

State of California

Division of Occupational Safety and Health
Los Angeles District Office (0950641; 4041)
320 West 4th Street, Suite 850
Los Angeles, CA 90013

Inspection Number: 126203017
Inspection Dates: 08/25/2009-02/23/2010
Issuance Date: 02/24/2010
CSHO ID: M7935
Optional Inspection Nbr: 006-10



Citation and Notification of Penalty

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

Citation 1 Item 1 Type of Violation: **Regulatory**

California Code of Regulations, Title 8

Violation: 14300.29(b)(8)

14300.29. Forms.

(b) Implementation.

(7) How do I determine if an injury or illness is a privacy concern case?

You must consider the following injuries or illnesses to be privacy concern cases:

- (A) An injury or illness to an intimate body part or the reproductive system;
- (B) An injury or illness resulting from a sexual assault;
- (C) Mental illnesses;
- (D) HIV infection, hepatitis, or tuberculosis;
- (E) Needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (see Section 14300.8 for definitions); and
- (F) Other illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the log.

(8) May I classify any other types of injuries and illnesses as privacy concern cases?

No. This is a complete list of all injuries and illnesses considered privacy concern cases for purposes of Article 2.

As result of the inspection initiated on August 25, 2009, the Division determined that the employer had classified and recorded on the Log 300 a December 22, 2008 injury as a "privacy case". This workplace injury was sustained by an employee on December 22, 2008 and the employee's name was not recorded because it was listed as a "privacy case. However, the injury was not one of the class of injuries specified in 14300.29(b)(7) for privacy concern cases. The employee received lacerations and burn injuries to his arm, face and neck while performing research work in the Molecular Science Building room 3224.

Date By Which Violation Must be Abated:	03/19/2010
Proposed Penalty:	\$ 425.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

Citation 1 Item 2 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 3203(a)(6)

3203. Injury and Illness Prevention Program.

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:

- (A) When observed or discovered; and,
- (B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

As result of the inspection initiated on August 25, 2009, the Division determined that the employer failed to establish, implement and maintain effective procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard. Although the Program required correction of hazardous conditions within time frames up to 30 days, the employer's practice was to mark violations as corrected when a work order or action request was sent to another department. The employer did not follow-up to ensure that the corrective action was taken in a timely manner. Noted conditions remained uncorrected for six months or longer following being identified, although they had been recorded as corrected when the work order or request for action was initially issued.

Date By Which Violation Must be Abated:	03/19/2010
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Citation 1 Item 3 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 3380(e)

3380. Personal Protective Devices.

(e) Protectors shall be of such design, fit and durability as to provide adequate protection against the hazards for which they are designed. They shall be reasonably comfortable and shall not unduly encumber the employee's movements necessary to perform his work.

At the time of the Division's inspection on August 25, 2009, an employee working in the Molecular Science Lab #5211 was wearing an employer provided lab coat which was too large for the female employee. The sleeves of the lab coat extended well beyond the employees hands and encumbered the employee's movements during laboratory work.

Date By Which Violation Must be Abated: 03/19/2010
Proposed Penalty: \$ 315.00

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Citation 1 Item 4 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 5144(d)(1)(C)

5144. Respiratory Protection.

(d) Selection of respirators. This subsection requires the employer to evaluate respiratory hazard(s) in the workplace, identify relevant workplace and user factors, and base respirator selection on these factors. The subsection also specifies appropriately protective respirators for use in IDLH atmospheres, and limits the selection and use of air-purifying respirators.

(1) General requirements.

(A) The employer shall select and provide an appropriate respirator based on the respiratory hazard(s) to which the worker is exposed and workplace and user factors that affect respirator performance and reliability.

(B) The employer shall select a NIOSH-certified respirator. The respirator shall be used in compliance with the conditions of its certification.

(C) The employer shall identify and evaluate the respiratory hazard(s) in the workplace; this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer cannot identify or reasonably estimate the employee exposure, the employer shall consider the atmosphere to be IDLH.

(D) The employer shall select respirators from a sufficient number of respirator models and sizes so that the respirator is acceptable to, and correctly fits, the user.

