



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES

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

December 02, 2024

TWO RIVERS TERMINAL LLC  
Po Box 475  
Rupert, ID 83350

Inspection: 317980594  
UBI: 602341599  
Region: 05 – Health  
Inspector ID: C6068  
Reference: 102417023

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

- **Citation Invoice** – the total assessed penalty is \$394,200.00.
- **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 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 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 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, Stephanie Arnold, at (360) 647-7319.**

Respectfully,

L&I Assistant Director  
Division of Occupational Safety & Health  
Enclosure(s)



**Invoice**

**Inspection: 317980594**

UBI: 602341599 Legal Name: TWO RIVERS TERMINAL LLC DBA Name: TWO RIVERS TERMINAL LLC Inspection Site: 3300c N Glade Rd, Pasco, WA 99301	Issued: December 02, 2024 Opening Conference: June 08, 2024 Closing Conference: November 19, 2024 Inspector ID: C6068
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**Summary of Assessed Penalties Due**

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

Violation Item	Violation Type	WAC	Abatement Due Date	Penalty Amount
1-1	Willful Serious	WAC 296-809-20004(1)	01/04/2025	\$108,000.00
1-2	Willful Serious	WAC 296-809-40002(2)	01/04/2025	\$108,000.00
1-3	Willful Serious	WAC 296-809-50012(1)(a)	01/04/2025	\$108,000.00
2-1	Repeat Serious	WAC 296-809-30002(1)	01/04/2025	\$10,800.00
2-2	Repeat Serious	WAC 296-809-50002(2)	01/04/2025	\$10,800.00
2-3	Repeat Serious	WAC 296-809-50016(1)	01/04/2025	\$10,800.00
2-4	Repeat Serious	WAC 296-809-50018(2)	01/04/2025	\$10,800.00
2-5	Repeat Serious	WAC 296-809-50020(2)	01/04/2025	\$10,800.00
3-1	Serious	WAC 296-901-14016(3)	01/04/2025	\$5,400.00
3-2	Serious	WAC 296-876-40025(5)	12/06/2024	\$5,400.00
3-3	Serious	WAC 296-876-40030(1)	12/06/2024	\$5,400.00
<b><u>Total Penalty Due</u></b>				<b>\$394,200.00</b>

\*Working day” means a calendar day, except Saturdays, Sundays, and all legal state holidays.



## PAYMENT INFORMATION

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**Payment is due 15 \*working days from receipt of this citation (unless appealed).**

Pay L&I the amount due on this invoice by scanning the QR code listed below, or by visiting [www.lni.wa.gov/agency/pay-a-balance-due/](http://www.lni.wa.gov/agency/pay-a-balance-due/)

You may also mail a check made payable to the Department of Labor and Industries.  
Write Inspection number 317980594 on the check and mail to:

<b>Attn: DOSH Cashier</b> <b>Department of Labor and Industries</b> <b>PO Box 44835</b> <b>Olympia, WA 98504-4835</b> <b>Or deliver to: Any L&amp;I office</b>	 
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## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

UBI: 602341599

Issued: December 02, 2024

Legal Name: TWO RIVERS TERMINAL LLC

Opening Conference: June 08, 2024

DBA Name: TWO RIVERS TERMINAL LLC

Closing Conference: November 19, 2024

Inspection Site: 3300c N Glade Rd, Pasco, WA 99301

Inspector ID: C6068

### Violation 1 Item 1

Violation Type: Willful Serious

WAC 296-809-20004(1)

In this instance, the employer did not inform affected employees about the existence and danger of confined spaces through the use of signs or other effective means in the following instance:

#### 1). Semi-trailer tanks

Employees can be seriously injured or killed if they enter confined spaces without realizing it because entry points do not have posted signage and employees are not otherwise notified.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation:

A sign reading 'Danger-Permit Required Confined Space, DO NOT ENTER' or using pictures or other similar wording employees can understand would satisfy the requirement for a sign. NOTE: Once permit required confined spaces are identified, signage reading "Danger Permit Required Confined Space, DO NOT ENTER," or using pictures or other similar wording should be placed on outside of permit spaces to inform employees of hazards of permit required confined spaces.

Reference: Chapter 296-809-20004 WAC

If such signage is not practical, other effective means of communicating the existence, location and danger of confined spaces on site include photographs in the employer's written program and training of employees.

