

DEPARTMENT OF LABOR AND INDUSTRIES

Division of Occupational Safety and Health PO Box 44600 • Olympia, Washington 98504-4600

March 12, 2024

PACE INTERNATIONAL LLC

5661 Branch Rd

Wapato, WA 98951-9768

OSHA #: 1700574

Inspection: 317976309

UBI: 601922349

Region: 05-Health Inspector ID: B7592

Reference: 102417009

Dear Employer:

Enclosed are the results of the safety and health inspection of your workplace. This packet contains:

- **Citation Invoice** The total assessed penalty is \$574,000.00
- Citation and Notice of Assessment Washington Administrative Code (WAC) Violations.
- Employer Certification of Abatement instruction and form Correct all violations and return written verification or additional penalties may result.
- Employer Appeal Rights You have 15 working days to appeal this citation.

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for seven working days, whichever is longer. "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays.

Because this inspection is public information, the result will be posted online 30 days after the above date by the Department of Labor & Industries. You may view it at https://secure.lni.wa.gov/verify.

Please visit https://www.lni.wa.gov/agency/public-disclosure/ if you would like to request a copy of the inspection file. Your choices are:

- Safety & Health Citation Only
- Safety & Health Brief Inspector Summary Report (short description the inspector writes to summarize the reason for the inspection only not complete file)
- Safety & Health Detailed Inspection Summary Report (detailed summary of inspection including penalty calculation only not complete file)
- Safety & Health Citation and Complete Inspection File (The complete legal file which contains the detailed information regarding the inspector's findings, the citation, and calculation of any penalty. This will be especially helpful if you are contemplating filing an appeal.)

If you have questions, call the compliance supervisor, Victoria Cibicki, at (509) 886-6513.

Respectfully,

L&I Assistant Director Division of Occupational Safety & Health

Enclosure(s)



Invoice

Inspection: 317976309

UBI: 601922349

Legal Name: PACE INTERNATIONAL LLC

DBA Name: PACE INTERNATIONAL LLC

Inspection 88 S Ward St.,

Site: East Wenatchee, WA, 98802

Issued: March 12, 2024

Opening Conference: October 1, 2023 **Closing Conference:** March 1, 2024

Inspector ID: B7592

Summary of Assessed Penalties Due

The Citation and Notice of Assessment includes a full description of each violation.

Violation	Violation		Correction Due	Penalty
Item	Type	WAC	Date	Amount
1-1	Willful Serious	WAC 296-809-20004(2)	3/20/2024	\$70,000.00
1-2a	Willful Serious	WAC 296-809-30002(1)	3/20/2024	\$70,000.00
1-2b	Willful Serious	WAC 296-809-50006(1)	3/20/2024	\$0.00
1-3	Willful Serious	WAC 296-809-30002(5)	3/20/2024	\$70,000.00
1-4	Willful Serious	WAC 296-809-40002(1)	3/20/2024	\$70,000.00
1-5a	Willful Serious	WAC 296-809-50002(1)	3/20/2024	\$70,000.00
1-5b	Willful Serious	WAC 296-809-50002(2)	3/20/2024	\$0.00
1-6	Willful Serious	WAC 296-809-50018(1)	3/20/2024	\$70,000.00
1-7	Willful Serious	WAC 296-809-50020(1)	3/20/2024	\$70,000.00
1-8	Willful Serious	WAC 296-809-50022(1)	3/20/2024	\$70,000.00
2-1	Serious	WAC 296-809-20002	3/20/2024	\$7,000.00
2-2	Serious	WAC 296-809-50014(1)(a)	3/20/2024	\$7,000.00
3-1	General	WAC 296-800-32010	Not Applicable	\$0.00
Total Pe	nalty Due			\$574,000.00

PAYMENT INFORMATION

Payment is due 15 working days from receipt of this citation.

Make check payable to the Department of Labor and Industries.

