



CITATION AND NOTIFICATION OF PENALTY

To:
Parter Medical Products, Inc.
DBA Parter Sterilization Services
and its successors
17015 Kingsview Avenue
Carson, CA 90746

Inspection #: 1614467
Inspection Date (s): 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23
Reporting ID: 0950674

Inspection Site:
17115 Kingsview Avenue
Carson, CA 90746

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 Sections 6317 and 6320 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, or online, 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.

Informal Conference - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation(s), classification of the violation(s), abatement date or proposed penalty.

Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an agreement which resolves this matter without litigation or contest.

APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Cal/OSHA or the Division) and employs experienced administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board in writing, or by telephone, or online via the Board's OASIS system, within 15 working days from the date of receipt of a Citation.

After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, or online via the Board's OASIS system, for each contested Citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available to print online at: <https://www.dir.ca.gov/oshab/appealform.pdf>. You may also file the appeal through the Board's online OASIS system at: <https://www.dir.ca.gov/oshab/>. Hard copies can also be picked up from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone: (916) 274-5751 or (877) 252-1987
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. The appeal form also asks you to identify the grounds for your appeal. Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

Important: You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with Cal/OSHA or the Division **does not** constitute an appeal and **does not** stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, at (916) 274-5751 or (877) 252-1987.

PENALTY PAYMENT OPTIONS

For general/regulatory violations, and for serious violations that have been abated, penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the Citation, remittance is still due on all items described above that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

For serious violations that are not abated, if a signed statement of abatement (as described under "Notification of Corrective Action", below) is not timely received or if the statement does not demonstrate acceptable abatement, penalties will be due within 15 working days after the date the signed statement was due, unless contested.

For serious violations for which a signed statement of abatement demonstrating acceptable abatement is timely received, the payment due date will be described in a Modified Citation and Notification of Penalty that you will receive reflecting a 50% abatement credit.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, inspection number, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to: www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations
Cal/OSHA Penalties
P. O. Box 516547
Los Angeles, CA 90051-0595

Cal/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

NOTIFICATION OF CORRECTIVE ACTION

For general/regulatory violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the district office listed on the Citation by submitting the Cal/OSHA 160 form with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date. The adjusted penalty for serious violations that have been abated, if any, has already been reduced by 50% because abatement of those violations has been completed.

The adjusted penalty for serious violations that have not been abated will be reduced by 50% if the

Division of Occupational Safety and Health receives from you within 10 working days following the abatement date a signed statement under penalty of perjury (Cal/OSHA form 161) and sufficient supporting evidence, when necessary to prove abatement, demonstrating abatement acceptable to the Division. If the Division does not receive the statement of abatement within 10 working days after the abatement date, the adjusted penalty will not be reduced by 50% - regardless of whether you appeal the serious citations.

Note: Return the Cal/OSHA 160/161 forms to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health
Process Safety Management - South Non-Refinery
2 MacArthur Place, Suite 810
Santa Ana, CA 92707
Telephone: (714) 558-4600
Fax: (714) 558-4614

EMPLOYEE RIGHTS

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

Employee Appeals - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a district office of the Division.

Employees Participation in Informal Conference - Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY - Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

State of California

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Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23

**Citation and Notification of Penalty**

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
 and its successors
Inspection Site: 17115 Kingsview Avenue
 Carson, CA 90746

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

California Code of Regulations, Title 8, Section 340.2. Notification to Employee of Exposure Required. Whenever any employee has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels exceeding those prescribed by applicable standard, order, or special order, the employer of the affected employee must promptly notify any employee so affected in writing of the fact that the employee has been exposed, and of the corrective action being taken by the employer.

Violation:

Prior to and during the course of the inspection, but not limited to, on August 5, 2022, when employees had been or were being exposed to toxic materials or harmful physical agents in concentrations or at levels exceeding those prescribed by applicable standard, order, or special order, the employer failed to promptly notify employees so affected in writing of the fact that the employee has been exposed, and of the corrective action being taken by the employer, by failing to notify employees in writing of the accurate results of its monitoring of employee exposures to Ethylene Oxide.

Date By Which Violation Must be Abated:	March 02, 2023
Proposed Penalty:	\$11250.00

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Citation 1 Item 2 Type of Violation: **Willful Regulatory**

California Code of Regulations, Title 8, Section 5220(k)(2). Ethylene Oxide.
(2) Exposure Measurements.

(A) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to EtO as prescribed in subsection (d).

(B) This record shall include at least the following information:

1. The date of measurement;
2. The operation involving exposure to EtO which is being monitored;
3. Sampling and analytical methods used and evidence of their accuracy;
4. Number, duration, and results of samples taken;
5. Type of protective devices worn, if any; and
6. Name, social security number and exposure of the employees whose exposures are represented.

(C) The employer shall maintain this record for at least thirty (30) years.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to keep an accurate record of all measurements taken to monitor employee exposure to Ethylene Oxide (EtO) per Section 5220(d) of Title 8 California Code of Regulations, in the following instances:

Instance 1: On February 7, 2020, according to the laboratory records, employees were exposed to EtO above the permissible exposure limit; however, the measurement records provided by the employer to the Division, were not accurate.

Instance 2: On August 11, 2020, according to the laboratory records, employees were exposed to EtO above the permissible exposure limit; however, the measurement records provided by the employer to the Division, were not accurate.

