

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE IOSHA BOARD OF
SAFETY REVIEW

F I L E D

IN THE MATTER OF THE)
COMMISSIONER OF LABOR,)
)
Complainant,)
)
v.)
)
VELASQUEZ MUFFLERS AND BRAKES,)
AND ITS SUCCESSORS,)
)
Respondent.)

DEC 09 2015

Indiana Board of
Safety Review

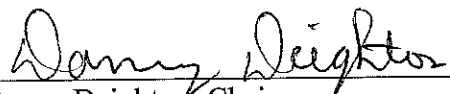
CASE DOCKET NO. 14-012

FINAL ORDER

Comes now the Indiana Board of Safety Review, having received the Respondent's request to withdraw their contest, hereby grants the aforementioned request.

IT IS HEREBY ORDERED by the Board of Safety Review that Respondent's contest is withdrawn.

Dated this 9 day of December, 2015.



Danny Deighton, Chairman

Copies to:

J. Anthony Hardman
General Counsel
Department of Labor
402 W. Washington St., Rm. W195
Indianapolis, IN 46204

William T. Enslin
Enslin Enslin & Matthews
142 Rimbach
Hammond, IN 46320

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: 317-232-2691 FAX: (317)233-8509



Certified mail # 917190 00052720 0038 4826 9-19-14 JH

Safety Order and Notification of Penalty

To:

Velasquez Mufflers and Brakes
5175 West 38th Street
Indianapolis, IN 46254

Inspection Number: 317454718
CSHO ID: A0302
Optional Report No.: 14018
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014

Inspection Site:

5175 West 38th Street
Indianapolis, IN 46254

The violation(s) described in this Safety Order 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.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s)

and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

- (1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or
- (2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

- (1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance

during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty..

Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

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 Indiana Department of Labor/IOSHA at the address shown above.

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 Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 9/19/2014. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 001 Type of Violation: **Serious**

IC 22-8-1.1 Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to caught in-between/struck by hazards:

Shop - On 06/06/2014, company procedures were not developed and/or followed concerning employee safety while automobiles were driven into and out of the shop area, where a line of six automotive lifts were sitting in a linear row, in an area that measured approximately 18 feet wide by 171 feet long. An employee walked behind a vehicle which another employee was preparing to move. When the vehicle was moved in reverse, it pinned an employee between it and a post on an above ground automotive lift, resulting in a fatality.

Among other methods, one feasible and acceptable abatement method to correct this hazard is:

> Develop and implement effective procedures for the safe movement of vehicles inside of the shop, including but not limited to, covering the hazards associated with employees walking behind vehicles that have their engine running, with an employee in the driver's seat.

Date By Which Violation Must Be Abated: **10/23/2014**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 002

Type of Violation: **Serious**

IC 22-8-1.1 Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck-by/crushing hazards:

Shop - On 06/06/2014 and times prior to, a four-post above ground automotive lift (Rotary Revolution, Model #RFP14N000M, Capacity 14,000 lbs., Serial Number UVK10E0006) was not taken out of service after management was aware of hazards such as, but not limited to the lift's cable showing visible signs of damage.

Among other methods, one feasible and acceptable abatement method to correct this hazard is:

To develop and implement repair maintenance procedures in accordance with the manufacturer and ANSI/ALI ALOIM 2008 Standard for Automotive Lifts - Safety Requirements for Operation, Inspection, and Maintenance, such as, but not limited to:

- Follow the repair maintenance procedure located at 6.2.1 in the ANSI/ALI ALOIM 2008 Standard for Automotive Lifts - Safety Requirements for Operation, Inspection, and Maintenance.
- Supervise employees to ensure that repair maintenance procedures are followed.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 003

Type of Violation: **Serious**

IC 22-8-1.1 Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck by/crushing hazards:

- a) Shop - On 06/06/2014 and times prior to, operators of the four-post above ground automotive lift (Rotary Revolution, Model #RFP14N000M, Capacity 14,000 lbs., Serial Number UVK10E0006) were not instructed in the safety requirements for the safe operation, inspection, and maintenance through the use of the manufacturer's provided instructions.
- b) Shop - On 08/14/2014 and times prior to, operators of the two-post above ground automotive lift (Challenger Lifts, Inc., Model 31000, Capacity 8,000 lbs., Serial Number 313531) were not instructed in the safety requirements for the safe operation, inspection, and maintenance through the use of the manufacturer's provided instructions.