The employer must assume any confined space is a permit-required confined space (PRCS), unless it is determined that the space is a non-permit confined space. Once spaces are identified, all employees with access must be informed. If entry is conducted into PRCS for any reason, the employer is required to develop a written confined space entry program that discusses the means, procedures and practices that will be used for



**Post This Document**

**Citation and Notice of Assessment  
Citación por Infracción y Multa Civil  
Inspection: 317980594**

safe entry into PRCS.

Reference: Chapter 296-809-30002

**Correct By: 01/04/2025**

**Assessed penalty: \$108,000.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 1 Item 2**  
WAC 296-809-40002(2)

Violation Type: Willful Serious

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The employer did not ensure that confined space entry training was provided to each affected employee before an employee is first assigned to their duties. At least one employee entered a permit-required confined space trailer tank to conduct washout operations and succumbed to high levels of hydrogen sulfide gas. This employee was not trained in to enter confined spaces nor listed on an entry permit. The employer was unable to provide CSE training records for this employee.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation:  
Confined space training records for truck drivers.

<p><b>Correct By: 01/04/2025</b></p> <p><b>Assessed penalty: \$108,000.00</b></p>
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## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

### Violation 1 Item 3

Violation Type: Willful Serious

WAC 296-809-50012(1)(a)

The employer did not ensure the testing or evaluation of confined space conditions for safe entry to determine that acceptable entry conditions were being maintained during entry operations. In this instance, the employer allowed entry into a permit-required confined space (semi-trailer fertilizer tank) on June 7, 2024, without initial atmospheric monitoring which resulted in a fatality. The confined space, a semi-trailer tank was not tested or evaluated for hazards such as oxygen level, combustible gases and vapors or toxic gasses and vapors.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Maintain evidence of atmospheric testing of confined spaces.

**Correct By: 01/04/2025**

**Assessed penalty: \$108,000.00**

**Citation and Notice of Assessment**  
**Citación por Infracción y Multa Civil**  
**Inspection: 317980594**

**Violation 2 Item 1**  
WAC 296-809-30002(1)

Violation Type: Repeat Serious

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The employer did not document entry procedures and did not designate employees that have active roles in their confined space program as regards to entry into semi-trailer tanks to clean, inspect and repair, including: attendants, competent persons, entrants, entry supervisors, rescuers, program administrator, or those who test or monitor the atmosphere in a permit required space.

By not establishing entry procedures and not designating employee roles in the written program, tasks during confined space entry may be performed by unqualified personnel and unsafe practices may be implemented leading to serious injuries or death.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Develop entry procedures for trailer tanks.

The violation above is cited as a repeat of 1-18, cited on CNR 317967997 issued on 1/24/2023. You must provide proof of correction by the correction date shown below. Failure to meet this date may result in penalties.

**Correct By: 01/04/2025**  
**Assessed penalty: \$10,800.00**





## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 2 Item 2**  
WAC 296-809-50002(2)

Violation Type: Repeat Serious

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The employer did not ensure entry permits were completed before confined space entry was performed to document that the means, procedures, and practices necessary for safe entry and work are complete. Permits were not provided for confined space entry into semi-trailer tanks. Employees can be seriously injured or killed by entering confined spaces without permits in place to ensure safe entry.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Proof of correction.

The violation above is cited as a repeat of 1-20b, cited on CNR 317967997 issued on 1/24/2023. You must provide proof of correction by the correction date shown below. Failure to meet this date may result in penalties.

**Correct By: 01/04/2025**  
**Assessed penalty: \$10,800.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 2 Item 3**  
WAC 296-809-50016(1)

Violation Type: Repeat Serious

The employer did not use nonentry rescue systems or methods whenever possible for employees entering trailer tanks, which are permit required confined spaces. Employees reported vertically entering semi-trailer tanks to conduct washouts or to conduct inspections and repairs absent entry safe work practices including the use of nonentry rescue systems.

Employees can be seriously injured or killed if rescue is hindered by a lack of nonentry rescue systems. Employees outside of the confined space may be seriously injured or killed if they enter the space to rescue entrants.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Proof of correction.

The violation above is cited as a repeat of 1-25, cited on CNR 317967997 issued on 1/24/2023. You must provide proof of correction by the correction date shown below. Failure to meet this date may result in penalties.