Instance 3: On August 13, 2021, according to the laboratory records, employees were exposed to EtO above the permissible exposure limit; however, the measurement records provided by the

employer to the Division, were not accurate.

Date By Which Violation Must be Abated:

March 02, 2023

Proposed Penalty:

\$11250.00

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Citation 1 Item 3 Type of Violation: **Willful General**

California Labor Code section 6317.5.

- (a) If, upon inspection or investigation, the division finds that an employer has falsified any materials posted in the workplace or distributed to employees related to the California Occupational Safety and Health Act, the division shall issue a citation to the employer.
- (b) Each citation issued pursuant to this section, or a copy or copies thereof, shall be prominently posted, as prescribed in regulations issued by the director.
- (c) Any employer served with a citation pursuant to subdivision (a) may appeal to the appeals board pursuant to the provisions of Chapter 7 (commencing with Section 6600). The appeal shall be subject to the timeframes and procedures set forth in that chapter.
- (d) The provisions of this section are in addition to, and not in lieu of, all other criminal penalties and civil remedies that may be applicable to any act leading to issuance of a citation pursuant to this section.

Violation:

Prior to and during the course of the inspection, but not limited to, on August 5, 2022, the Division found that employer falsified materials posted in the workplace or distributed to employees related to the California Occupational Safety and Health Act, by posting or distributing false employee exposure monitoring results. These exposure monitoring results were required to be provided to employees under Title 8 CCR 5220(d).

Date By Which Violation Must be Abated:	March 02, 2023
Proposed Penalty:	\$13500.00

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

California Code of Regulations, Title 8, Section 5203 (d). Carcinogen Report of Use Requirements.
(d) Report of use.

(1) Initial use of a regulated carcinogen shall be reported in writing to the Chief within 15 calendar days of that initial use.

(2) Any changes in the reported information shall be similarly reported in writing within 15 calendar days of such change.

(3) All written reports shall be mailed to:

OCCUPATIONAL CARCINOGEN CONTROL UNIT
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
POST OFFICE BOX 420603
SAN FRANCISCO, CALIFORNIA 94142

(4) The report shall include:

(A) The name of the employer and address of each workplace where a regulated carcinogen is in use;

(B) An identifying description of where the use of a regulated carcinogen is located in the workplace;

(C) A brief description of each process or operation which creates employee exposure to the regulated carcinogen, including the estimated number of employees engaged in each process or operation; and

(D) The names and addresses of any collective bargaining units or other representatives of the affected employees.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to report its initial use of a regulated carcinogen, Ethylene Oxide (EtO), in writing to the Chief within 15 calendar days of that initial use.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 02, 2023
\$2250.00

State of California

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

California Code of Regulations, Title 8, Section 5144(c). Respiratory Protective Equipment.
(c) Respiratory protection program. This subsection requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator. The Small Entity Compliance Guide contains criteria for the selection of a program administrator and a sample program that meets the requirements of this subsection. Copies of the Small Entity Compliance Guide will be available from the Occupational Safety and Health Administration's Office of Publications, Room N 3101, 200 Constitution Avenue, NW, Washington, DC, 20210 (202-219-4667).

(1) In any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, the employer shall establish and implement a written respiratory protection program with worksite-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use. The employer shall include in the program the following provisions, as applicable:

- (A) Procedures for selecting respirators for use in the workplace;
- (B) Medical evaluations of employees required to use respirators;
- (C) Fit testing procedures for tight-fitting respirators;
- (D) Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations;
- (E) Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;
- (F) Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators;
- (G) Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations;
- (H) Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and

- (1) Procedures for regularly evaluating the effectiveness of the program.
- (2) Where respirator use is not required:
 - (A) An employer may provide respirators at the request of employees or permit employees to use their own respirators, if the employer determines that such respirator use will not in itself create a hazard. If the employer determines that any voluntary respirator use is permissible, the employer shall provide the respirator users with the information contained in Appendix D to this section ("Information for Employees Using Respirators When Not Required Under the Standard"); and
 - (B) In addition, the employer must establish and implement those elements of a written respiratory protection program necessary to ensure that any employee using a respirator voluntarily is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that its use does not present a health hazard to the user. Exception: Employers are not required to include in a written respiratory protection program those employees whose only use of respirators involves the voluntary use of filtering facepieces (dust masks).
- (3) The employer shall designate a program administrator who is qualified by appropriate training or experience that is commensurate with the complexity of the program to administer or oversee the respiratory protection program and conduct the required evaluations of program effectiveness.
- (4) The employer shall provide respirators, training, and medical evaluations at no cost to the employee.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to develop, implement and maintain a written respiratory protection program for required respirator use.

Date By Which Violation Must be Abated:	March 02, 2023
Proposed Penalty:	\$2250.00

State of California

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

California Code of Regulations, Title 8, Section 5221 (a). Fumigation: General.

(a) Wherever a poisonous gas or a substance giving rise to a poisonous gas is used for fumigation, at least two people shall be present at all times, and each person shall be provided with respiratory equipment approved as protection against the gas being used.

(b) All persons working with fumigants or near fumigation operations shall be instructed in the hazards of the substances employed.

(c) Where poisonous gas or substance giving rise to poisonous gas is used for fumigation, the division may require an employer to provide an approved antidote or first-aid treatment where lack of such facilities might constitute a hazard.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer with operations that run 24hours a day involved with sterilization services using Ethylene Oxide (EtO) as a sterilant gas failed to ensure that there must be at least two employees working during the night shift.

