

DEPARTMENT OF LABOR AND INDUSTRIES
WISHA SERVICES DIVISION

1305 Tacoma Ave. S., Rm. 305
Tacoma, Washington 98402
(253) 596-3868
Fax # (253) 596-3903

EMPLOYER VERIFICATION OF ABATEMENT STATEMENT

(See Citation & Notice for Violation description(s).)

03/30/1999

Corrections, Dept of dba McNeil Is Corrections Ctr
PO Box 88900 WT01
Steilacoom, WA 98388
McNeil Island Correction Center
McNeil Island, WA 98388
Region 3 County 053
Inspector #H2415

Citation & Notice Number 115285298

Type of Viol	Citation & Item #	WAC 296 / Standard	Correction Due Date	Date Correction Completed
General	01-002	056-60209 03 a	04/17/1999	04/17/1999 11/13/99

A total of 1 item(s) must be abated by 04/17/1999

I CERTIFY THAT THE ABOVE VIOLATIONS HAVE BEEN CORRECTED AS DOCUMENTED.
I AM AWARE THAT KNOWINGLY PROVIDING FALSE INFORMATION TO THE DEPARTMENT
MAY RESULT IN CRIMINAL PENALTIES. (RCW 49.17.190(2))

Employer Signature: Belinda D. Stewart Name: Belinda D. Stewart
(Print)

Title: Superintendent Phone: (253) 512-6600 Date: 3/31/99

XX
THIS AREA FOR STATE USE ONLY.

Reviewer: _____ Date: _____



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

NOTICE TO EMPLOYERS

RIGHTS OF EMPLOYER -- Appeal of Citation and Notice

The Department of Labor and Industries, WISHA Services Division, would like to advise you of your rights to appeal. The enclosed CITATION & NOTICE OF ASSESSMENT shall be deemed to be a final order of the Department and not subject to review by any court or agency unless, within fifteen (15) working days of receipt of this CITATION & NOTICE OF ASSESSMENT, the employer submits a Notice of Appeal. The term "working day" means a calendar day except Saturdays, Sundays, and all legal holidays.

A Notice of Appeal should be mailed or otherwise delivered to the Assistant Director for Industrial Safety & Health, ATTN: Appeals Desk, P O Box 44604, Olympia, WA 98504-4604. You may FAX your appeal to (360) 902-5581. Should you have further questions, call the appeals desk at (360) 902-5486.

The employer may appeal any or all of the violations(s) cited or the proposed penalties or any combination of these. An extension of abatement dates may be requested from your regional office.

A Notice of Appeal filed pursuant to RCW 49.17.140 should contain the following:

- (1) Name, address and phone number of individual to receive hearing notice and correspondence related to appeal.
- (2) Inspection number (See Block 4).
- (3) A brief statement of reason(s) for appeal.
- (4) A statement that the person signing the notice of appeal has read it and to the best of their knowledge, information and belief there is good ground to support it. A notice of appeal may be signed by the party or by their authorized representative.

You may wish to send your appeal by certified mail (optional) to verify postmark date should the need arise.

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WISHA SERVICES DIVISION

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Tacoma, Washington 98402
(253) 596-3868
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03/30/1999

Corrections, Dept of dba McNeil Is Corrections Ctr
PO Box 88900 WT01
Steilacoom WA 98388

EMPLOYER VERIFICATION OF ABATEMENT INSTRUCTION SHEET

ALL VIOLATIONS MUST BE CORRECTED
ON OR BEFORE THE DATES INDICATED.

Complete and submit the attached Verification of Abatement or a copy to the Labor and Industries office listed above ON OR BEFORE the correction due date. If there is more than one correction due date, a copy of the attached form must be returned on or before EACH due date until all items have been corrected.

FAILURE TO RETURN A COMPLETED NOTICE
WILL RESULT IN FOLLOW-UP ACTION.

FAILURE TO CORRECT THESE VIOLATIONS
MAY RESULT IN SUBSTANTIAL ADDITIONAL PENALTIES.