As of August 25, 2009, the employer had not evaluated respiratory hazards to which employees who worked in laboratories located in the Molecular Science Building and Young Hall were exposed. Some employees were provided with air purifying respirators for use during spill clean up. Some employees worked with particularly hazardous substances including select carcinogens, reproductive toxins, and chemicals with a high degree of acute toxicity, including, but not limited to, ethidium bromide and osmium tetroxide, but their exposures had not been evaluated. Some employees who had previously been provided with respirators and included in the respiratory protection program had been removed from the

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program without evaluation of their exposures to respiratory hazards, and those hazards had still not been evaluated as of December 15, 2009.

Date By Which Violation Must be Abated: 03/19/2010
Proposed Penalty: \$ 635.00

Citation 1 Item 5 Type of Violation: General

California Code of Regulations, Title 8

Violation: 5164(a)

5164. Storage of Hazardous Substances.

(a) Substances which, when mixed, react violently, or evolve toxic vapors or gases, or which in combination become hazardous by reason of toxicity, oxidizing power, flammability, explosibility, or other properties, shall be evaluated for compatibility before storing. Incompatible substances shall be separated from each other in storage by distance, or by partitions, dikes, berms, secondary containment or otherwise, so as to preclude accidental contact between them.

Note: Some typical examples of such incompatible substances are: Mineral acids and oxidizing agents; mineral acids and cyanides; oxidizing agents and combustible materials; acids and alkalis.

At the time of the Division's inspection on August 25, 2009, bottles of acids and bases stored in cabinets in Molecular Science Laboratory #5210 and #5211 were being stored without secondary containment, berms, or other means to prevent accidental contact.

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Citation 1 Item 6 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 5191(e)(4)

5191. Occupational Exposure to Hazardous Chemicals in Laboratories.

(e) Chemical hygiene plan.

(4) The employer shall review and evaluate the effectiveness of the Chemical Hygiene Plan at least annually and update it as necessary.

As of December 15, 2009, the employer had not reviewed and evaluated the effectiveness of the Chemical Hygiene Plan. The employer's plan was not updated as necessary and contained errors.

Date By Which Violation Must be Abated: 03/19/2010
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Citation 1 Item 7 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 5194(f)(4)

5194. Hazard Communication.

(f) Labels and Other Forms of Warning.

(4) Except as provided in sections 5194(f)(5) and (f)(6) the employer shall ensure that each container of hazardous substances in the workplace is labeled, tagged, or marked with the following information:

- (A) Identity of the hazardous substance(s) contained therein; and
- (B) Appropriate hazard warnings.

At the time of the Division's inspection on December 15, 2009, one gallon containers of acetone were unlabeled in the Molecular Science Building chemical storage room, CS-17. The employer failed to ensure that these containers were labeled, tagged, or marked with the identity of the hazardous substances and the appropriate hazard warning, including a marking indicating that the substance was flammable [Ref T8 CCR 5417(a)].

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Citation 1 Item 8 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 5194(g)(8)

5194. Hazard Communication.

(g) Material Safety Data Sheets.

(8) The employer shall maintain copies of the required material safety data sheets for each hazardous substance in the workplace, and shall ensure that they are readily accessible during each work shift to employees when they are in their work area(s). (Electronic access, microfiche, and other alternatives to maintaining paper copies of the material safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)

At the time of the Division's inspection on December 15, 2009, the employer did not maintain copies of material safety data sheets (MSDSs) for acetone and isopropyl alcohol stored and dispensed in the Molecular Science Building loading dock chemical storage rooms and outside dock areas. The MSDSs were not readily available to the employees in the work area.

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Citation 1 Item 9 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 5202(d)(1)(A)

5202. Methylene chloride.

(d) Exposure monitoring.

(1) Characterization of employee exposure.

(A) Where MC is present in the workplace, the employer shall determine each employee's exposure by either:

- 1. Taking a personal breathing zone air sample of each employee's exposure; or
- 2. Taking personal breathing zone air samples that are representative of each employee's exposure.

As of August 25, 2009, the employer had not conducted monitoring to determine the exposure of employees who consolidated methylene chloride containing waste. These operations were performed in room CS-09 and other areas of the loading dock in the Molecular Sciences Building.