Date By Which Violation Must be Abated: **March 02, 2023**
Proposed Penalty: **\$2250.00**

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Citation 1 Item 7 Type of Violation: **General**

California Code of Regulations, Title 8, Section 5162. Emergency Eyewash and Shower Equipment.
(a) Plumbed or self-contained eyewash or eye/facewash equipment which meets the requirements of sections 5, 7, or 9 of ANSI Z358.1-1981, Emergency Eyewash and Shower Equipment, incorporated herein by this reference, shall be provided at all work areas where, during routine operations or foreseeable emergencies, the eyes of an employee may come into contact with a substance which can cause corrosion, severe irritation or permanent tissue damage or which is toxic by absorption. Water hoses, sink faucets, or showers are not acceptable eyewash facilities. Personal eyewash units or drench hoses which meet the requirements of section 6 or 8 of ANSI Z358.1-1981, hereby incorporated by reference, may support plumbed or self-contained units but shall not be used in lieu of them.

(b) An emergency shower which meets the requirements of section 4 or 9 of ANSI Z358.1-1981, incorporated herein by reference, shall be provided at all work areas where, during routine operations or foreseeable emergencies, area of the body may come into contact with a substance which is corrosive or severely irritating to the skin or which is toxic by skin absorption.

(c) Location. Emergency eyewash facilities and deluge showers shall be in accessible locations that require no more than 10 seconds for the injured person to reach. If both an eyewash and shower are needed, they shall be located so that both can be used at the same time by one person. The area of the eyewash and shower equipment shall be maintained free of items which obstruct their use.

(d) Performance. Plumbed and self-contained eyewash and shower equipment shall supply potable water at the flow rates and time durations specified in ANSI Z358.1-1981. The control valve shall be designed so that the water flow remains on without requiring the use of the operator's hands, and so that the valve remains activated until intentionally shut off for all but hand-held drench hoses. Personal eyewash units shall deliver potable water or other eye-flushing solution approved by the consulting physician.

(e) Maintenance. Plumbed eyewash and shower equipment shall be activated at least monthly to flush the line and to verify proper operation. Other units shall be maintained in accordance with the manufacturer's instructions.

NOTE: See section 5185 of the General Industry Safety Orders when the hazard involves the changing and charging of storage batteries. See article 6 of the Unfired Pressure Vessel Safety Orders when the hazard involves anhydrous ammonia.

Violation:

Prior to and during the course of the inspection, including but not limited to, on August 5, 2022, the employer failed to ensure that the location of the eyewash and safety shower maintained free of items which obstruct its use and are located within 10 seconds of reach.

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

California Code of Regulations, Title 8, Section 3203(a) 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:
(1) Identify the person or persons with authority and responsibility for implementing the Program.

(2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.

(3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.

Exception: Employers having fewer than 10 employees shall be permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to the employees' job assignments as compliance with subsection (a)(3).

(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.

(5) Include a procedure to investigate occupational injury or occupational illness.

(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.

(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.

(8) Allow employee access to the Program.

(A) As used in this subsection:

1. The term "access" means the right and opportunity to examine and receive a copy.

2. The term "designated representative" means any individual or organization to whom an employee gives written authorization to exercise a right of access. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative for the purpose of access to the Program.

3. The term "written authorization" means a request provided to the employer containing the following information:

a. The name and signature of the employee authorizing a designated representative to access the Program on the employee's behalf;

b. The date of the request;

c. The name of the designated representative (individual or organization) authorized to receive the Program on the employee's behalf; and

d. The date upon which the written authorization will expire (if less than one (1) year).

(B) The employer shall provide access to the Program by doing one of the following:

1. Provide access in a reasonable time, place, and manner, but in no event later than five (5) business days after the request for access is received from an employee or designated representative.

a. Whenever an employee or designated representative requests a copy of the Program, the employer shall provide the requester a printed copy of the Program, unless the employee or designated representative agrees to receive an electronic copy of the Program.

b. One printed copy of the Program shall be provided free of charge. If the employee or designated representative requests additional copies of the Program within one (1) year of the previous request and the Program has not been updated with new information since the prior copy was provided, the employer may charge reasonable, non-discriminatory reproduction costs (per Section 3204(e)(1)(E))

for the additional copies. or,

2. Provide unobstructed access through a company server or website, which allows an employee to review, print, and email the current version of the Program. Unobstructed access means that the employee, as part of his or her regular work duties, predictably and routinely uses the electronic means to communicate with management or coworkers.

(C) The Program provided to the employee or designated representative need not include any of the records of the steps taken to implement and maintain the written Program.

(D) If an employer has distinctly different and separate operations with distinctly separate and different Programs, the employer may limit access to the Program (or Programs) applicable to the employee requesting it.

(E) The employer shall communicate the right and procedure to access the Program to all employees.