**Correct By: 01/04/2025**  
**Assessed penalty: \$10,800.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 2 Item 4**  
WAC 296-809-50018(2)

Violation Type: Repeat Serious

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The employer did not ensure that an entry supervisor oversaw confined space entry operations for employees entering semi-trailer tanks, a permit required confined space.

At least one employee entered a trailer tank on June 7, 2024, without a supervisor overseeing entry operations and succumbed to high levels of hydrogen sulfide gas.

Employees can be seriously injured or killed if entry is not monitored by a supervisor who is qualified to ensure entry is safe at all times.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Proof of correction.

The violation above is cited as a repeat of 1-26, cited on CNR 317967997 issued on 1/24/2023. You must provide proof of correction by the correction date shown below. Failure to meet this date may result in penalties.

<p><b>Correct By: 01/04/2025</b></p> <p><b>Assessed penalty: \$10,800.00</b></p>
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# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 2 Item 5**  
WAC 296-809-50020(2)

Violation Type: Repeat Serious

The employer did not ensure an attendant was provided for entry into a semi-trailer tank on June 7, 2024, when a truck driver entered the tank (a PRCS) to conduct a washout of the tank's interior surfaces. Attendants are needed to monitor the safety and health of the entrant as they conduct work in a confined space. Attendants must understand the hazards face by entrants during confined space entry including the mode, signs or symptoms, and results of exposure to the hazards.

No attendant was present during the June 7, 2024, trailer tank entry in which an employee was overcome by hydrogen sulfide gas and died.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Revise confined space entry program to include semi-truck trailers to ensure attendant is standing by.

The violation above is cited as a repeat of 1-27, cited on CNR 317967997 issued on 1/24/2023. You must provide proof of correction by the correction date shown below. Failure to meet this date may result in penalties.

**Correct By: 01/04/2025**

**Assessed penalty: \$10,800.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 3 Item 1**  
WAC 296-901-14016(3)

Violation Type: Serious

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The employer did not provide truck driver employees with effective information and training on hazardous chemicals they haul in trailer tanks. At least one employee had limited knowledge of the hazards of the chemical with which they worked, entered a trailer tank/confined space containing a chemical residue, (SRx FLO 70) was overcome by hydrogen sulfide gas and died.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The following additional correction documentation is required for this violation: Provide evidence of chemical hazard communication training for all employees, including truck drivers.

**Correct By: 01/04/2025**  
**Assessed penalty: \$5,400.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

**Violation 3 Item 2**  
WAC 296-876-40025(5)

Violation Type: Serious

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The employer permitted the use of three single-rail ladders at Two Rivers Terminal in Pasco, WA. The employer constructed, in house, three single-rail ladders for use in descending into semi-trailer tanks for the purposes of washouts, inspection and repairs. A single-rail ladder is defined in Chapter 296-876 WAC as "Single-rail ladder: A portable ladder with crosspieces mounted on a single rail. Single-rail ladders are prohibited from use."

One such ladder was used by an employee on June 7, 2024 to descend into a trailer tank to conduct a washout. The employee was overcome by hydrogen sulfide gas generated by a chemical residue inside the tank and suffered a fatality.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

The employer must provide a certificate of destruction acknowledging the ladders have been removed from service.

**Correct By: 12/06/2024**  
**Assessed penalty: \$5,400.00**



**Post This Document**

**Citation and Notice of Assessment  
Citación por Infracción y Multa Civil  
Inspection: 317980594**

**Violation 3 Item 3**  
WAC 296-876-40030(1)

Violation Type: Serious

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The employer did not ensure a ladder used to access an upper level had the side rails extended at least 3 feet above the landing surface if the ladder permits.

Exposure to hazards of this nature can lead to serious injuries involving permanent disability, death, or chronic irreversible illness.

**Correct By: 12/06/2024**

**Assessed penalty: \$5,400.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317980594

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### Message

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This employer has been identified as a Severe Violator Enforcement case under the Washington State Department of 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 (Repeat Willful Serious)

1-2 (Repeat Willful Serious)

1-3 (Repeat Willful Serious)

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

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## Employer Certification of Abatement Instructions Inspection: 317980594

### 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 have received the required training.*

**Wrong:**           *All staff will receive 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:  
Or call: (360) 647-7319

Stephanie Arnold, Compliance Supervisor  
Department of Labor and Industries  
1720 Ellis Street Suite 200  
BELLINGHAM, WA 98225

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.