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Citation 1 Item 10 Type of Violation: **General**

California Code of Regulations, Title 8

Violation: 5533(b)

5533. Design, Construction, and Capacity of Storage Cabinets.

(b) Storage cabinets shall be designed and constructed to limit the internal temperature to not more than 325o F when subjected to a ten-minute fire test using the standard time temperature curve as set forth in Standard Methods of Fire Tests of Building Construction and Materials, NFPA No. 251-1972. All joints and seams shall remain tight and the door shall remain securely closed during the fire test. Cabinets shall be labeled in conspicuous lettering, "FLAMMABLE--KEEP FIRE AWAY."

(1) Metal cabinets constructed in the following manner shall be deemed to be in compliance with (b). The bottom, top, door and sides of cabinet shall be at least No. 18 gage sheet iron and double walled with 1 1/2-inch air space. Joints shall be riveted, welded or made tight by some equally effective means. The door shall be provided with a three-point lock, and the door sill shall be raised at least two inches above the bottom of the cabinet.

(2) Wooden cabinets constructed in the following manner shall be deemed in compliance with (b). The bottom, sides and top shall be constructed of an approved grade of plywood at least 1-inch in thickness, which shall not break down or delaminate under fire conditions. All joints shall be rabbeted and shall be fastened in two directions with flathead wood screws. When more than one door is used, there shall be a rabbeted overlap of not less than 1-inch. Hinges shall be mounted in such a manner as to not lose their holding capacity due to loosening or burning out of the screws when subjected to the fire test.

The employer failed to ensure that a cabinet used to store flammable materials met the requirements of this standard. At the time of the Division's inspection on December 15, 2009, Class 1 and Class 2 liquids were stored in Molecular Science Building room #3426 (Noah's Ark) in a cabinet. The cabinet door was broken, displaced, and could not be closed. The door lock was not functional. Flammable substances stored in the cabinet included, but were not limited to, 1-2 dichloroethane, 1-2 dichloroethane anhydrous, and isobutyraldehyde.

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Citation and Notification of Penalty

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Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

Citation 2 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8

Violation: 3203(a)(4)

3203. Injury and Illness Prevention Program.

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

(4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards.

(A) When the Program is first established;

EXCEPTION: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.

(B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and

(C) Whenever the employer is made aware of a new or previously unrecognized hazard.

On and prior to the Division's inspection on December 15, 2009, the employer had not implemented procedures contained in the Injury and Illness Prevention Program for periodic inspections in some areas. In addition, the employer's inspection procedures for laboratories did not include inspections of chemical handling practices, including but not limited to, practices that had resulted in injuries to employees including fires and explosions, or review of standard operating procedures for particularly hazardous substances.

a. Although the plan required semi-annual inspections, several areas in the Molecular Sciences Building had not been inspected during the previous 12 month period, including Room #3426 , a chemical storage area ("Noah's Ark"), Room #3120 in which spill clean up equipment and other materials were stored, and chemical handling and storage areas in the loading dock, including but not limited to rooms CS-05, CS-07, CS-09, CS-17, and the outside dock area.

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b. The employer's inspection procedures for laboratory operations in the Molecular Sciences Building and Young Hall did not include inspection of work practices and standard operating procedures for particularly hazardous substances, including select carcinogens, reproductive toxins, and chemicals with a high degree of acute toxicity. The employer's inspection procedures also did not include inspection of work practices for substances that were highly reactive, explosive or flammable.

Date By Which Violation Must be Abated: 03/10/2010
Proposed Penalty: \$ 7650.00

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Citation 3 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8

Violation: 3203(a)(7)

3203. Injury and Illness Prevention Program.

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

(7) Provide training and instruction:

(A) When the program is first established;

EXCEPTION: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.

(B) To all new employees;

(C) To all employees given new job assignments for which training has not previously been received;

(D) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;

(E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,

(F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

As of August 25, 2009, the employer had not provided training to supervisors regarding requirements that they implement procedures for protecting employees when working with particularly hazardous substances such as select carcinogens, reproductive toxins, and chemicals with a high degree of acute toxicity.

