

**CITATIONS ISSUED - ABATEMENT ACTIONS - 107<sup>TH</sup> CONGRESS**

ISSUANCE DATE	EMPLOYING OFFICE	LOCATION	VIOLATION & DESCRIPTION	DATE OF ABATEMENT OR STATUS
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3/05/01	LOC <sup>1</sup>	Library of Congress - Jefferson, Adams and Madison Buildings	<b>Improper Storage - Cellulose Nitrate</b> - OSH Act Section 5(a)(1) (general duty clause) - Storage of pyroxylin plastic materials containing cellulose nitrate a highly flammable substance, exposes employees to a recognized hazard likely to cause death or serious physical harm.	LOC: Cylinders will be moved and properly stored at the new Audio-Visual Center, currently under construction in Culpepper, VA. Estimated completion dates is 2005. OOC will review for expedited abatement.
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<sup>1</sup>Abbreviations Used: AOC - Architect of the Capitol; LOC - Library of Congress; OOC- Office of Compliance; OSHA Occupational Safety and Health Act; USCP- United States Capitol Police.

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03/05/01	AOC/LOC	Library of Congress - Jefferson, Adams and Madison Buildings	<b><u>Unprotected Exit Enclosures</u></b> - 29 CFR 1910.37(b)(1), (2) - Exit enclosures, which separate exit stairwells and exit pathways from other parts of building, do not provide adequate fire resistance because penetrations made for pipes, ducts, and cable have not been adequately protected to prevent the spread of fire or toxic gases.	AOC: All holes in fire walls enclosing exit stairs have been closed using a fire stopping compound or approved fire dampers. Repair of penetrations in exit pathways in the Madison Building are complete. Repair of penetrations in the Jefferson Building exit pathways are being addressed through the comprehensive performance-based fire modeling effort. The site investigation and final concept modeling were completed in June 2002. Next phase is to determine appropriate design alternatives and proceed to design. We anticipate that designs will be complete in December 2004. Penetrations in the Adams Building exit pathways are being addressed through a design and construction effort. The conceptual design is complete and includes re-routing the return air ductwork directly into the return air main trunk line. A detailed design will be complete in Fiscal Year 2003, and construction funds will be requested in Fiscal Year 2005 to correct problem.

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03/05/01	AOC/LOC	Library of Congress - Jefferson, Adams and Madison Buildings	<b><u>Fire Doors Blocked Open</u></b> - 29 CFR 1910.36(b)(2); 1910.36(d)(20); 1910.37(b)(2) - Fire doors not maintained and operated to avoid undue danger to occupants in that they were blocked open. This prevents the doors from stemming spread of smoke and toxic fumes during period of time reasonably necessary for escape in a fire or other emergency.	AOC: All improperly operating fire doors were repaired in October 2001. All doors are checked and inspected quarterly and repairs are made as needed to ensure they operate properly. LOC is responsible for monitoring staff compliance.
03/05/01	AOC	Library of Congress - Jefferson, Madison Buildings	<b><u>Non-functioning Halon Systems</u></b> - 29 CFR 1910.36(d)(2) - Fixed Halon fire extinguishing systems were not in proper operating condition.	AOC: This item is COMPLETE. The halon extinguishing system was repaired in October 2001 and the systems are tested and inspected on an annual basis.
03/05/01	AOC	Library of Congress - Blue Tote and Grey Tote Book Conveyors - Jefferson, Adams, Madison Buildings	<b><u>Lack of Fire Barriers</u></b> - 29 CFR 1910.36(b)(2) - Unprotected openings and inadequate fire resistance in conveyor systems create undue danger to safety of occupants from smoke or toxic fumes during period of time reasonably necessary for escape from buildings. <b><u>Lack of Energy Isolating (“Lockout/Tagout”) Devices</u></b> - 29 CFR 1910.147(d)(3) - Energy isolating devices needed to isolate machinery or equipment from energy source.	AOC: <u>Fire Barriers</u> - A comprehensive study will be performed in Fiscal Year 2003 to determine scope of work, extent of problem and recommended design alternatives. Design funding has been requested in Fiscal Year 2004. Design will be complete in Fiscal Year 2004 allowing a request for funds for construction in Fiscal Year 2006 budget. [Proper energy isolating devices were installed in October 2001. This item is COMPLETE.] <u>Energy Isolating Devices</u> - This item is complete.

