

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Conference Room 308
Phoenix, Arizona 85007
Thursday, July 11, 2019 – 1:00 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair (Telephonic)
	Scott P. LeMarr	Commissioner
	Steven J. Krenznel	Commissioner (Telephonic)
	James Ashley	Director
	Stacey Rogan	Assistant Chief Legal Counsel
	Trevor Laky	Legislative Affairs Chief / Public Information Officer
	Jessie Atencio	ADOSH Director
	Steve Black	Compliance Officer
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance was Michael Fassett (Snell & Wilmer).

Approval of Minutes of July 1, 2019 Regular Meeting Minutes.

Commissioner LeMarr moved to approve the Minutes of the July 1, 2019 regular session meeting and Commissioner Krenznel seconded the motion. Chairman Schultz, Commissioner LeMarr and Commissioner Krenznel voted in favor of the motion. Vice Chair Hennelly abstained. The motion passed.

Discussion and Action of Arizona Division of Occupational Safety and Health Proposed Citations and Penalties.

Applegate Arizona, LLC	Referral	
1742 S Roof Tile Rd	Years in Business:	40
<u>Casa Grande, AZ 85222</u>	Empl. Covered by Inspection:	35
Site Location:	1742 S Roof Tile Rd	
	Casa Grande, AZ 85222	
Inspection No:	B8139 -1375399	
Inspection Date:	01/31/2019	

SERIOUS – Citation 1 - Item 1 –

- a) Bagger Line #1: Three employees were exposed to the ingoing nip points created by an unguarded steel and drive belt rollers.
- b) Bagger Line #1: Folder: Three employees were exposed to the ingoing nip points created by an unguarded conveyor belt.
- c) Bagger Line #1: One employee was exposed to an unguarded moving piston.
- d) Bagger Line #1: One employee was exposed to an unguarded automatic steel closing door.

Chairman Schultz and Mr. Atencio discussed other potential options for guarding.

Commissioner LeMarr moved to approve the citations and proposed penalties as presented and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzel voted in favor of the motion. The motion passed.

Applegate Arizona, LLC
1742 S Roof Tile Rd
Casa Grande, AZ 85222

Referral
Years in Business: 40
Empl. Covered by Inspection: 35

Site Location: 1742 S Roof Tile Rd
Casa Grande, AZ 85222
Inspection No: T3633 -1388273
Inspection Date: 03/27/2019

REPEAT-SERIOUS – Citation 1 - Item 1 –

- a) Final Sort Line Area: Horizontal surfaces including the steel wall components, steel roof components, ducts, lights, electrical equipment, and approximately one-fourth of the floor area had accumulations of explosive dust exceeding ¼ inch, with some surface having dust accumulations up to seven inches deep.
- b) Main Processing Room: The mezzanine area had accumulations of explosive dust exceeding one-half inch deep. 29 CFR 1910.22(a)(1)

APPLEGATE ARIZONA, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.22(a)(1) WHICH WAS CONTAINED IN ADOSH INSPECTION NUMBER 1226236, CITATION NUMBER 01, ITEM 001, ISSUED ON 6/27/2017, WITH RESPECT TO A WORKPLACE LOCATED AT 1742 S ROOF TILE RD, CASA GRANDE, ARIZONA.

Div. Proposal - \$3,000.00	Formula Amt. - \$2,000.00
TOTAL PENALTY - \$3,000.00	TOTAL FORMULA AMT. - \$2,000.00

Mr. Atencio discussed ADOSH's investigation, summarized the citation and proposed penalty, and reviewed the photographs.

Commissioner LeMarr and Mr. Atencio confirmed the repeat was for a 2017 citation.

Mr. Black described the business process, his inspection of the facility, the accumulation of dust and the sample testing.

Chairman Schultz explained that while he was sympathetic with trying to keep and train people, if the business cannot it needs to look at engineering and other controls, and as seen in similar other processing businesses with dust accumulation which use vacuums to collect the dust to avoid accumulation.

Commissioner LeMarr moved to approve the citation and proposed penalties as presented and Commissioner Krenzel seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzel voted in favor of the motion. The motion passed.

Discussion and/or action regarding Industrial Commission goals, objectives and key initiatives for 2019. This Agenda Item may include discussion regarding the Commission budget and review of Division, Department, and Section specific objectives.

Mr. Ashley reviewed the revised Governor's Fundamentals Map detailing how the Commission contributes. He reviewed the Mission, Leadership, Core Beliefs and Core Values categories, highlighting the Commission's involvement in the six goal councils.

Chairman Schultz noted that what the Commission does is not just about safety, this agency can participate in moving the state forward in many ways in helping to achieve the Governor's goals.

Chairman Schultz noted it would be a nice way for the Commissioners to spend some time at a meeting to talk about the Commission's goals and objectives to see if there are areas to identify and set goals to work towards.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Ms. Dimas noted the July 18th meeting would be cancelled since there were no pressing items and confirmed Commission meeting dates through September 2019.

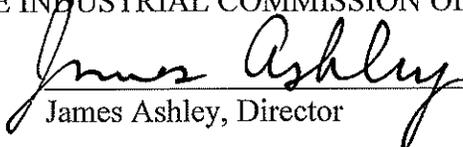
Public Comment.

There was no public comment.

Commissioner LeMarr moved to adjourn and Commissioner Krenzle seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzle voted in favor of the motion and the meeting was adjourned at 1:46 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


James Ashley, Director

ATTEST:


Kara Dimas, Commission Secretary