Date By Which Violation Must be Abated:

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Proposed Penalty:

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Citation 4 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8

Violation: 3328(a)

3328. Machinery and Equipment.

(a) Machinery and equipment shall be of adequate design and shall not be used or operated under conditions of speeds, stresses, or loads which endanger employees.

Instance #1: At the time of the Division's inspection on August 25, 2009, a standard refrigerator located in the Molecular Science Building Harran laboratory was used to store a compressed gas cylinder containing 1-butyne, a flammable gas. The refrigerator was not rated for the storage of flammable gases and had neither fire nor explosion protection.

Instance #2: At the time of the Division's inspection on August 25, 2009, a Fisher Isotemp lab freezer (model 13-986-223F serial #8080906503) located in the Molecular Science Building Harran laboratory was used to store pyrophoric and flammable materials. The refrigerator was not rated for flammable and pyrophoric storage and had neither fire nor explosion protection.

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Citation 5 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8

Violation: 5191(e)(3)(G)

5191. Occupational Exposure to Hazardous Chemicals in Laboratories.

(e) Chemical hygiene plan.

(3) The Chemical Hygiene Plan shall include each of the following elements and shall indicate specific measures that the employer will take to ensure laboratory employee protection...

(G) Designation of personnel responsible for implementation of the Chemical Hygiene Plan including the assignment of a Chemical Hygiene officer and, if appropriate, establishment of a Chemical Hygiene Committee; and...

Reference: 8 CCR 5191(b) Chemical Hygiene Officer. An employee who is designated by the employer, and who is qualified by training or experience, to provide technical guidance in the development and implementation of the provisions of the Chemical Hygiene Plan. This definition is not intended to place limitations on the position description or job classification that the designated individual shall hold within the employer's organizational structure.

The employer failed to designate a chemical hygiene officer who was qualified by training or experience to provide technical guidance in the development and implementation of the Chemical Hygiene Plan.

At the time of the Division's inspection on August 25, 2009, the person who was designated by the employer as the chemical hygiene officer was not aware of requirements for the plan to address select carcinogens and reproductive toxins. Additionally, the person designated as the chemical hygiene officer did not provide technical guidance for developing and implementing hazard control measures and standard operating procedures for the complex synthesis operations that were performed in the laboratories.

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Citation 6 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8

Violation: 5191(e)(3)(H)

5191. Occupational Exposure to Hazardous Chemicals in Laboratories.

(e) Chemical hygiene plan.

(3) The Chemical Hygiene Plan shall include each of the following elements and shall indicate specific measures that the employer will take to ensure laboratory employee protection;

(H) Provisions for additional employee protection for work with particularly hazardous substances. These include "select carcinogens," reproductive toxins and substances which have a high degree of acute toxicity. Specific consideration shall be given to the following provisions which shall be included where appropriate;

1. Establishment of a designated area;
2. Use of containment devices such as fume hoods or glove boxes;
3. Procedures for safe removal of contaminated waste; and
4. Decontamination procedures.

As of the Division's inspection on August 25, 2009, the employer had not established standard operating procedures for chemicals that had a high degree of acute toxicity, select carcinogens or reproductive toxins. These chemicals, which were used in laboratories located in rooms 5210, 5211 and other rooms in the Molecular Sciences Building and Young Hall, included, but were not limited to, ethidium bromide, osmium tetroxide, methylene chloride, benzene and formaldehyde. The employer had not developed or implemented specific measures, and had not trained employees in these provisions.

Date By Which Violation Must be Abated:	03/10/2010
Proposed Penalty:	\$ 7650.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Los Angeles District Office (0950641; 4041)
320 West 4th Street, Suite 850
Los Angeles, CA 90013

Inspection Number: 126203017
Inspection Dates: 08/25/2009-02/23/2010
Issuance Date: 02/24/2010
CSHO ID: M7935
Optional Inspection Nbr: 006-10



Citation and Notification of Penalty

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

Citation 7 Item 1 Type of Violation: **Repeat Serious**

California Code of Regulations, Title 8

Violation: 5191(f)(4)(A)

5191. Occupational Exposure to Hazardous Chemicals in Laboratories.

(f) Employee information and training.