(F) Nothing in this section is intended to preclude employees and collective bargaining agents from collectively bargaining to obtain access to information in addition to that available under this section.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) to correct unhealthy working conditions, employees' exposure to ethylene oxide (EtO), in the following instances:

Instance 1:

The employer failed to identify in the written safety program the name of the individual responsible for the IIPP; [3203(a)(1)]

Instance 2: The employer failed to establish and implement an effective system for communicating with its employees, such as, Sterilization Technicians, Quality Assurance, Quality Control, Supervisors and Managers, in a form readily understandable to all employees about EtO's physical and chemical properties (including its carcinogenicity). In addition, the employer failed to effectively communicate measures taken to prevent employee exposure to EtO after obtaining laboratory results. Further, employer failed to effectively communicate with employees about employees' exposure levels and corrective action (engineering, administrative, and/or personal protective equipment) after obtaining monitoring results from the laboratory; [3203(a)(3)]

Instance 3: The employer failed to effectively identify or evaluate workplace hazards relating to employee exposure to airborne concentrations of EtO including, but not limited to the lack of engineering controls and personal protection especially, in the regulated areas, such as, sterilization chambers, aeration rooms; [3203(a)(4)]

Instance 4: The employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices related to airborne concentrations of EtO including, but not limited to the implementation of engineering controls, administrative controls, and personal protection. According to the laboratory records, the employer was conducting area and personal sampling where concentration of EtO exceeded the PEL (permissible exposure limit) and STEL (short term exposure limit). The employer failed to establish an effective engineering controls, such a ventilation, and/or provide effective personal protection to employees, such as SCBAs. [3203(a)(6)]

Instance 5: The employer did not effectively investigate by conducting medical surveillance, after obtaining monitoring data from the laboratory showing employee exposure to EtO. According to the

requested records, employees have been monitored by the employer and the samples were analyzed by accredited laboratory, indicating employee exposure; [3203(a)(5)] and

Instance 6: The employer failed to provide effective training and instruction regarding the airborne occupational hazard of EtO exposure, its carcinogenicity, including but not limited to, training and instruction on the exposure levels, monitoring results, medical surveillance, symptoms of EtO, chronic effects, and protection. [3203(a)(7)]

Instance 7:

The employer failed to update its IIPP to include materials responsive to section 3203, subdivision (a)(8), which addresses employees' access to the IIPP. [3203(a)(8)].

Date By Which Violation Must be Abated:
Proposed Penalty:

March 02, 2023
\$24300.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Process Safety Management - South Non-
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23

**Citation and Notification of Penalty**

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

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

California Code of Regulations, Title 8, Section 5141. Control of Harmful Exposure to Employees.

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

(b) Administrative Controls. Whenever engineering controls are not feasible or do not achieve full compliance, administrative controls shall be implemented if practicable.

(c) Control by Respiratory Protective Equipment. Respiratory protective equipment, in accordance with Section 5144, shall be used to prevent harmful exposures as follows:

- (1) During the time period necessary to install or implement feasible engineering controls;
- (2) Where feasible engineering controls and administrative controls fail to achieve full compliance; and
- (3) In emergencies.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to prevent employee harmful exposures to Ethylene Oxide (EtO), measured above the action level, PEL and STEL, by ensuring the use of engineering, administrative, and/or respiratory protection controls in the following instances:

Instance 1: According to the laboratory results, employees working at Parter Sterilization Services exposed to EtO above permissible limits; employer failed to install effective engineering controls, such as, local exhaust ventilation in the regulated areas to reduce employee exposure to permissible exposure limits.

Instance 2: Employer failed to ensure the use of respiratory protection, such as SCBAs, by employees entering and working in the regulated areas, such as sterilization chambers, and aeration rooms, whenever engineering controls are not feasible.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 02, 2023
\$121500.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23



Citation and Notification of Penalty

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

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

California Code of Regulations, Title 8, Section 5220. Ethylene Oxide.
Section 5220(c). Ethylene Oxide.

(1) Permissible Exposure Limit (PEL). The employer shall ensure that no employee is exposed to an 8-hour time-weighted average concentration of airborne EtO in excess of one (1) part EtO per million parts of air (1 ppm).

(2) Short Term Exposure Limit (STEL). The employer shall ensure that no employee is exposed to a concentration of airborne EtO in excess of 5 parts of EtO per million parts of air (5 ppm) as averaged over a sampling period of fifteen (15) minutes.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to ensure that employees, Sterilization Technicians, Quality Control, Quality Assurance, Supervisors, and Managers, were not exposed to Ethylene Oxide (EtO) above permissible limits. The EtO reports, obtained from the Advanced Chemical Sensors/ Environmental Sensors Laboratory, and the Division's monitoring results (sampled on 12/16/22), reveal employee exposure to EtO above permissible limits: PEL and STEL.

Date By Which Violation Must be Abated: **March 02, 2023**
Proposed Penalty: **\$121500.00**

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23

**Citation and Notification of Penalty**

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

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

California Code of Regulations, Title 8, Section 5220(d)(3). Ethylene Oxide.

(3) Monitoring Frequency (Periodic Monitoring).

(A) If the monitoring required by subsection (d)(2) reveals employee exposure at or above the action level but not above the permissible exposure limit, the employer shall repeat such monitoring for each such employee at least every 6 months.

(B) If the monitoring required by subsection (d)(2)(A) reveals employee exposure above the permissible exposure limit, the employer shall repeat such monitoring for each such employee at least every 3 months.

(C) The employer may alter the monitoring schedule from quarterly to semiannually for any employee for whom two consecutive measurements taken at listed 7 days apart indicate that the employee's exposure has decreased to or below the permissible exposure limit.

(D) If the monitoring required by subsection (d)(2)(A) reveals employee exposure above the STEL, the employer shall repeat such monitoring for each such employee at least every 3 months, and more often as necessary to evaluate the employee's short term exposures.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to ensure that employees, Sterilization Technicians, Quality Control, Quality Assurance, Supervisors, and Managers, who were exposed to Ethylene Oxide (EtO) above permissible limits were periodically monitored, including, but not limited to the following dates:

On 5/2/2019, employee monitoring report revealed employee exposure to EtO above the permissible exposure limit (PEL).