Write Inspection number 317976309 on the check and mail to:

Attn: DOSH Cashier

Department of Labor and Industries

PO Box 44835

Olympia, WA 98504-4835 Or deliver to: Any L&I office



Citation and Notice of Assessment Citación por Infracción y Multa Civil

Inspection: 317976309

Legal Name:PACE INTERNATIONAL LLCOpening Conference:October 1, 2023DBA Name:PACE INTERNATIONAL LLCClosing Conference:March 1, 2024

Inspection 88 S Ward St. East Wenatchee, WA 98802 **Inspector ID:** B7592

Site:

Message ·

This employer has been identified as a Severe Violator Enforcement case under the Labor & Industries Division of Occupational Safety & Health's (DOSH), Severe Violator Enforcement Program (SVEP). Your company will be subject to follow-up inspections to determine if the conditions cited here still exist in the future. Follow-up inspections of this company will continue at a heightened level until the Department is satisfied that the conditions no longer exist.

The following violations qualify this employer for SVEP:

- 1-1 (Willful Serious) 296-809-2004(2) No Effective Measures to Prevent Unauthorized Entry
- 1-2a (Willful Serious) 296-809-30002(1) No Written Permit-Required Confined Space
- 1-2b (Willful serious) 296-809-50006(1) No Review of Permits or Program to Correct Deficiencies
- 1-3 (Willful Serious) 296-809-30002(5) No Designated Confined Space Administrator
- 1-4 (Willful Serious) 296-809-40002(1) No Permit-Required Confined Space Training Provided
- 1-5a (Willful Serious) 296-809-50002(1) No Identification or Evaluation of Hazards Before Entry
- 1-5b (Willful Serious) 296-809-50002(2) No Permit Completed Before Entry
- 1-6 (Willful Serious) 296-809-50018(1) No Entry Supervisor to Perform Responsibilities and Duties
- 1-7 (Willful Serious) 296-809-50020(1) No Attendant Provided
- 1-8 (Willful Serious) 296-809-50022(1) Entrant Did Not Know Hazardous Conditions and Duties

The Occupational Safety & Health Administration (OSHA) has been notified. For further information, please refer to DOSH Directive 2.68 and OSHA Instruction CPL 02-00-169.



Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317976309

Violation 1 Item 1

Violation Type: Willful Serious

Violation Type: Willful Serious

WAC 296-809-20004(2)

The employer did not take effective measures to prevent unauthorized employees from entering permit-required confined spaces.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

Correct by: 3/20/2024
Assessed penalty: \$70,000.00

Violation 1 Item 2a

WAC 296-809-30002(1)

Employer did not develop a permit-required confined space program before employees entered a confined space.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

The following additional correction documentation is required for this violation:

Please provide a copy of your Permit-Required Confined Space Program with your Employer Certification of Abatement documents. A template is available online at LNI.wa.gov/safety.



Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317976309

Violation 1 Item 2b

Violation Type: Willful Serious

Violation Type: Willful Serious

WAC 296-809-50006(1)

The employer did not review their PRCS program or entry operations to correct deficiencies.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an exposure or accident. A single penalty is applied to the first item in the group.

Correct by: 3/20/2024
Assessed penalty: Included in Violation 1 Item 2A

Violation 1 Item 3

WAC 296-809-30002(5)

Employer did not designate a confined space program administrator who oversees program development, coordinates implementation, and conducts required evaluations of program effectiveness.

An employee entered a controlled atmosphere fruit storage facility without:

- proper training;
- identifying and evaluating potential hazards;
- a properly filled out entry permit;
- non-entry rescue equipment;
- rescue services available.

Employees entering Permit-required Confined Spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.



Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317976309

Violation 1 Item 4

Violation Type: Willful Serious

WAC 296-809-40002(1)

Employer did not provide adequate training to employees involved in permit-required confined space activities, so that they acquire the knowledge and skills necessary to safely perform assigned duties.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room without proper training, and without the use of an entry permit.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

Correct by: 3/20/2024
Assessed penalty: \$70,000.00

Violation 1 Item 5a

Violation Type: Willful Serious

WAC 296-809-50002(1)

The employer did not identify and evaluate potential hazards before employees entered the confined space to perform work.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room without identifying and evaluating potential hazards, such as testing for atmospheric hazards, before entry.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.



Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317976309

Violation 1 Item 5b

Violation Type: Willful Serious

WAC 296-809-50002(2)

Employer did not complete an entry permit before entry to document the procedures and practices necessary for safe entry and work in a permit required confined space.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room without filling out an entry permit.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an exposure or accident. A single penalty is applied to the first item in the group.

Correct by: 3/20/2024
Assessed penalty: Included in Violation 1 Item 5A

Violation 1 Item 6

Violation Type: Willful Serious

WAC 296-809-50018(1)

Employer did not ensure that an entry supervisor performed the job duties and responsibilities required for permit required confined space entry operations.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room without an entry supervisor to authorize entry.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.



Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317976309

Violation 1 Item 7

Violation Type: Willful Serious

WAC 296-809-50020(1)

The employer did not provide an attendant outside the permit-required confined space during an entry.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room without an attendant outside the permit-required confined space.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

Correct by: 3/20/2024
Assessed penalty: \$70,000.00

Violation 1 Item 8

Violation Type: Willful Serious

WAC 296-809-50022(1)

Employer did not ensure entrants know the hazards they may face during PRCS entry, including the mode, signs or symptoms, and results of exposure to the hazards.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room and was not fully aware of the hazards of the space.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.



Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317976309

Violation 2 Item 1

Violation Type: Serious

WAC 296-809-20002

Employer did not identify all permit-required confined spaces in their workplace.

The employee was working at a host employer site and entered an oxygen deficient controlled atmosphere room.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

Correct by: 3/20/2024
Assessed penalty: \$7,000.00

Violation 2 Item 2

Violation Type: Serious

WAC 296-809-50014(1)(a)

Employer did not ensure adequate rescue and emergency services were available during permit-required confined space entry.

The employee was working at a host employer site near a confined space (controlled atmosphere room) and entered the oxygen deficient room without an on-site rescue team, or a third-party rescue team (Fire Department or a private rescue company) available in case of an emergency.

Employees entering permit-required confined spaces may be exposed to potential physical or atmospheric hazardous conditions resulting in serious injuries or death.

Correct by: 3/20/2024
Assessed penalty: \$7,000.00

Violation 3 Item 1

Violation Type: General

WAC 296-800-32010

The employer did not ensure the scene of the accident was preserved until a representative of the Department of Labor and Industries investigated the incident.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: \$0.00



Employer Certification of Abatement Instructions

Inspection: 317976309

What you must do now:

• Check the correction due date(s) shown on the enclosed Employer Certification of Abatement Form. You must fully correct the hazards by these dates.

• Describe on the form how you corrected each hazard, rather than what you *intend to do* in the future. Examples:

Right: All staff <u>have received</u> the required training.

Wrong: All staff <u>will receive</u> the required training next week.

Use attachments if you need more space. Submit additional documentation of hazard correction if requested in the citation packet.

- Fill in the date you corrected the hazard and sign.
- Post a copy of the completed form for at least seven working days, or until you have corrected all violations, whichever is longer. It must be posted near the hazard location or in a place that is readily accessible by affected employees and their representatives.
- Send your completed form to the address provided.

Note: If we do not receive written confirmation you have corrected the hazards, we will take follow-up action, which may include additional penalties. If you provide us with false information, you may face criminal penalties.

If you are unable to fix the hazard(s) by the correction due date(s):

We must receive your written request for an extension **before** the correction due date(s) listed for the hazard(s). Correction due dates are shown on the enclosed Citation and Notice of Assessment and on your Employer Certification of Abatement Form(s).