PROVIDING FALSE INFORMATION
MAY RESULT IN CRIMINAL PENALTIES.

Written verification of abatement must be posted with the Citation and Notice for at least three working days. (WAC 296-350-400(8)(b))

If you have any questions, please contact the office listed above.

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115285298/Corrections, Dept of dba McNeil Is Corrections Ctr

Empl - White Regn - Pink CSHO - Green IMIS - Yellow Appeals - Grey

TO: GREENWALT EVELYN DOC-DP-I1-EGL 5-Nov-98 16:57:44
MCNEIL ISLAND CORR. CTR.
35 SETTLER ST.
STEILACOOM WA 98388-

FROM: BROWN CONNIE DOC-DP-I1-CB7 5-Nov-98 07:15:58
MCNEIL ISLAND
STEILACOMM WA -

SUBJECT: SAFETY NUMBERS DOC-DP-I1-EGL/MA#2619818

To: BROWN CONNIE DOC-DP-I1-CB7
From: GREENWALT EVELYN DOC-DP-I1-EGL
Date: Monday 12-Oct-98 at 10:44am
Subject: SAFETY NUMBERS

Know you guys are busy, any idea when the safety numbers will be done?
Report is complete, just waiting on them to be finalized. Thanks...Eva.

..... Message amended by: DOC-DP-I1-CB7 BROWN CONNIE
on: Tue 13-Oct-98 at: 2:19pm

Eva, the numbers are:

Supervisors with First Aid cards = 211

employees hired = 720

Employees with First Aid Cards = 714

..... Routed on: Tue 13-Oct-98 at: 2:23pm
From: DOC-DP-I1-CB7 BROWN CONNIE
To: DOC-DP-I1-EGL GREENWALT EVELYN

..... Message amended by: DOC-DP-I1-CB7 BROWN CONNIE
on: Thu 5-Nov-98 at: 7:15am

Evelyn, I know that you will need these numbers, so
why wait for the request.

Supervisors w/ First Aid cards = 212

Employees hired = 732

Employees w/First Aid cards = 725

..... Routed on: Thu 5-Nov-98 at: 7:19am
From: DOC-DP-I1-CB7 BROWN CONNIE
To: DOC-DP-I1-EGL GREENWALT EVELYN

* * End of Message * * Printed on 5-Nov-98 at 16:57:49 MA# 2619818

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 115285298
Inspection Dates: 01/12/99 - 02/26/99
Issuance Date: 03/30/99



Citation and Notification of Penalty

Company Name: Corrections, Dept of dba McNeil Is Corrections Ctr
Inspection Site: McNeil Island Correction Center, McNeil Island, WA 98388

Citation 1 Item 2 Type of Violation: General

56-60209(3)(a)

Employer failed to ensure that ladders with broken, split, or missing rungs, steps or rails, broken welds or connections, corrosion or wastage, or other defect which may affect safe use are removed from service. Life ladder located at the West Side of the passenger terminal at McNeil Island Correction Center had sea life contamination (barnacles), which if utilized could hurt or injure employees.

UBI Number: 600392046
Mgmt. Official Contacted: BELINDA STEWART, SUPT
Employee Rep. Contacted: BOB EPPERSON, SHOP STEWART
Employer Walkaround Rep.: BURL HOOK, SAFETY PROG MGR
Closing Conf. Employer Rep.: BELINDA STEWART, SUPT

**ATTENTION EMPLOYER, IF YOU HAVE ANY QUESTIONS OR ARE IN NEED
OF CLARIFICATION IN REFERENCE TO THIS CITATION, PLEASE CALL
THE COMPLIANCE SUPERVISOR AT (253) 596-3868.**

Date By Which Violation Must be Abated:	04/17/99
Proposed Penalty:	\$ 0.00

Michael A. Silverstein
Assistant Director, WISHA SERVICES

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 115285298
Inspection Dates: 01/12/99 - 02/26/99
Issuance Date: 03/30/99



Citation and Notification of Penalty

Company Name: Corrections, Dept of dba McNeil Is Corrections Ctr
Inspection Site: McNeil Island Correction Center, McNeil Island, WA 98388