Among other methods, one feasible and acceptable abatement method to correct this hazard is:

To develop and implement operator training procedures in accordance with the manufacturer and ANSI/ALI ALOIM 2008 Standard for Automotive Lifts - Safety Requirements for Operation, Inspection, and Maintenance, such as, but not limited to:

- Follow the operator training procedure located at 4.2.1 in the ANSI/ALI ALOIM 2008 Standard for Automotive Lifts - Safety Requirements for Operation, Inspection, and Maintenance.
- Supervise employees to ensure that operator training procedures are followed.

Date By Which Violation Must Be Abated:
Proposed Penalty:

10/23/2014
\$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 004

Type of Violation: **Serious**

IC 22-8-1.1 Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to crushing hazards:

- a) Shop - On 06/06/2014 and times prior to, a four-post above ground automotive lift (Rotary Revolution, Model #RFP14N000M, Capacity 14,000 lbs., Serial Number UVK10E0006) was being used by mechanics to access the under body of vehicles to perform work wherein the lift was not being inspected annually.
- b) Shop - On 08/14/2014 and times prior to, a two-post above ground automotive lift (Challenger Lifts, Inc., Model 31000, Capacity 8,000 lbs., Serial Number 313531) was being used by mechanics to access the under body of vehicles to perform work wherein the lift was not being inspected annually.

Among other methods, one feasible and acceptable abatement method to correct this hazard is:

To develop and implement inspection procedures in accordance with the manufacturer and ANSI/ALI ALOIM 2008 Standard for Automotive Lifts - Safety Requirements for Operation, Inspection, and Maintenance, such as, but not limited to:

- Develop a written training program to instruct employees on proper inspection procedures.
- Supervise employees to ensure that inspections are being conducted annually.

Date By Which Violation Must Be Abated:
Proposed Penalty:

10/23/2014
\$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 005

Type of Violation: **Serious**

29 CFR 1910.36(b)(1): At least two exit routes were not made available in a workplace to permit prompt evacuation of employees and other building occupants during an emergency, except as allowed in paragraph (b) (3) of this section. The exit routes must be located as far away as practical from each other so that if one exit route is blocked by fire or smoke, employees can evacuate using the second exit route:

Facility wide - Mechanics were exposed to hazard(s) such as, but not limited to, an approximately 6,300 square foot facility which had only one working employee exit.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 006 Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

- a) Rear of facility - Mechanics were exposed to hazard(s) such as, but not limited to, an employee exit which was obstructed by car tires, aluminum rims, loose mufflers, a four-drawer filing cabinet, five gallon buckets, and a shopping cart.

- b) Front of facility - Mechanics were exposed to hazard(s) such as, but not limited to, an employee exit which was unable to be opened due to a security door frame blocking the exit door from swinging open.

Date By Which Violation Must Be Abated: **10/23/2014**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 007 Type of Violation: **Serious**

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tank cars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

Front of shop - Two fuel-gas cylinders were stored without being secured to prevent tipping, near an automobile lift and next to an overhead door used to bring vehicles into the shop.

Date By Which Violation Must Be Abated: **10/23/2014**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 008

Type of Violation: **Serious**

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards were present, or were likely to be present, which necessitated the use of personal protective equipment:

Facility wide - Mechanics were exposed to hazard(s) such as, but not limited to, operating a (DeWalt brand) Saws-All without eye protection.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 009

Type of Violation: **Serious**

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

Shop area - Mechanics used a (DeWalt brand) Saws-All without the use of eye protection.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 010

Type of Violation: **Serious**

29 CFR 1910.157(c)(4): Portable fire extinguishers were not maintained in a fully charged and operable condition:

Shop - Fire extinguishers were found to be discharged and sitting together under a table and on the floor, near the employee break area.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 011

Type of Violation: **Serious**

29 CFR 1910.157(g)(3): Employees who have been designated to use fire fighting equipment as part of the emergency action plan were not provided training in the use of the appropriate equipment:

Facility wide - Mechanics, who were allowed by management to use fire extinguishers, had not received hands-on training in the use of fire extinguishers.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$2,100.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 012 Type of Violation: **Serious**

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

Northeast corner of facility - Oxygen and fuel-gas cylinders were stored together without adequate separation by distance or physical barrier.