Extensions are not automatically granted. To be considered for an extension, you must provide the following:

- Inspection number, employer name, telephone number, and site address.
- Violation and Item number for each requested extension.
- Correction due date on the citation and additional time needed.
- Steps taken to fix the hazard by the correction due date.
- Why you cannot correct the hazard by the correction due date.
- How you will protect your employees until you fix the hazard.

For more information, contact: Victoria Cibicki, Compliance Supervisor

Or call: (509) 886-6513 Department of Labor and Industries

519 Grant Rd.

East Wenatchee, WA 98802

You must post all documentation associated with your request for extension with your citation packet. All postings must remain until you have corrected all violations, or unless you have appealed and received and posted your hearing notice.



UBI: 601922349

Abatement Form

Inspection: 317976309

Issued: March 12, 2024

DBA Name: PACE INTERNATIONAL LLC Legal Name: PACE INTERNATIONAL LLC Site Address: 88 S Ward St., East Wenatchee, WA, 98802 You must complete this form and return it to: **Emily Began Department of Labor & Industries** 1205 Ahtanum Ridge Dr. Suite C, **UNION GAP, WA 98903-1204** Or Fax to: (509) 454-3710 Or Email to: bemi235@Ini.wa.gov Violation(s) are fully described in the Citation and Notice of Assessment section. Type of Violation | WAC# Violated Violation, Item & Group# **Correction Due Date** Willful 1-1 Serious WAC 296-809-20004(2) 3/20/2024 Violation Summary: No Effective Measures to Prevent Unauthorized Entry How you corrected the hazard Date you corrected the hazard → Willful Serious WAC 296-809-30002(1) 1-2a 3/20/2024 Violation Summary: No Written Permit-Required Confined Space Program How you corrected the hazard → Date you corrected the hazard → Willful 1-2b Serious WAC 296-809-50006(1) 3/20/2024 Violation Summary: No Review of Permits or Program to Correct Deficiencies How you corrected the hazard →

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

Signature	1	Name	
_			
Title	Date	Phone No.	
	BOOLLIJOE	CNLV	
	DOSH USE	ONLY	



Employer Certification of Abatement Form

Inspection: 317976309

Issued: March 12, 2024

Legal Name: PACE INTERNATIONAL LLC

DBA Name: PACE INTERNATIONAL LLC

Site Address: 88 S Ward St., East Wenatchee, WA, 98802

You must complete this form and return it to: Emily Began

Department of Labor & Industries 1205 Ahtanum Ridge Dr. Suite C, UNION GAP, WA 98903-1204 Or Fax to: (509) 454-3710

Or Email to: bemi235@Ini.wa.gov

		Or Email to: bemi235@Ini.wa.gov	
Date yo	u corrected	the hazard →	
	XX7:11.C 1		
1.2	Willful	WA G 20 (000 20002(5)	2/20/2024
1-3	Serious	WAC 296-809-30002(5)	3/20/2024
		d Confined Space Administrator	
How you corrected th	e hazard 👈		
Date yo	u corrected	the hazard →	
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	Willful		- / /
1-4	Serious	WAC 296-809-40002(1)	3/20/2024
Violation Summary:	No Permit-Re	quired Confined Space Training Provided	
How you corrected th	e hazard 👈		
Date yo	u corrected	the hazard →	
	XV:11C-1		
1 7	Willful	WA G 20 (000 50002(1)	2/20/2024
1-5a	Serious	WAC 296-809-50002(1)	3/20/2024
	heir representative	mployer Certification of Abatement Form have been correst have been informed of the correction activities. I am a alties (RCW 49.17.190(2)).	