On 5/30/2019 (about 28 days later), the repeat monitoring report for that same employee indicated decrease in the employee's exposure to EtO below the PEL.

On 2/7/20 (about 9 months later), the repeat monitoring report for that same employee revealed employee exposure to EtO above the PEL.

On 8/11/20 (about 5 plus months later), the repeat monitoring report for that same employee revealed employee exposure to EtO above the PEL.

On 8/18/20 (about 7 days later), the repeat monitoring report for that same employee indicated decrease in the employee's exposure to EtO below the PEL.

On 8/13/21 (about 11 plus months later), the repeat monitoring report for that same employee revealed employee exposure to EtO above the PEL.

On 6/10/22 (about 9 plus months later), the repeat monitoring report for that same employee indicated decrease in the employee's exposure to EtO below the PEL.

On 12/16/22 (about 6 plus months later), the Division's monitoring report for that same employee revealed employee exposure to EtO above the PEL.

Hence, the employer failed to repeat monitoring for each such employee, whose exposure was above PEL, for at least every 3 months, or in the alternative, take two consecutive measurements, taken at least 7 days apart indicate that employee's exposure has decreased to or below the PEL, before altering the monitoring schedule.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 02, 2023
\$20250.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23



Citation and Notification of Penalty

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

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

California Code of Regulations, Title 8, Section 5220. Ethylene Oxide.
Section 5220(d)(7). Ethylene Oxide.

(7) Employee Notification of Monitoring Results.

(A) The employer shall, within 15 working days after the receipt of the results of any monitoring performed under this regulation, notify the affected employee of these results in writing either individually or by posting the results in an appropriate location that is accessible to affected employees.

(B) The written notification required by subsection (d)(7)(A) shall describe the corrective action being taken by the employer to reduce employee exposure to or below the PEL or STEL wherever monitoring results indicated that the PEL and/or STEL has been exceeded.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to notify the affected employees of the actual monitoring results and the corrective action taken by the employer to reduce employee exposure. Employees of the employer, Sterilization Technicians, Quality Control, Quality Assurance, Supervisors, and Managers, were exposed to Ethylene Oxide (EtO) above permissible limits including, but not limited to the following instances:

Instance 1: On May 2, 2019, the employer's monitoring data revealed employee exposure to EtO above permissible limits.

Instance 2: On February 7, 2020, employer's monitoring data revealed employee exposure to EtO above permissible limits.

Instance 3: On August 11, 2020, the employer's monitoring data revealed employee exposure to EtO above permissible limits.

Instance 4: On August 13, 2021, the employer's monitoring data revealed employee exposure to EtO above permissible limits.

Instance 5: On December 16, 2022, the Division's monitoring data revealed and confirmed employee exposure to EtO above permissible limits.

Date By Which Violation Must be Abated:

March 02, 2023

Proposed Penalty:

\$101250.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23

**Citation and Notification of Penalty**

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

Citation 7 Item 1 Type of Violation: **Willful-Serious**

California Code of Regulations, Title 8, Section 5220. Ethylene Oxide.
Section 5220(e). Ethylene Oxide.

(e) Regulated Areas.

- (1) The employer shall establish a regulated area wherever employee exposures may exceed the PEL or can reasonably be expected to exceed the STEL.
- (2) Access to regulated areas shall be limited to authorized persons.
- (3) Regulated areas shall be demarcated in any manner that minimizes the number of employees within the regulated area.
- (4) Regulated areas shall be posted in accordance with subsection (j)(1).

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to establish regulated areas, where employee exposure may exceed the PEL or can reasonably be expected to exceed the STEL. Based on the monitoring results, the concentration of Ethylene Oxide (EtO) in the regulated areas exceeded permissible limits including, but not limited to the following instances:

Instance 1: On 5/2/19, those employees, who entered regulated areas, were monitored for the 8-hour time-weighted average concentration (TWA) by their employer, were exposed to EtO above the permissible exposure limit.

Instance 2: On 2/7/2020, those employees, who entered regulated areas, were monitored for the 8-hour time-weighted average concentration (TWA) by their employer, were exposed to EtO above the permissible exposure limit.

Instance 3: On 8/11/2020, those employees, who entered regulated areas, were monitored for the 8-hour time-weighted average concentration (TWA) by their employer, were exposed to EtO above the permissible exposure limit.

Instance 4: On 2/17/2021, the area sampling for the Short-Term Exposure Limit (STEL) conducted by

the employer in regulated areas, revealed concentrations of EtO exceeding the STEL.
Instance 5: On 3/8/2021, the area sampling for the Short-Term Exposure Limit (STEL) conducted by the employer in regulated areas, revealed concentrations of EtO exceeding the STEL.
Instance 6: On 8/13/2021, those employees, who entered regulated areas, were monitored for the 8-hour time-weighted average concentration (TWA) by their employer, were exposed to EtO above the permissible exposure limit.
Instance 7: On 7/1/2022, the area sampling for the Short-Term Exposure Limit (STEL) conducted by the employer in regulated area, revealed concentrations of EtO at 4.9ppm.
Instance 8: On 12/16/2022, those employees, who entered regulated areas, were monitored for the 8-hour time-weighted average concentration (TWA) by the Division, were exposed to EtO above the permissible exposure limit.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 02, 2023
\$121500.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23

**Citation and Notification of Penalty**

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115.Kingsview Avenue
Carson, CA 90746

Citation 8 Item 1 Type of Violation: **Willful-Serious**

California Code of Regulations, Title 8, Section 5220. Ethylene Oxide.
Section 5220(f)(1). Ethylene Oxide.

