

1. A good faith compliance effort has been demonstrated.
2. The employee representatives and /or affected employees have been given notice of their right to comment on the request for extension by the employer.

The final determination on your abatement date extension request is based on your documented agreement to comply with the Order to Comply by **September 10, 2002**. Follow-up actions will be taken to confirm the abatement either upon notice of completion or within five days of the new abatement date. If compliance has not been effected, penalties may be issued by the DOL within 20 days of such determination.

Should you require additional assistance with your efforts to maintain a safe and healthful workplace for your employees, please contact the PEOSH Program at (609) 984-1863.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Cogan for E.B.".

Eric Beckhusen, Acting Program Manager
Public Employees Occupational Safety
and Health Program

Enclosure

c: Employee Representative
Gerrit Devos, Neptune City Borough
Howard Black, DOL



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May 1, 2002

Joel Popkin, Administrator
Neptune City Borough
106 West Sylvania Avenue
Neptune City, NJ 07753-6428

Dear Mr. Popkin:

The New Jersey Department of Health and Senior Services, Public Employees Occupational Safety and Health (PEOSH) Program conducted an inspection of the Neptune City Borough, Department of Public Works, (Case # 10295DHSS). Potential violations of the PEOSH Standards were observed during the course of the inspection and have been forwarded to the New Jersey Department of Labor for possible enforcement action. The potential violations and health recommendations are described in the attached report.

Once you receive the Order to Comply from the New Jersey Department of Labor, your staff should send a copy of the documentation required to indicate abatement of the citation within the allotted time frame. All correspondence should be addressed to David M. Loughlin at the above address.

If there are any questions concerning this inspection, please do not hesitate to have your staff contact Mr. Loughlin at (609) 984-1863.

Sincerely,

Gary Ludwig
Program Manager
PEOSH Program

Attachment

C: Mayor Robert J. Deeves
Robert Reynolds, Employee Representative
Gerrit Devos, Neptune City
Howard Black, NJDOL

POTENTIAL VIOLATIONS:

1. **29 CFR 1910.132(d)(2):** The employer did not verify that the required workplace hazard assessment was performed through a written certification that identified the workplace evaluated, the person certifying that the evaluation had been performed, and the date(s) of the hazard assessment which identifies the document as a certification of hazard assessment.

A written certification of the workplace hazard assessment was not available for review.

2. **29 CFR 1910.132(f):** The employer did not provide training on the use, proper care and maintenance, and the limitations of personal protective equipment.

Documentation of training was not available for review.

3. **29 CFR 1910.151(c):** Where employees were exposed to injurious corrosive materials, suitable facilities for quick flushing of the eyes were not provided within the work area for immediate emergency use.

No eye wash facility was available where corrosive materials are used.

RECOMMENDATIONS:

1. The use of power equipment, such as leaf blowers, leaf vacuums, chippers, and street cleaners, by employees is likely to result in exposure to sound levels greater than 85 decibels (db) based on an 8-hour time-weighted average (TWA). Due to the potential for overexposure to noise, it is strongly recommended that an evaluation of occupational noise levels be conducted. The results of this evaluation should be utilized to determine if adequate hearing protection is being utilized and if the establishment of a hearing conservation program is required.
2. Utilization of a portable local exhaust ventilation system is recommended for several activities that are conducted within the DPW vehicle maintenance area. This ventilation system should be utilized during welding, sign making, or other activities that generate toxic gasses or fumes inside the building.

Industrial Hygiene Inspection Report

EMPLOYER: Neptune City Borough

SITE INSPECTED: Department of Public Works
41 THF Way
Neptune City, New Jersey

INSPECTION DATE: April 19, 2002

INSPECTION NUMBER: 10295

INSPECTOR: David M. Loughlin
Occupational Health Consultant I
New Jersey Department of Health and Senior Services
Public Employees Occupational Safety and Health Program

SCOPE OF INSPECTION:

This inspection was conducted as part of a programmed compliance inspection initiative that is being conducted throughout the state by the Public Employees Occupational Safety and Health (PEOSH) Program. Compliance with the PEOSH Standards for Occupational Noise, Sanitation, Hazardous Materials and Emergency Response, First Aid, Personal Protective Equipment, Respiratory Protection, Asbestos, were evaluated. The following items were provided during the opening conference:

- Public Employees' Occupational Safety & Health Act.
- General Asbestos Standard 29 CFR 1910.1001
- Occupational Noise Exposure Standard 29 CFR 1910.95
- Hazardous Waste Operations and Emergency Response Standard 29 CFR 1910.120
- Hazardous Materials Regulations for New Jersey Emergency Responders Brochure
- Personal Protective Equipment Standard 29 CFR 1910.132
- Personal Protective Equipment Fact Sheet
- Respiratory Protection Standard 29 CFR 1910.134
- Facts about Respiratory Protection for Public Employees Fact Sheet
- Respiratory Protection Model Program
- Diesel Exhaust in Fire Stations Fact Sheet
- Sanitation Standard 29 CFR 1910.141
- Control of Health Hazards Associated with Bird and Bat Droppings
- Emergency Eyewashes and Showers Standard 29 CFR 1910.151(c)
- Medical Services and First Aid Standard 29 CFR 1910.151

Borough of Neptune City
Office of the Superintendent
106 West Sylvania Avenue
Neptune City, NJ 07753

6/7/02

TO: JOHN LAPATCHKA

RE: DEPARTMENT OF LABOR & PPE TRAINING

On April 19, the Department of Health and Senior Services (PEOSH) inspected us.

We are asking for your assistance with the enclosed violations & recommendations:

1. 29 CFR 1910.132(d)(2): Hazard Assessment
2. 29 CRF 1910.132(f): Personal Protective Equipment Training

Please contact me at 732-775-1607.

Respectfully,



Gerrit DeVos
Superintendent, CPWM

TRANSMISSION VERIFICATION REPORT

TIME : 06/07/2002 08:15
NAME : GERRIT DEVOS
FAX : 17327757352
TEL : 17327751607
SER.# : BROG1J500153

DATE, TIME
FAX NO./NAME
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