Signature	Name	
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Title	Date	Phone No.
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	DOSH USE ONLY	



Abatement Form

Inspection: 317976309

UBI: 601922349 **Issued:** March 12, 2024 **DBA Name: PACE INTERNATIONAL LLC** Legal Name: PACE INTERNATIONAL LLC Site Address: 88 S Ward St., East Wenatchee, WA, 98802 You must complete this form and return it to: **Emily Began Department of Labor & Industries** 1205 Ahtanum Ridge Dr. Suite C, **UNION GAP, WA 98903-1204** Or Fax to: (509) 454-3710 Or Email to: bemi235@lni.wa.gov Violation Summary: No Identification or Evaluation of Hazards Before Entry How you corrected the hazard → Date you corrected the hazard > Willful Serious 1-5b WAC 296-809-50002(2) 3/20/2024 Violation Summary: No Permit Completed Before Entry How you corrected the hazard → Date you corrected the hazard → Willful WAC 296-809-50018(1) Serious 3/20/2024 Violation Summary: No Entry Supervisor to Perform Responsibilities and Duties How you corrected the hazard → Date you corrected the hazard → I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)). Signature Name Title Date Phone No.

DOSH USE ONLY



Employer Certification of Abatement Form

Inspection: 317976309

UBI: 60192	22349	·	Issued:	March 12, 2024	
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	Willful				
1-7	Serious	WAC 296-809-	50020(1)	3/20/2024	
Violation Summary:	No Attendant	Provided			
How you corrected th	e hazard 🛨				
Date yo	u corrected	the hazard →			
•		1			
	Willful				
1-8	Serious	WAC 296-809-		3/20/2024	
Violation Summary:		Not Know Hazard	ous Conditions and I	Outies	
How you corrected th	e hazard 👈				
Date yo	u corrected	the hazard →			
2-1	Serious	WAC 296-809-	20002	3/20/2024	
Violation Summary: How you corrected th		tion of Perimit Rec	quired Commed Spa	168	
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Signature			Name		
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Employer Certification of Abatement Form

Inspection: 317976309

UBI: 6019	922349		Issued:	March 12, 2024
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certify that the hazards	described in this En	nployer Ce s have bee	ertification of Abatement Form have en informed of the correction activiti	been corrected as described above. ies. I am aware that knowingly providi
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Appeal Rights Inspection: 317976309

For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. You have 15 working days from the date you receive this citation to appeal. (RCW 49.17.140(1)) "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays. Your appeal must be in writing. It may be mailed, faxed, personally delivered or electronically filed. If you electronically file, the Department will send an automated acknowledgement that the appeal was received. If you do not receive acknowledgement, please ensure you have addressed it to the correct email. You can also contact the Appeals Program at the number listed below.

For violations classified as serious, willful, repeat serious, or failure to abate serious, an employer must correct the violations by the date listed on the Citation and Notice / Employer's Certification of Abatement form unless a stay of abatement date is requested in the appeal as described on this page. A stay of abatement date means the employer's requirement to abate or correct the hazard is put on hold until the appeal is resolved. All general and repeat general violations under appeal automatically have stay of abatement dates until a final order on those violations has been issued. If you only need an extension of an abatement date, please see the above section entitled, "If you are unable to fix the hazard(s) by the correction due date(s)".

Your appeal must include:

- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer's representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number in the top right corner of this page.)
- Statement explaining:
 - 1. What you think is wrong with the citation and any related facts.
 - 2. How you think the citation should be changed.
 - 3. What relief you are seeking and why.

If you are requesting a stay of abatement date for serious, willful, repeat serious or failure to abate serious, you must also include:

- Each violation and item number for which a stay of abatement date is requested; and
- The reason for the stay of abatement date request.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

Posting requirement:

You must post your appeal documents (along with this citation packet) until the appeal is resolved. You must also post all other documents related to this appeal.

For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

Your appeal must include:

- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection number.
- Statement explaining why the correction due date should be changed.

Send all appeals to:

Assistant Director for DOSH Attn: Appeals Program PO Box 44604 Olympia, WA 98504-4604

Fax to: (360) 902-5581 or deliver to: Any L&I office

Electronically to: DOSHAppeals@Lni.wa.gov

For more information call the Appeals Program: (360) 902-5486.

PACE INTERNATIONAL LLC 5661 Branch Rd Wapato, WA 98951-9768

PACE INTERNATIONAL LLC 5661 Branch Rd Wapato, WA 98951-9768