(1) Engineering Controls and Work Practices.

(A) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the PEL except to the extent that such controls are not feasible.

(B) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the PEL, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of subsection (g).

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to use adequate engineering controls and work practices to reduce and maintain employee exposure to or below the permissible exposure limit (PEL). Further, air pollution controls, instituted by the employer in October of 2022, were not sufficient to protect employees working in the regulated areas. The employer failed to supplement all the exposed employees using respiratory protection. Due to inadequate engineering controls, work practices, and failure to use a respiratory protection, employees working in the Ethylene Oxide (EtO) sterilization facility were exposed to EtO including, but not limited to the following instances:

Instance 1: On 5/2/2019, employees were exposed to EtO above the permissible exposure limit.
Instance 2: On 2/7/2020, employees were exposed to EtO above the permissible exposure limit.
Instance 3: On 8/11/2020, employees were exposed to EtO above the permissible exposure limit.
Instance 4: On 2/17/2021, the concentration of EtO in the regulated area exceeded the STEL.
Instance 5: On 3/8/2021, the concentration of EtO in the regulated area exceeded the STEL.
Instance 6: On 8/13/2021, employees were exposed to EtO above the permissible exposure limit.
Instance 7: On 7/1/2022, the concentration of EtO in the regulated area was measured to be

4.9ppm.

Instance 8: On 12/16/2022, employees were exposed to EtO above the permissible exposure limit. The personal air sampling was conducted by the Division.

Date By Which Violation Must be Abated:

March 02, 2023

Proposed Penalty:

\$121500.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Inspection #: 1614467
Inspection Dates: 08/05/2022 - 02/03/2023
Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23



Citation and Notification of Penalty

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

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

California Code of Regulations, Title 8, Section 5220(f)(2). Ethylene Oxide.
(2) Compliance Program.

(A) Where the PEL is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the PEL by means of engineering and work practice controls, as required by subsection (f)(1), and by the use of respiratory protection where required or permitted under this section.

(B) The compliance program shall include a schedule for periodic leak detection surveys and, as specified in subsection (h)(1), a written plan for emergency situations.

(C) Written plans for a program required in subsection (f)(2) shall be developed and furnished upon request for examination and copying to authorized representatives of the Chief, the Director, affected employees and designated employee representatives. Such plans shall be reviewed at least every 12 months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(D) The employer shall not implement a schedule of employee rotation as a means of compliance with the PEL or the STEL.

References:

California Code of Regulations, Title 8, Section 3220. Emergency Action Plan.
California Code of Regulations, Title 8, Section 5220(h)(1). Ethylene Oxide.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to establish and implement adequate written program in compliance with this section to reduce employee exposure to or below the PEL.

Due to inadequate engineering controls, work practices, and failure to use a respiratory protection, employees working in the EtO sterilization facility were exposed to EtO including, but not limited to

the following instances:

Instance 1: On May 2, 2019, employees were exposed to EtO above the permissible exposure limit.

Instance 2: On February 7, 2020, employees were exposed to EtO above the permissible exposure limit.

Instance 3: On August 11, 2020, employees were exposed to EtO above the permissible exposure limit.

Instance 4: On February 17, 2021, the concentration of EtO in the regulated area exceeded the STEL.

Instance 5: On March 8, 2021, the concentration of EtO in the regulated area exceeded the STEL.

Instance 6: On August 13, 2021, employees were exposed to EtO above the permissible exposure limit.

Instance 7: On July 1, 2022, the concentration of EtO in the regulated area was measured to be 4.9ppm.

Instance 8: On December 16, 2022, it was confirmed by the Division that employees were exposed to EtO above the permissible exposure limit. The personal air sampling was conducted by the Division.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 02, 2023
\$20250.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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Issuance Date: 02/03/2023
CSHO ID: L0323
Optional Report #: 002-23



Citation and Notification of Penalty

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

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

California Code of Regulations, Title 8, Section 5220(h). Ethylene Oxide.

(1) Written Plan.

(A) A written plan for emergency situations shall be developed for each workplace where there is a possibility of an emergency. Appropriate portions of the plan shall be implemented in the event of an emergency.

(B) The plan shall specifically provide that employees engaged in correcting emergency conditions shall be equipped with respiratory protection as required by subsection (g) until the emergency is abated.

(C) The plan shall include the elements prescribed by Section 3220, Emergency Action Plan, and Section 3221, Fire Prevention Plan.

(2) Alerting Employees. Where there is the possibility of employee exposure to EtO due to an emergency, means shall be developed and provided to promptly alert potentially affected employees upon such occurrences. Affected employees not engaged in correcting the emergency conditions shall be immediately evacuated from the area and shall not be permitted to return until the emergency is abated.

References:

California Code of Regulations, Title 8, Section 5221. Fumigation General.

(a) Wherever a poisonous gas or a substance giving rise to a poisonous gas is used for fumigation, at least two people shall be present at all times, and each person shall be provided with respiratory equipment approved as protection against the gas being used

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to develop a written plan to be used in emergency for employees working at Parter Sterilization Services. Further, the employer did not have any means, such as methods and/or procedures, to promptly alert potentially affected employees during EtO emergencies, especially,

when requiring only one employee to work and enter regulated areas during the night shift.