## Employer Certification of Abatement Form Inspection: 317980594

UBI: 602341599 Legal Name: TWO RIVERS TERMINAL LLC Inspection Site: 3300c N Glade Rd, Pasco, WA 99301	Issued: December 02, 2024 DBA Name: TWO RIVERS TERMINAL LLC
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**You must complete this form and return it to:**

Christopher Rossi  
 Department of Labor & Industries  
 525 E. College Way Ste H  
 Mount Vernon, WA 98273

Or Fax to: (360) 416-3032  
 Or Email to: rosh235@Lni.wa.gov

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-1	Willful Serious	WAC 296-809-20004(1)	01/04/2025

Identify all confined spaces.

**How you corrected the hazard →**

**Date you corrected the hazard →**

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-2	Willful Serious	WAC 296-809-40002(2)	01/04/2025

Train all affected employees in confined space safety.

**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

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone No.

DOSH USE ONLY

\_\_\_\_\_  
DOSH Reviewer's Signature

\_\_\_\_\_  
Date



## Employer Certification of Abatement Form

### Inspection: 317980594

UBI: 602341599 Legal Name: TWO RIVERS TERMINAL LLC Inspection Site: 3300c N Glade Rd, Pasco, WA 99301	Issued: December 02, 2024 DBA Name: TWO RIVERS TERMINAL LLC
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Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-3	Willful Serious	WAC 296-809-50012(1)(a)	01/04/2025
Test confined spaces for atmospheric hazards before entry.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
2-1	Repeat Serious	WAC 296-809-30002(1)	01/04/2025
Develop entry procedures for trailer tanks.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

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	Printed Name
Title	Date
Phone No.	
DOSH USE ONLY	

DOSH Reviewer's Signature

Date



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Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
2-2	Repeat Serious	WAC 296-809-50002(2)	01/04/2025
PRCS entry permits			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
2-3	Repeat Serious	WAC 296-809-50016(1)	01/04/2025
Use non-entry rescue systems.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

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	Printed Name
Title	Date
Phone No.	
DOSH USE ONLY	

DOSH Reviewer's Signature

Date



## Employer Certification of Abatement Form

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Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
2-4	Repeat Serious	WAC 296-809-50018(2)	01/04/2025
Entry supervisor.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
2-5	Repeat Serious	WAC 296-809-50020(2)	01/04/2025
PRCSE attendants.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

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	Printed Name
Title	Date      Phone No.
DOSH USE ONLY	

DOSH Reviewer's Signature

Date



## Employer Certification of Abatement Form Inspection: 317980594

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Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
3-1	Serious	WAC 296-901-14016(3)	01/04/2025
Provide employees with effective information and training on hazardous che			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

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	Printed Name	
Title	Date	Phone No.
<b>DOSH USE ONLY</b>		

DOSH Reviewer's Signature

Date



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Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
3-2	Serious	WAC 296-876-40025(5)	12/06/2024
Prohibit use of single rail ladders.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
3-3	Serious	WAC 296-876-40030(1)	12/06/2024
Dispose of non-compliant "Pompier" style ladders.			
<b>How you corrected the hazard →</b>			
<b>Date you corrected the hazard →</b>			

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	Printed Name	
Title	Date	Phone No.
DOSH USE ONLY		

\_\_\_\_\_  
 DOSH Reviewer's Signature Date



## 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 abatement due date(s)"**.

### Your appeal must include:

- Business name, address, telephone number, and contact information 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 believe is wrong with the citation and any related facts.
  2. What you believe should be changed, and why.
  3. What relief you are seeking and why.
  4. Signature and Date.

**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 abatement due date(s).

### Your appeal must include:

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

Send all Appeals to:	Scan the QR Code below to:	
<p><b>Assistant Director for DOSH Services</b>  <b>Attn: DOSH Appeals</b>  <b>PO Box 44604</b>  <b>Olympia, WA 98504-4604</b>            Electronically to: <a href="mailto:DOSHAppeals@Lni.wa.gov">DOSHAppeals@Lni.wa.gov</a>            Fax to: <b>(360) 902-5581</b> or deliver to: <b>Any L&amp;I office</b></p>	<p>Complete the WISHA Citation &amp; Notice Appeal Form, OR visit</p> <p><a href="http://www.Lni.wa.gov/safety-health/safety-rules/safety-citation-appeals">www.Lni.wa.gov/safety-health/safety-rules/safety-citation-appeals</a></p>	 



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