

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Conference Room 308
Phoenix, Arizona 85007
Thursday, November 14, 2019 – 1:00 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	Scott P. LeMarr	Commissioner
	Steven J. Krenzel	Commissioner
	Gaetano Testini	Acting Director
	Stacey Rogan	Assistant Chief Legal Counsel
	Janine Locke	Special Services Manager
	Rebecca Schaar	Legal Division
	Jessie Atencio	ADOSH Director
	Brooks Rogers	Compliance Supervisor
	John Acosta	Compliance Officer
	Martha Zamundio	Compliance Officer
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance were Daniel O'Connor and Sally Shaffer (representing Columbia Sussex dba Boulders Resort and Spa); Michael Nicolini (Premier Industries, Inc.); Chris Ingle, Chuck Niday, Don Roberts (Sun City RV, Inc.); and Scot Butler (Undisclosed).

Approval of Minutes of November 7, 2019 Regular Meeting Minutes.

Chairman Schultz tabled this item to the next regular meeting.

Safety Committee Update and Topic Discussion.

Ms. Locke reviewed the Industrial Commission's evacuation procedures and handed out the evacuation plan.

Ms. Schaar explained the training for the floor wardens and the information contained on the safety boards.

Ms. Locke announced that the agency was awarded a one year VPP status. Ms. Locke noted that one-third of the 74 items needed to be completed to secure continuing VPP status have been completed, and the Commission is working very hard to complete the remainder of the items.

Chairman Schultz noted the process took about two years from beginning to end, during which time the Commission accomplished many safety upgrades.

Chairman Schultz noted the Industrial Commission is now one of fifty entities statewide with VPP certification. He thanked Ms. Locke and Ms. Schaar for their work and keeping employees safe every day.

- a) Automotive shop: Three employees were exposed to hazardous chemicals such as 1,1,1,2-Tetrafluoroethane and TORQ "CB" III Advanced Formula "Corrosion Blasting" PENETRATING OIL without having received effective information and training. 29 CFR 1910.1200(h)(1)
 Div. Proposal - \$0.00 Formula Amt. - \$1,200.00

NON-SERIOUS – Citation 2 - Item 1 –

- a) Automotive shop: Three employees were exposed to hazardous chemicals such as 1, 1, 1, 2-Tetrafluoroethane (Freon 134a) and TORQ "CB" III Advanced Formula "Corrosion Blasting" PENETRATING OIL with no written hazard communication program in place. 29 CFR 1910.1200(e)(1)
 Div. Proposal - \$600.00 Formula Amt. - \$600.00
TOTAL PENALTY - \$1,800.00 **TOTAL FORMULA AMT. - \$4,200.00**

Mr. Atencio discussed ADOSH's investigation, summarized the citations and proposed penalties, and reviewed the photographs.

Chairman Schultz and Mr. Atencio discussed the photographs and possible exposure to Freon and types of solvents used at the business.

Commissioner LeMarr and Mr. Atencio discussed if there was any abatement.

Vice Chair Hennelly and Mr. Atencio discussed that there was no indication the employee was working on any type of Freon, or indication there was any Freon leaking to compromise the employee.

Commissioner LeMarr asked about abatement or additional training of awareness of hazardous materials because that is what the citations are for. Mr. Roberts noted that the service manager has required the necessary documents to be posted in the building and provide access to a computer for employees to educate themselves about the particular chemicals. The refrigerant machine has been looked at to make sure there are no leaks or possible gas escape. Commissioner LeMarr noted the best way to handle these things is to have a log and document that everyone in your employ has reviewed either the video or pamphlet to disseminate the information because it lets you know that your employees are aware of what they are working with.

Commissioner LeMarr and Mr. Atencio discussed that the fatality was reported by Maricopa County and not Sun City RV, Inc.

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

Premier Industries, Inc.
 11050 N 22nd Ave
 Phoenix, AZ 85029

Complaint
 Years in Business: 35
 Empl. Covered by Inspection: 9

Site Location: 11050 N 22nd Ave
 Phoenix, AZ 85029
 Inspection No: K6582 -1410947
 Inspection Date: 6/21/2019

Ms. Dimas confirmed Commission meeting dates through December 2019. She noted that since the internet was down for the morning, the packets for the November 21, 2019 will be mailed out on Friday.

Public Comment.

There was no public comment.

Commissioner LeMarr moved to adjourn and Commissioner Krenzel seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzel voted in favor of the motion and the meeting was adjourned at 1:57 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By



Gaetano Testini, Acting Director

ATTEST:



Kara Dimas, Commission Secretary