Citation 1 Item 1 Type of Violation: General

****** THIS VIOLATION WAS COMPLIED AT THE TIME OF INSPECTION ******

56-60117(2)

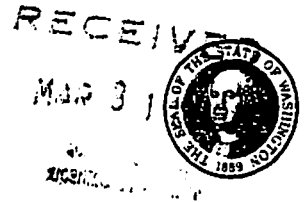
Employer failed to ensure that the maximum safe load limits in pounds per square foot of floor elevated above ground level, and pier structures over the water is conspicuously posted. The employee waiting facility building over the water located at the Steilacoom dock did not have a maximum safe load limit posted.

******* MESSAGE *******

Recommend during transit of busses and employees on the barge that it may be necessary to lash each vehicle during heavy seas in addition of chocking wheels on all four sides to prevent movement in any direction.

Date By Which Violation Must be Abated:	02/26/99
Proposed Penalty:	\$ 0.00

Department of Labor & Industries
WISHA SERVICES DIVISION
PO BOX 44604
OLYMPIA, WA 98504-4604



To:
Corrections, Dept of dba McNeil Is Corrections Ctr
Attn: Belinda Stewart
PO Box 88900 WT01
Steilacoom, WA 98388

Inspection Number: 115285298
Inspection Date(s): 01/12/99 - 02/26/99

Inspection Site:
McNeil Island Correction Center
McNeil Island, WA 98388

Issuance Date: 03/30/99
Optional Report #: s79074555
Reporting I.D.: 1055330
U.B.I. #: 600392046
CSHO: H2415

Citation and Notice of Assessment

A copy of this Citation & Notice of Assessment must be prominently posted immediately upon receipt at or near each place a violation occurred or at a location where employees normally receive posted information (RCW 49.17.120). It must remain posted until all violations cited therein are corrected, or for three (3) days, whichever period is longer.

SEE ATTACHED NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

Penalties are due within 15 days of receipt of this notification unless appealed.

Make check or money order payable to
DEPARTMENT OF LABOR & INDUSTRIES
Include Inspection Number on remittance.

PROOF OF CORRECTION IS REQUIRED FOR ALL VIOLATIONS NOT CORRECTED AT THE TIME OF INSPECTION

NATURE OF ALLEGED VIOLATIONS OBSERVED DURING INSPECTION
UNLESS OTHERWISE NOTED ALL CITATIONS ARE TO TITLE 296 WAC

NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

Pursuant to the Washington Industrial Safety and Health Act (Chapter 49.17 RCW)

CITATION AND NOTICE OF ASSESSMENT - ABATEMENT - POSTING

The nature and location of a condition or conditions alleged to be in violation of Washington's safety and health standards are described on this citation with references to acceptable standards, rules, regulations and provisions of the Washington Industrial Safety and Health Act.

These conditions must be corrected on or before the date shown for each citation item (date to the right of "Date By Which Violation Must be Abated:"). (RCW 49.17.120).

The Act requires that a copy of the citation(s) be immediately and prominently posted at or near each place a violation referred to in the citation occurred (RCW 49.17.120). It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever period is longer (WAC 296-350-400). A sufficient number of copies of the citation(s) should be prepared to permit posting in accordance with the requirements of the Act.

RIGHTS OF EMPLOYER

Appeal of Citation and Notice of Assessment

This CITATION & NOTICE OF ASSESSMENT shall be deemed to be a final order of the Department and not subject to review by any court or agency unless, within fifteen (15) working days from the receipt of this CITATION & NOTICE OF ASSESSMENT, the employer submits a Notice of Appeal. A Notice of Appeal should be mailed or otherwise delivered to the Assistant Director for WISHA Services Division at PO Box 44804, Olympia, Washington 98504-4604. The term "working day" means a calendar day except Saturdays, Sundays, and all legal holidays as set forth in RCW 1.16.050 (RCW 49.17.140 and 49.17.020(9)).