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03/05/01	AOC	Library of Congress - Adams building	<p><b><u>Lack of Fire Barriers</u></b> - 29 CFR 1910.36(b)(2) - Vertical openings and penetrations between tiers of multitier book stacks create undue danger to safety of occupants from smoke or fumes during period of time reasonably necessary for escape from building or structure.</p> <p><b><u>Unprotected Exit Stairwells</u></b> - 29 CFR 1910.36(b)(2) - Exit stairwells and pathways in Adams not constructed, equipped, and maintained to avoid undue danger to lives and safety of occupants from fire, smoke, fumes, or resulting panic during period of time reasonably necessary for escape from building in case of fire or other emergency.</p>	<p>AOC: <b><u>Fire Barriers</u></b> - Holes in floors are being patched with firestopping compound and metal panels. This work is approximately 95% complete and is expected to be 100% complete in July 2003.</p> <p><b><u>Exit Stairwells</u></b> - All penetrations into fire walls surrounding exit stairwells have been closed using firestopping compound or approved fire damper. Conceptual design to correct deficiencies in the exit pathways has been completed. This conceptual design includes re-routing return air ductwork directly into the return air main trunk line. Detailed design will be complete in FY 2003, and construction funds will be requested in FY 2005 to correct this problem.</p>

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03/05/01	AOC	Library of Congress - Jefferson Building	<p><b><u>Lack of Fire Barriers</u></b> - 29 CFR 1910.36(b)(2) - Vertical openings and penetrations between tiers of book stacks create an undue danger to safety of occupants from smoke or fumes during period of time reasonably necessary for escape from building.</p> <p><b><u>Unprotected Exit Stairwells</u></b> - 29 CFR 1910.36(b)(2) - Lack of exit stairwells and exit pathways that are effectively protected against fire, smoke or toxic fumes poses undue danger to the lives and safety of occupants during period of time necessary for escape in case of fire or other emergency.</p> <p><b><u>Malfunctioning Fire Doors</u></b> - 29 CFR 1910.36(b)(2); 1910.36(d)(2) - Fire doors were not continuously maintained in proper operating condition. They will not close properly, thus permitting smoke and toxic gases to spread rapidly. This could endanger occupants during time reasonably necessary for escape in event of fire.</p>	<p>AOC: <b><u>Fire Barriers</u></b> - The issue of vertical smoke movement between floors is being addressed by a performance based fire modeling analysis of the entire building. The site investigation and final concept modeling were completed in June 2002. Next phase is to determine appropriate design alternatives and proceed to design. We anticipate that designs will be complete in December 2004.</p> <p><b><u>Exit Stairwells</u></b> - All penetrations into fire walls surrounding exit stairwells have been closed using a fire stopping compound or approved fire damper. The ground floor exit pathway is being addressed through the comprehensive performance-based fire-modeling effort. The site investigation and final concept modeling were completed in June 2002. Next phase is to determine appropriate design alternatives and proceed to design. We anticipate that designs will be complete in December 2004.</p> <p><b><u>Fire Doors</u></b> - All improperly operating fire doors were repaired in October 2001. All doors are checked and inspected quarterly and repairs are made as needed to ensure they operate properly.</p>

