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OSHA News Release

2005 - 06/01/2005 - LEAD HAZARDS AT HEINZ LOFT PROJECT BRING OSHA PENALTIES

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OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 3

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LEAD HAZARDS AT HEINZ LOFT PROJECT BRING OSHA PENALTIES

PITTSBURGH, Pa. -- A painting contractor's failure to protect employees removing lead-based paint from the Heinz Loft Apartment project in Pittsburgh, has resulted in \$106,800 in proposed penalties from the U.S. Labor Department's Occupational Safety and Health Administration. Mike McGarry and Sons Inc., of Cleveland, Ohio, was cited for 12 alleged willful, serious and other-than-serious violations of workplace safety and health regulations following an OSHA inspection that began in Feb. 2005.

The willful citations, which account for \$96,000 of the penalty, concern the employer's failure to conduct a proper exposure assessment, lack of hand washing facility and a change area for lead contaminated clothing, and not providing biological monitoring for employees exposed to lead.

The serious violations, with a proposed penalty of \$9,000 address the company's failure to equip employees with powered air-purifying respirators; not providing protective clothing; not having an updated lead compliance plan; failure to utilize HEPA filtered vacuums to clean up lead debris; and lack of proper lead training to exposed employees. The other-than-serious violations, which carry a penalty of \$1,800, concern the failure to provide exposure monitoring results to employees; failure to establish and maintain accurate medical surveillance records and not establishing an accurate record of all lead monitoring date.

Lead is a poison that can damage the central nervous system, kidney, cardiovascular, blood and reproductive systems if absorbed into the body in high enough doses. Absorption is often through inhalation.

"OSHA lead standards require employers to take steps to minimize exposure levels," said Robert Szymanski, OSHA's area director in Pittsburgh. "This company is well aware of the hazards and their failure to comply at the jobsite is unacceptable."

The agency issues a willful citation when the alleged violation is committed with an intentional disregard of, or plain indifference to, the requirements of the OSH Act. A serious violation is issued when there is substantial probability that death or serious injury could occur. The company has 15 working days to contest the citations before the Independent Occupational Safety and Health Review Commission.

The inspection was conducted by the Pittsburgh OSHA office, 1000 Liberty Ave., Suite 1428, Pittsburgh, Pa. 15222, telephone 412.395.4903.

Employers are responsible for providing a safe and healthful workplace for their employees. OSHA's role is to assure the safety and health of America's workers by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. For more information, visit www.osha.gov.

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