Date By Which Violation Must Be Abated: **10/23/2014**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 013 Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

Break area - Mechanics were exposed to an electrical panel box with four missing breakers/blanks when resetting the breaker for the air compressor.

Date By Which Violation Must Be Abated: **10/23/2014**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 01 Item 014 Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

Facility wide - A written hazard communication program was not maintained in the workplace where employees used products such as but not limited to Brake Parts Cleaner (Brand - Wearever, Part #W7341) and WD-40.

Date By Which Violation Must Be Abated: **10/23/2014**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 02 Item 001

Type of Violation: **NonSerious**

29 CFR 1904.39(a): The employer did not orally report the death of an employee or the in-patient hospitalization of three or more employees because of a work-related incident:

Facility wide - The employer failed to report to OSHA a work-related death which occurred on 06/06/2014.

Date By Which Violation Must Be Abated: 10/23/2014
Proposed Penalty: \$1,500.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317454718
Inspection Date(s): 6/16/2014 - 8/28/2014
Issuance Date: 9/19/2014
CSHO ID: A0302
Optional Report No.: 14018

Safety Order and Notification of Penalty

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254

Safety Order 02 Item 002

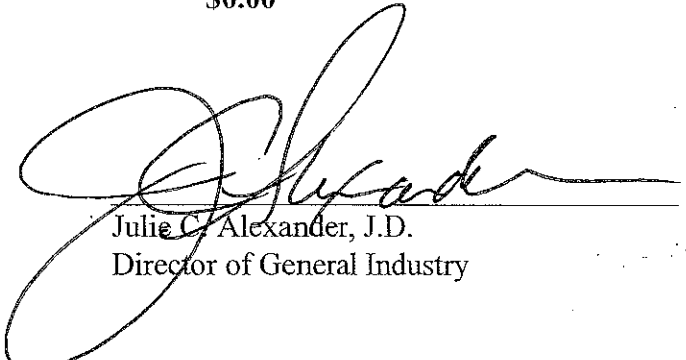
Type of Violation: **NonSerious**

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

Facility wide - An energy control procedure was not developed, documented, or utilized, and employee training was not conducted before employees performed servicing and maintenance activities on machines or equipment such as but not limited to automotive lifts.

Date By Which Violation Must Be Abated:
Proposed Penalty:

10/23/2014
\$0.00


Julie C. Alexander, J.D.
Director of General Industry

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-2691 FAX: (317)233-8509



INVOICE/DEBT COLLECTION NOTICE

Company Name: Velasquez Mufflers and Brakes
Inspection Site: 5175 West 38th Street, Indianapolis, IN 46254
Issuance Date: 9/19/2014

Summary of Penalties for Inspection Number: 317454718

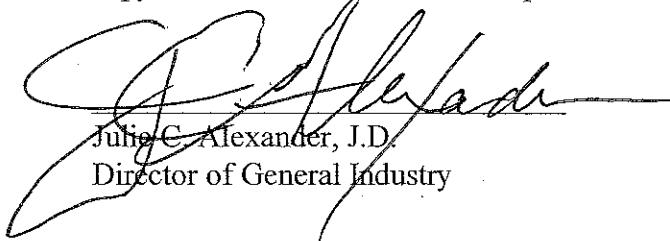
Safety Order 1, Serious	= \$29,400.00
Safety Order 2, NonSerious	= \$1,500.00
TOTAL PENALTIES	= \$30,900.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

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

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).


Julia C. Alexander, J.D.
Director of General Industry

Date 9/19/14