The employer may appeal any or all of the violation(s) cited, or any or all of the proposed penalties, or any combination of these.

A Notice of Appeal filed pursuant to RCW 49.17.140 should contain the following:

- (1) The name and address of the appealing party and representative, if any.
- (2) The place where the alleged violation occurred.
- (3) A statement identifying the citation (citation number and date of issuance).
- (4) The grounds upon which the appealing party considers the order, decision or citation to be unjust or unlawful.
- (5) A statement of facts in support of each of the grounds stated.
- (6) The relief sought, including the specific nature and extent.
- (7) A statement that the person signing the notice of appeal believes there are grounds to support it.

Extension of Abatement Date(s)

If the employer is making a good faith effort to abate the condition(s) in violation of the cited standard(s) but is unable to do so within the time period set for abatement, the employer may apply to the Department, before the abatement date, for an extension (RCW 49.17.140). See WAC 296-350-350 through 296-350-35060 for rules relating to the extension of abatement dates. An appeal need not be filed to request extension of abatement dates.

RIGHTS OF EMPLOYEES OR REPRESENTATIVES OF EMPLOYEES

An employee or representative of employees may file a Notice of Appeal of the time(s) stated in the citation for the abatement of the alleged violation(s) (RCW 49.17.140). To do so, a Notice of Appeal must be sent to the Office of the Assistant Director for WISHA Services Division, Department of Labor & Industries, PO Box 44804, Olympia, Washington 98504-4604, within 15 working days from receipt of the notice. See the Rights of Employer Section above for the appropriate contents of such Notice of Appeal.

No person shall discharge or discriminate against any employee because such employee has exercised rights guaranteed him/her by the Act.

REASSUMPTION OF JURISDICTION

Upon receipt of a Notice of Appeal, the Department may reassume jurisdiction over all or any part of the subject matter of the appeal. Should jurisdiction over the matter be reassumed, the Department will issue to all affected parties a Notice of Reassumption and Informal Conference. Following a redetermination of the matter, a Corrective Notice of Redetermination will be issued (RCW 49.17.140). Such Corrective Notice shall be issued within 30 working days from the Department's receipt of the appeal notice.

ORDER FINAL IF NOT APPEALED

If a Notice of Appeal is not filed within the 15 working day period, the citation(s) and penalty assessment(s) shall be deemed final and not subject to review by any court or agency (RCW 49.17.140).

Payment of all penalties shown is to be made by check or money order payable to the order of "Department of Labor and Industries." Payment of penalties should be remitted to the WISHA Services Division Management Services/Accounting, PO Box 44835, Olympia, Washington 98504-4835. Interest of 1% per month will be charged on past due accounts per RCW 43.17.240. If the Citation is appealed, interest will not accrue until a final order has been issued.

RCW 49.17.180 states: "Civil penalties imposed under this chapter shall be paid to the Director for deposit in the supplemental pension fund established by RCW 51.44.033. Civil penalties may be recovered in a civil action in the name of the department brought in the superior court of the county where the violation is alleged to have occurred, or the department may utilize the procedures for collection of civil penalties as set forth in RCW 51.48.120 through 51.48.150."

ABATEMENT

Alleged violations that are not appealed shall be corrected within the abatement period specified in the citation. Written verification of correction must be submitted to the Department and must be posted with the Citation and Notice for at least 3 working days (WAC 296-350-400(B)(b)). Failure to correct alleged violations within the abatement period may result in a further proposed assessment of penalties (RCW 49.17.140).

A follow up inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act AND has corrected the alleged violations.

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 115285298
Inspection Dates: 01/12/99 - 02/26/99
Issuance Date: 03/30/99



Citation and Notification of Penalty

Company Name: Corrections, Dept of dba McNeil Is Corrections Ctr
Inspection Site: McNeil Island Correction Center, McNeil Island, WA 98388

SUMMARY OF PROPOSED PENALTIES

Summary of Penalties for Inspection Number 115285298

Citation 1, General	= \$	0.00
TOTAL PROPOSED PENALTIES	= \$	0.00