Date By Which Violation Must be Abated:

March 02, 2023

Proposed Penalty:

\$20250.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
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CSHO ID: L0323
Optional Report #: 002-23



Citation and Notification of Penalty

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

Citation 11 Item 1 Type of Violation: **Willful-Serious**

California Code of Regulations, Title 8, Section 5220. Ethylene Oxide.
Section 5220(i). Ethylene Oxide.

(i) Medical Surveillance.

(1) General.

(A) The employer shall institute a medical surveillance program for all employees who are or may be exposed to EtO at or above the action level, without regard to the use of respirators, for at least 30 days a year.

[...]

(2) Frequency of Medical Examinations and Consultations. The employer shall make medical examinations and consultations available to each employee covered under subsections (i)(1)(A) and (B) on the following schedules:

(A) Prior to assignment of the employee to an area where exposure may be at or above the action level for at least 30 days a year.

(B) At least annually for each employee exposed at or above the action level for at least 30 days in the preceding year.

(C) At termination of employment or upon reassignment to an area where employee exposure is not at or above the action level for at least 30 days a year.

[...]

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to institute a medical surveillance program (ensuring medical examinations and consultations) for all employees who are or may be exposed to ethylene oxide (EtO) at or above the action level, including, but not limited to the following instances:

Instance 1: On 5/30/2019, employees were exposed to EtO above the action level.

Instance 2: On 2/7/2020, employees were exposed to EtO above the action level.

Instance 3: On 8/11/2020, employees were exposed to EtO above the action level.
Instance 4: On 8/13/2021, employees were exposed to EtO above the action level.

Date By Which Violation Must be Abated:	March 02, 2023
Proposed Penalty:	\$101250.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Process Safety Management - South Non-Refinery
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Citation and Notification of Penalty

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
and its successors
Inspection Site: 17115 Kingsview Avenue
Carson, CA 90746

Citation 12 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8, Section 5220(j). Ethylene Oxide.

(j) Communication of Hazards.

(1) Hazard communication - general.

(A) Chemical manufacturers, importers, distributors and employers shall comply with all requirements of the Hazard Communication Standard (HCS) (Section 5194) for EtO.

(B) In classifying the hazards of EtO at least the following hazards are to be addressed: Cancer; reproductive effects; mutagenicity; central nervous system; skin sensitization; skin, eye and respiratory tract irritation; acute toxicity effects; and flammability.

(C) Employers shall include EtO in the hazard communication program established to comply with the HCS (Section 5194). Employers shall ensure that each employee has access to labels on containers of EtO and to safety data sheets, and is trained in accordance with the requirements of HCS and subsection (j)(3) of this section.

(2) Signs and Labels.

(A) Signs.

1. The employer shall post and maintain legible signs demarcating regulated areas and entrances or access ways to regulated areas that bear the following legend:

DANGER

ETHYLENE OXIDE

MAY CAUSE CANCER

MAY DAMAGE FERTILITY OR THE UNBORN CHILD

RESPIRATORY PROTECTION AND PROTECTIVE CLOTHING MAY BE REQUIRED IN THIS AREA

AUTHORIZED PERSONNEL ONLY

2. Prior to June 1, 2016, employers may use the following legend in lieu of that specified in subsection

(j)(2)(A)1. of this section:

DANGER

ETHYLENE OXIDE

CANCER HAZARD AND REPRODUCTIVE HAZARD

AUTHORIZED PERSONNEL ONLY

RESPIRATORS AND PROTECTIVE CLOTHING MAY BE REQUIRED TO BE WORN IN THIS AREA

(B) Labels.

1. The employer shall ensure that precautionary labels are affixed to all containers the contents of which are capable of causing employee exposure at or above the action level, or the contents of which may reasonably be foreseen to cause employee exposure above the excursion limit and that the labels remain affixed when the containers leave the workplace. For the purposes of this subsection (j)(2)(B), reaction vessels, storage tanks and pipes or piping systems are not considered to be containers.

2. Prior to June 1, 2015, employers may include the following information on containers of EtO in lieu of the labeling requirements in subsection (j)(1)(A) of this section:

a. DANGER

CONTAINS ETHYLENE OXIDE

CANCER HAZARD AND REPRODUCTIVE HAZARD;

b. A warning statement against breathing airborne concentrations of EtO.

(C) The labeling requirements under this section do not apply where EtO is used as a pesticide, as such term is defined in the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C.136 et seq.), when it is labeled pursuant to that Act and regulations issued under that Act by the Environmental Protection Agency.

(3) Information and Training.

(A) The employer shall provide employees who are potentially exposed to EtO at or above the action level with information and training on EtO at the time of initial assignment and at least annually thereafter.

