



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES

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

January 28, 2025

CALHOUN TANKS & SERVICES INC  
1638 S 244th Pl  
Des Moines, WA 98198

Inspection: 317981905  
UBI: 603240284  
Region: 04 – Health  
Inspector ID: R1700  
Reference: 203415510

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

- **Citation Invoice** – the total assessed penalty is \$166,423.00.
- **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, Cindy Sims, at (253) 596-3912.**

Respectfully,

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



**Invoice**

**Inspection: 317981905**

UBI: 603240284 Legal Name: CALHOUN TANKS & SERVICES INC DBA Name: CALHOUN TANKS & SERVICES INC Inspection Site: 6999 E State Route 106, Union, WA 98592	Issued: January 28, 2025 Opening Conference: August 22, 2024 Closing Conference: January 17, 2025 Inspector ID: R1700
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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-A	Willful Serious	WAC 296-809-50012(1)(a)	Not Applicable	\$161,323.00
1-1-B	Willful Serious	WAC 296-24-33005(6)	Not Applicable	\$0.00
2-1	Serious	WAC 296-809-50010(3)	03/02/2025	\$2,100.00
2-2	Serious	WAC 296-24-47505(16)	03/02/2025	\$2,100.00
2-3	Serious	WAC 296-809-30002(1)	03/02/2025	\$900.00
3-1	General	WAC 296-809-40004(2)	03/02/2025	\$0.00
<b><u>Total Penalty Due</u></b>				\$166,423.00

**PAYMENT INFORMATION**

**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 317981905 on the check and mail to:

<p><b>Attn: DOSH Cashier</b>  <b>Department of Labor and Industries</b>  <b>PO Box 44835</b>  <b>Olympia, WA 98504-4835</b>          Or deliver to: Any L&amp;I office</p>	 
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\*Working day” means a calendar day, except Saturdays, Sundays, and all legal state holidays.



**Post This Document**

**Citation and Notice of Assessment**  
**Citación por Infracción y Multa Civil**  
**Inspection: 317981905**

UBI: 603240284

Issued: January 28, 2025

Legal Name: CALHOUN TANKS & SERVICES INC

Opening Conference: August 22, 2024

DBA Name: CALHOUN TANKS & SERVICES INC

Closing Conference: January 17, 2025

Inspection Site: 6999 E State Route 106, Union, WA 98592

Inspector ID: R1700

**Violation 1 Item 1 A**

Violation Type: Willful Serious

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

Employer is required to evaluate confined space conditions to determine that acceptable entry conditions exist before entry is authorized by the entry supervisor and that entry conditions are being maintained during entry operations.

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 the removal of the permit-required confined space cover on August 22, 2024, without initial atmospheric monitoring for lower explosive limits, which resulted in 2 hospitalizations.

The confined space, an 18,000 gallon underground propane storage tank was not tested or evaluated for hazards such as combustible gases and vapors.

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

**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: \$161,323.00**

**Citation and Notice of Assessment**  
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**Violation 1 Item 1 B**  
WAC 296-24-33005(6)

Violation Type: Willful Serious

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The employer did not ensure all sources of ignition were either eliminated or controlled while work was conducted in the propane tank storage area where flammable vapors may exist.

In the following instances employees did not control ignition sources while working in a location where flammable vapors were present:

- 1) Employees did not turn off a vaporizer unit with an auto-ignitor.
- 2) Employees used powered angle grinders to cut metal plumbing (pipes from the tank).
- 3) Employees did not use an intrinsically safe blower fan.
- 4) Employee operated a powered industrial truck not designed for use in environments with flammable vapors.

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.

**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**

**Citation and Notice of Assessment**  
**Citación por Infracción y Multa Civil**  
**Inspection: 317981905**

**Violation 2 Item 1**  
WAC 296-809-50010(3)

Violation Type: Serious

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The employer did not provide, maintain and use proper atmospheric testing and ventilation equipment for confined space entry operations where flammable vapors or gases may exist.

During the inspection, it was found that the Lower Explosives Limit Meter had not been calibrated in 2 years, when the manufacturer recommends every 90 days. Additionally, the fan used to ventilate the confined space was not inherently safe or designed to be used when there is potential exposure to flammable atmospheres.

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:

Please send proof of calibrated gas monitoring equipment and updated blower fan that is approved for use in potentially flammable atmospheres.

Send this documentation to: rouz235@LNI.WA.GOV and scin235@lni.wa.gov.

**Correct By: 03/02/2025**  
**Assessed penalty: \$2,100.00**

**Citation and Notice of Assessment**  
**Citación por Infracción y Multa Civil**  
**Inspection: 317981905**

**Violation 2 Item 2**  
WAC 296-24-47505(16)

Violation Type: Serious

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The employer is required to properly train personnel performing installation, removal, operation, and maintenance work on liquid petroleum gas systems.

The employer did not ensure that personnel performing installation, removal, operation, and maintenance work on the storage and handling of liquefied petroleum gases (LPG) are properly trained per industry recognized standards pursuant with NFPA 58, which requires initial training, refresher training every 3 years, and training documentation.