(4) Training.

(A) Employee training shall include;

1. Methods and observations that may be used to detect the presence or release of a hazardous chemical (such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.);
2. The physical and health hazards of chemicals in the work area; and
3. The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used.

As of the Division's inspection on August 25, 2009, the employer had not provided training to laboratory employees regarding the hazards and required additional protection when working with particularly hazardous substances, including select carcinogens, reproductive toxins, and chemicals with a high degree of acute toxicity, including, but not limited to, methylene chloride, benzenè, formaldehyde, ethidium bromide, and osmium tetroxide.

The employer was previously cited on May 4, 2009 for a violation of T8 CCR 5191(f)(4)(A). The previous citation became final order on July 1, 2009. The employer submitted proof of abatement executed on May 19, 2009 by the employer's Occupational Safety and Environmental Health Manager.

Date By Which Violation Must be Abated:	03/10/2010
Proposed Penalty:	\$ 27000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California

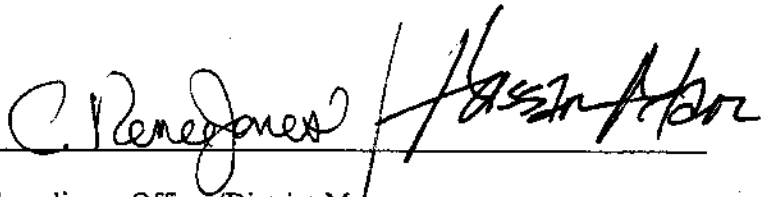
Division of Occupational Safety and Health
Los Angeles District Office (0950641; 4041)
320 West 4th Street, Suite 850
Los Angeles, CA 90013

Inspection Number: 126203017
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Optional Inspection Nbr: 006-10



Citation and Notification of Penalty

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095


Compliance Officer/District Manager

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
320 West 4th St., Suite 850
Los Angeles, CA 90013
Phone: (213) 576-7451 Fax: (213) 576-7461

NOTICE OF PROPOSED PENALTIES

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095
Mailing Address: 501 Westwood Plaza, 4th Flr., Los Angeles, CA 90095
Issuance Date: 02/24/2010
Reporting ID: 0950641
Index Code: 4041

Summary of Penalties for Inspection Number 126203017

Citation 1, General	= \$	4385.00
Citation 2, Serious	= \$	7650.00
Citation 3, Serious	= \$	7650.00
Citation 4, Serious	= \$	5735.00
Citation 5, Serious	= \$	7650.00
Citation 6, Serious	= \$	7650.00
Citation 7, Repeat Serious	= \$	27000.00
TOTAL PROPOSED PENALTIES	= \$	67720.00

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying by credit card (MasterCard and Visa): Please have this form on-hand when you are ready to make your payment. The company name, index code, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh to access the secure payment processing site.

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

**DEPARTMENT OF INDUSTRIAL RELATIONS
CASHIER, ACCOUNTING OFFICE**

AMENDED



Citation and Notification of Penalty

To:
UC Los Angeles Dept of Chemistry & Biochemistry
and its successors
501 Westwood Plaza, 4th Flr.
Los Angeles, CA 90095

Inspection Number: 126203017
Inspection Date(s): 08/25/2009 02/23/2010
Issuance Date: 02/25/2010
CSHO ID: M7935
Optional Report #: 006-10
Reporting ID: 0950641

Inspection Site:
609 Charles E. Young Dr. East
Los Angeles, CA 90095

The violation(s) described in this Citation 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.

This Citation and Notification of Penalty (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer.** Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

State of California
Division of Occupational Safety and Health
Los Angeles District Office (0950641; 4041)
320 West 4th Street, Suite 850
Los Angeles, CA 90013

Inspection Number: 126203017
Inspection Dates: 08/25/2009-02/23/2010
Issuance Date: 02/25/2010
CSHO ID: M7935
Optional Inspection Nbr: 006-10



Citation and Notification of Penalty

AMENDED

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

AMENDED CITATION

THIS CITATION AMENDS CITATION NO. 1, ISSUED ON FEBRUARY 24, 2010, TO CORRECT THE ALLEGED VIOLATION DESCRIPTION FOR ITEM 6 AS FOLLOWS:

California Code of Regulations, Title 8

Violation: 5191(e)(4)

5191. Occupational Exposure to Hazardous Chemicals in Laboratories.

(e) Chemical hygiene plan.