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ISSUANCE DATE	EMPLOYING OFFICE	LOCATION	VIOLATION & DESCRIPTION	DATE OF ABATEMENT OR STATUS
09/05/01	AOC	Capitol Power Plant	<p><b><u>Failure to Perform Lead Exposure Assessment</u></b>                      - 29 CFR 1926.62(d)(1)(i) - The employer did not make an initial determination as to whether employees may be exposed to lead at or above the action level.                      29 CFR 1926.62(d)(2)(v); 29 CFR 1926.62(d)(2)(iv) - The employer did not provide employees with potential exposure to lead with protective measures required pending determination of the actual level of employee exposure.</p>	<p>AOC: Correction is COMPLETE. Standard Operating Procedure approved by OOC - painted metal surfaces that are to be welded, cut, or brazed (WCB) will be assumed to contain lead. "Peel Away" or similar product will be applied to the metal to remove paint. When metal is properly cleaned, WCB procedure will proceed. Certification of corrective action submitted to OOC 1/10/02.</p>

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ISSUANCE DATE	EMPLOYING OFFICE	LOCATION	VIOLATION & DESCRIPTION	DATE OF ABATEMENT OR STATUS
09/05/01	AOC	Capitol Power Plant	<p><b><u>No Emergency Action Plan</u></b> - 29 CFR 1910.38(a) - The Capitol Power Plant lacks an emergency action plan that sets out the steps that should be taken in the event of a fire or other emergency.</p> <p><b><u>Inadequate Employee Alarm System</u></b> - 1910.36(b)(7); 1910.38(a)(3)(i) - An employee alarm system which complies with requirements in 29 CFR 1910.165 for such systems was not established.</p> <p>29 CFR 1910.36(d)(2); 29 CFR 1910.165(d)(1) - Employee alarm systems were not continuously maintained in operating condition.</p> <p><b><u>Inoperative Smoke Detectors</u></b> - 1910.36(d)(2) - Smoke detectors were not maintained in proper operating condition.</p>	<p>AOC: <u>Emergency Action Plan</u> - Interim Emergency Action Plan (EAP) is in effect. By 12/31/02, AOC will institute a permanent EAP.</p> <p><u>Employee Alarm System/Smoke Detectors</u> - The design study for a fire alarm system in the Boiler Building and East Refrigeration Building is scheduled for FY 2003. Funds for installation will be requested in FY 2005. OOC will review the adequacy of the abatement schedule for the fire alarm system. The inoperative fire alarm system in the Administration and West Refrigeration Buildings will be repaired and upgraded by 9/30/02. Maintenance of the new system, including smoke detectors will be conducted as required.</p>

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ISSUANCE DATE	EMPLOYING OFFICE	LOCATION	VIOLATION & DESCRIPTION	DATE OF ABATEMENT OR STATUS
09/05/01	AOC	Capitol Power Plant	<p><b><u>Improper Storage of Flammable Gases</u></b> - 29 CFR 1910.253(b)(2)(ii), (b)(4)(iii) and (b)(4)(i); Section 3.5.3 Compressed Gas Association pamphlet P-1-1965, as adopted by 29 CFR 1910.101(b) - Oxygen cylinders in storage not separated from fuel-gas cylinders or combustible materials a minimum distance of 20 feet or by a fire-resistant partition. Fuel-gas cylinders were less than 20 feet from highly combustible materials.</p> <p>29 CFR 1910.253(b)(2)(iv); Section 3.1.17, 3.2.1, 3.3.8 Compressed Gas Association pamphlet P-1-1965, as adopted by 29 CFR 1910.101(b); 29 CFR 1910.110(b)(6) - There were no valve protection caps on stored cylinders designed to accept caps, creating danger of gas leakage.</p> <p>29 CFR 1910.253(b)(2)(ii); Section 3.3.8 and 3.7.1 Compressed Gas Association Pamphlet P-1-1965, as adopted by 29 CFR 1910.101(b); 29 CFR 1910.110(b)(6) - Cylinders not stored in assigned locations where they will not be knocked over or damaged by passing or falling objects, which can result in the leakage of flammable or hazardous.</p>	AOC: Correction is COMPLETE. 12/1/01 - New storage containers in use; cylinders properly capped. 12/17/01- Certification of corrective action submitted to OOC.