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 and document training to your employees pursuant to industry recognized standards outlined in NFPA 58.

Send documentation of this training to: rouz235@LNI.wa.gov and scin235@lni.wa.gov.

Below is a summary of the NFPA 58 training requirements you must fulfill to be in compliance:

NFPA 58: Liquefied Petroleum Gas Code – 2014 Edition is the industry benchmark for safe LP-Gas storage, handling, transportation, and use. NFPA 58 mitigates risks and ensures safe installations, to prevent failures, leaks, and tampering that could lead to fires and explosions.

NFPA 58 – 2014 Edition Section 4.4.2 requires that persons who perform maintenance on LP-Gas systems shall be trained in the hazards of the system and in the maintenance and testing procedures applicable to the installation).

NFPA 58 – 2014 Edition Section 4.4.3 requires that refresher training shall be provided at least every 3 years.



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NFPA 58 – 2014 Edition Section 4.4.4 requires that initial and subsequent refresher training shall be documented.

**Correct By: 03/02/2025**

**Assessed penalty: \$2,100.00**

**Citation and Notice of Assessment**  
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**Inspection: 317981905**

**Violation 2 Item 3**  
WAC 296-809-30002(1)

Violation Type: Serious

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The employer is required to have a written confined space program that contains all the key elements.

The employer did not have a written confined space program that included ways on how to identify and evaluate hazards, how to prevent unauthorized entry, and how to coordinate entry with another employer.

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:

Please update your confined space written program to include all key elements.

You must develop a written program, before employees enter confined spaces, that describes the means, procedures, and practices you use for the safe entry of permit required confined spaces as required by this chapter.

Include the following:

- (1) How to identify and evaluate hazards.
- (2) How to prevent unauthorized entry.
- (3) How to coordinate entry with another employer.

Please send your updated written confined space program to: rouz235@LNI.wa.gov and scin235@lni.wa.gov.

Here is a link to the WA L&I confined space training resources: <https://lni.wa.gov/safety-health/safety-training-materials/training-kits#ConfinedSpace>

**Correct By: 03/02/2025**  
**Assessed penalty: \$900.00**



**Citation and Notice of Assessment**  
**Citación por Infracción y Multa Civil**  
**Inspection: 317981905**

**Violation 3 Item 1**  
WAC 296-809-40004(2)

Violation Type: General

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Employers are required to certify employee proficiency in confined space training and create a confined space training certification that includes each employee's name, the trainer's signature, and the dates of training.

The employer does not have employee training records to certify proficiency for confined space work.

The following additional correction documentation is required for this violation:

Employer must keep records of employee confined space training.

Please send records of employee confined space training to: [rouz235@LNI.WA.gov](mailto:rouz235@LNI.WA.gov) and [scin235@lni.wa.gov](mailto:scin235@lni.wa.gov).

**Correct By: 03/02/2025**

**Assessed penalty: \$0.00**



## Post This Document

# Citation and Notice of Assessment Citación por Infracción y Multa Civil Inspection: 317981905

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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 (a) (Willful Serious) WAC 296-809-50012(1)(a): Employer did not evaluate predictable hazards while conducting pre-entry operations for permit required confined space entry

1-1 (b) (Willful Serious) WAC 296-24-33005(6): Employer did not eliminate or control all sources of ignition while working in a liquid propane tank storage area where flammable gases/ vapors may be present

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: 317981905

### 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: (253) 596-3912

Cindy Sims, Compliance Supervisor  
Department of Labor and Industries  
950 Broadway Suite 200  
TACOMA, WA 98402

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: 317981905

UBI: 603240284 Legal Name: CALHOUN TANKS & SERVICES INC Inspection Site: 6999 E State Route 106, Union, WA 98592	Issued: January 28, 2025 DBA Name: CALHOUN TANKS & SERVICES INC
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<b>You must complete this form and return it to:</b> ZACHARY ROUSSLANG Department of Labor & Industries 950 Broadway Suite 200 TACOMA, WA 98402	Or Fax to: Or Email to: rouz235@lni.wa.gov
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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
2-1	Serious	WAC 296-809-50010(3)	03/02/2025
Employer did not maintain or use proper equipment for flammable atmospheres			
<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
2-2	Serious	WAC 296-24-47505(16)	03/02/2025
Employer did not properly train personnel for working on LPG 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

### Inspection: 317981905

UBI: 603240284 Legal Name: CALHOUN TANKS & SERVICES INC Inspection Site: 6999 E State Route 106, Union, WA 98592	Issued: January 28, 2025 DBA Name: CALHOUN TANKS & SERVICES INC
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**You must complete this form and return it to:**

ZACHARY ROUSSLANG  
 Department of Labor & Industries  
 950 Broadway Suite 200  
 TACOMA, WA 98402

Or Fax to:  
 Or Email to: rouz235@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
2-3	Serious	WAC 296-809-30002(1)	03/02/2025
Employer's written confined space program was missing 3 elements			
<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
3-1	General	WAC 296-809-40004(2)	03/02/2025
Employer did not certify employee proficiency in writing			
<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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