(B) Employees shall be informed of the following:

1. The requirements of this regulation with an explanation of its contents, including Appendices A and B;

2. All operations in their work area where EtO is present;

3. The location and availability of this regulation within the workplace; and

4. The medical surveillance program required by subsection (i) with an explanation of the information in Appendix C.

(C) Employee training shall include at least:

1. Methods and observations that may be used to detect the presence or release of EtO in the work area (such as monitoring conducted by the employer, continuous monitoring devices, etc.);

2. The physical and health hazards of EtO;

3. The measures employees can take to protect themselves from hazards associated with EtO exposure, including specific procedures the employer has implemented to protect employees from exposure to EtO, such as work practices, emergency procedures, and personal protective equipment to be used; and

4. The details of the hazard communication program developed by the employer in accordance with Section 5194, including an explanation of the labeling system and how employees can obtain and use the appropriate hazard information.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on August 5, 2022, the employer failed to comply with the requirements of subsection 5220(j) in the following instances:

Instance 1: the employer failed to post and maintain legible signs demarcating regulated areas and entrances or access ways to regulated areas [5220(j)(2)]

Instance 2: the employer failed to provide to all employees, who are potentially exposed to Ethylene

Oxide (EtO), with training, instructions following the requirements of T8 CCR 5220, including Appendices A & B, the medical surveillance program requirements, and measures employees can take to protect themselves from hazards associated with EtO exposure [5220(j)(3)]

Employees working at EtO sterilization facility aka Parter Sterilization Services, a division of Parter Medical Products, Inc., have been exposed to EtO based on both the employer's and the Division's monitoring data:

On 5/2/2019, employees were exposed to EtO above the permissible exposure limits, sampled by the employer.


On 2/7/2020, employees were exposed to EtO above the permissible exposure limits, sampled by the employer.

On 8/11/2020, employees were exposed to EtO above the permissible exposure limits, sampled by the employer.

On 8/13/2021, employees were exposed to EtO above the permissible exposure limits, sampled by the employer.

On 12/16/2022, employees were exposed to EtO above the permissible exposure limits, sampled by the Division.

Date By Which Violation Must be Abated:	March 02, 2023
Proposed Penalty:	\$20250.00


Robert Salgado
Compliance Officer / District Manager

State of California
 Department of Industrial Relations
 Division of Occupational Safety and Health
 Process Safety Management - South Non-Refinery
 2 MacArthur Place, Suite 810
 Santa Ana, CA 92707
 Phone: (714) 558-4600 Fax: (714) 558-4614



NOTICE OF PROPOSED PENALTIES

Company Name: Parter Medical Products, Inc.
Establishment DBA: Parter Sterilization Services
 and its successors
Inspection Site: 17115 Kingsview Avenue, Carson, CA 90746
Mailing Address: 17015 Kingsview Avenue, Carson, CA 90746
Issuance Date: 02/03/2023
Reporting ID: 0950674
CSHO ID: L0323

Summary of Penalties for Inspection Number 1614467

Citation 1 Item 1, Willful Regulatory	\$11250.00
Citation 1 Item 2, Willful Regulatory	\$11250.00
Citation 1 Item 3, Willful General	\$13500.00
Citation 1 Item 4, Regulatory	\$2250.00
Citation 1 Item 5, General	\$2250.00
Citation 1 Item 6, General	\$2250.00
Citation 1 Item 7, General	\$2250.00
Citation 2 Item 1, Serious	\$24300.00
Citation 3 Item 1, Willful-Serious	\$121500.00
Citation 4 Item 1, Willful-Serious	\$121500.00
Citation 5 Item 1, Serious	\$20250.00
Citation 6 Item 1, Willful-Serious	\$101250.00
Citation 7 Item 1, Willful-Serious	\$121500.00
Citation 8 Item 1, Willful-Serious	\$121500.00
Citation 9 Item 1, Serious	\$20250.00
Citation 10 Item 1, Serious	\$20250.00
Citation 11 Item 1, Willful-Serious	\$101250.00
Citation 12 Item 1, Serious	\$20250.00
TOTAL PROPOSED PENALTIES:	\$838800.00

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 electronically: Please have this form on-hand when you are ready to make your payment. The company name, 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/CalOSHA_PaymentOption.html to access the secure payment processing site. Additionally, you must also mail the Penalty Remittance Form to the address below.

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
CAL/OSHA PENALTIES
P. O. BOX 516547
LOS ANGELES, CA 90051-0595**

Cal/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions or endorsements do not exist.

DEPARTMENT OF INDUSTRIAL RELATIONS
 DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA
 Accounting Office - Cashiering Unit
 Phone (415) 703-4310 or (415) 703-4308

PENALTY REMITTANCE FORM

CIVIL PENALTY INFO	INSPECTION NO.: 1614467	REPORTING ID: 0950674	
COMPANY NAME:	Parter Medical Products, Inc.	FEIN/SEIN:	330034940
ESTABLISHMENT DBA:	Parter Sterilization Services		
CONTACT PERSON:	Hormoz Foroughi		
PHONE NO.:	(310) 327-4417	FAX NO.:	(310) 327-8601
SITE ADDRESS:	17115 Kingsview Avenue, Carson, CA 90746		
MAILING ADDRESS:	17015 Kingsview Avenue, Carson, CA 90746		
CITATION INFORMATION:			
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.			
PAYMENT INSTRUCTIONS:			
For check or money order: please make check or money order payable to Department of Industrial Relations. Write the inspection number and total amount enclosed on the payment coupon below and on the check or money order. For credit card or EFT payment, go to: www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html			

----- Detach here and return bottom portion with check or money order payment -----

PAYMENT COUPON



Inspection No.: 1614467

Amount Enclosed: \$ _____

Mail payment to:

DEPARTMENT OF INDUSTRIAL RELATIONS
 CAL/OSHA PENALTIES
 P.O. BOX 516547
 LOS ANGELES, CA 90051-0595

For credit card or EFT payment, go to:
www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html