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09/05/01	AOC	Capitol Power Plant	<b><u>Failure to Inspect and Maintain Lightning Protection Systems</u></b> - OSH Act Section 5(a)(1) (general duty clause) - Employees are exposed to hazards likely to cause death or serious physical harm because systems to protect Capitol Power Plant from lightning strikes have not been inspected and maintained.	AOC: Correction is COMPLETE. Lightning arrest upgrade contract completed August 2002. Periodic maintenance program has been established and complete inspection and testing of lightning protection systems will be performed as outlined in NFPA Code.
09/05/01	AOC	Capitol Power Plant	<b><u>Fire Hazards—Coal Car Heater</u></b> - OSH Act Section 5(a)(1) (general duty clause) of OSH Act - Employees are exposed to hazards likely to cause death or serious physical harm because inadequate measures are being taken to reduce risk of fire from operation of the coal car heater.	AOC: Correction is COMPLETE. Certificate of Correction submitted 4/1/02. During future use of the heater, if any, lighting of heater will be done by safe methods reported to OOC. Future delivery of coal will be by truck, not rail car. Therefore, any future use of this device is unlikely.

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09/05/01	AOC	Capitol Power Plant	<p><b><u>Unsafe Equipment &amp; Wiring</u></b> - 29 CFR 1910.307(b) - Equipment and wiring methods used in hazardous locations are not safe or approved for use in such locations.</p> <p><b><u>Fire Hazard - Coal Dust Accumulation</u></b> - OSH Act Section 5(a)(1) (general duty clause) of the Occupational Safety and Health Act - Employees are exposed to a recognized hazard likely to cause death or serious physical harm because of coal dust accumulations due to the failure to establish regular cleaning frequencies for floors and horizontal surfaces, such as ducts and beams, or to institute other controls to prevent dust accumulations.</p>	<p>AOC: <u>Unsafe Equipment</u> - Equipment appropriate at location given change in housekeeping conditions (see below)</p> <p><u>Coal Dust</u> - Correction is COMPLETE 9/28/01 - New housekeeping practices instituted at coal bunker to eliminate hazard, i.e., prevent the build-up of dust on motors, rails, and other equipment.; New coal dust collection system is post of upcoming renovation certificate of correction submitted 12/17/01. OOC will monitor for continued compliance.</p>
04/10/02 <b>CONFIDENTIAL SECURITY SENSITIVE</b>	USCP	Senate Building (October 19, 2001) Capitol Police Offsite Delivery Center - (October 29, 2001)	<p><b><u>Inadequate Response to Anthrax Release</u></b> 29 CFR 1910.120(q)(1) and (2)(xi); 29 CFR 1910.120(q)(3)(iv); 29 CFR 1910.134(a)(2); (d)(2) - 29 CFR 1910.132(d)(2)</p>	<p>OOC General Counsel is assessing adequacy of compliance.</p>

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04/10/02 <b>CONFIDENTIAL SECURITY SENSITIVE</b>	USCP	Emergency Response to Anthrax Release in Senator Daschle's Office (October 15, 2001)	<b><u>Inadequate Response to Anthrax Release</u></b> 29 CFR 1910.120(q)(1) and (q)(2)(v); 29 CFR 1910.120(q)(3)(v)	OOC General Counsel is assessing adequacy of compliance.
06/20/02 <b>CONFIDENTIAL SECURITY SENSITIVE</b>	LOC	All LOC Facilities	<b><u>Inadequate Emergency Action Plan</u></b> 29 CFR 1910.38 (a)(1); 1910.38(a)(5)(ii)	LOC Police issued new general order on 7/10/02 concerning emergency evacuations, searches, explosions, smoke, and fire alarms. OOC General Counsel is assessing adequacy of compliance.
06/20/02	LOC	Jefferson Building	<b><u>Failure to Evacuate Building</u></b> - 29 CFR 1910.165(b)(1) The employee alarm system was not activated to initiate building evacuation as called for in the emergency action plan, or in sufficient time to provide for reaction time for safe escape.	LOC provided certificate of abatement on August 10, 2002 reporting that LOC Police officers had been given written notification of these requirements, and that future reminders would be provided at police roll calls. OOC will assess future compliance.