(4) The employer shall review and evaluate the effectiveness of the Chemical Hygiene Plan at least annually and update it as necessary.

As of December 15, 2009, the employer had not reviewed and evaluated the effectiveness of the Chemical Hygiene Plan. The employer's plan was not updated as necessary and contained errors, including but not limited to:

- a. **In section 4A, includes a statement that clip-on or slide-on shields for safety glasses were acceptable protection against a chemical splash hazard, when the referenced ANSI standard only permits the use of chemical goggles.**
- b. **In section 4D, a variety of lab coats were described, including lab coats that were not fire resistant. Although the laboratory policy had changed following the fatality in 2009, the plan did not describe or address situations in which fire resistant lab coats were required.**
- c. **In section 5A, the plan provided direction to lab employees regarding the use of fire hoses in wall cabinets, for use "only on fires that are beyond control by other means." Section 6C2 permitted employees who had not been trained regarding interior structural firefighting to attempt to extinguish a "large fire." The plan did not instruct employees not to attempt to extinguish any fire beyond the incipient stage.**
- d. **In section 8A, the plan refers only to respirator use for exposures in which "8-hour time-weighted average concentrations of airborne contaminants are exceeded. There is no instruction regarding exposures that exceed short term or ceiling permissible exposure limits.**

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Los Angeles District Office (0950641; 4041)
320 West 4th Street, Suite 850
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Citation and Notification of Penalty

AMENDED

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

- e. Subsection 8C lists the topics for respirator training. The topics do not include all of the training topics required by Section 5144, including, but not limited to, the following topics:
1. Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator;
 2. What the limitations and capabilities of respirators are;
 3. How to use the respirator effectively in emergency situations, including situations in which the respirator malfunctions;
 4. How to inspect, put on and remove, use, and check the seals of the respirator;
 5. How to recognize medical signs and symptoms that may limit or prevent the effective use of respirators; and
 6. The general requirements of Section 5144.
- f. Table 1, following section 8, which lists some substances including the permissible exposure limits and health effects, does not include cancer and reproductive hazards for some substances that cause cancer or reproductive toxicity. The following substances that are on the Table 1 list do not include cancer or reproductive toxicity endpoints acetaldehyde (carcinogen), benzene (is listed as a carcinogen, but not listed as a reproductive hazard), carbon disulfide (reproductive), carbon monoxide (reproductive), chloroform (listed as carcinogen but not listed as a reproductive hazard), methylene chloride (cancer), naphthalene (cancer), pyridine (cancer), and toluene (reproductive). All of these substances are listed on the list of substances known to the State of California to cause cancer or reproductive toxicity in the category referenced. In addition, methylene chloride is an OSHA regulated carcinogen.
- g. Subsection 12B12 states that 50 ppm is the Cal-OSHA permissible exposure limit (PEL), as an 8-hour time-weighted average. The Cal-OSHA 8-hour PEL is 25 ppm.

ALL OTHER ITEMS OF THE CITATION AND PENALTY REMAIN UNCHANGED AND EFFECTIVE.

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State of California
Division of Occupational Safety and Health
Los Angeles District Office (0950641; 4041)
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Inspection Number: 126203017
Inspection Dates: 08/25/2009 - 02/23/2010
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Citation and Notification of Penalty

AMENDED

Company Name: UC Los Angeles Dept of Chemistry & Biochemistry
Inspection Site: 609 Charles E. Young Dr. East, Los Angeles, CA 90095

THIS AMENDED CITATION SHALL BE POSTED WITH THE ORIGINAL CITATION FOR AT LEAST THREE (3) WORKING DAYS OR UNTIL THE VIOLATIVE CONDITION IS ABATED, WHICHEVER IS LATER.

Date By Which Violation Must be Abated: 03/19/2010
Proposed Penalty: \$ 635.00



Compliance Officer/District Manager

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.