

JOE LOMBARDO
Governor

TERRY REYNOLDS
Director

STATE OF NEVADA



VICTORIA CARREÓN
Administrator

PERRY FAIGIN
Deputy Administrator

**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**NOTICE OF PUBLIC MEETING
of the
ADVISORY COUNCIL OF THE DIVISION OF INDUSTRIAL RELATIONS
April 4, 2023
10:00 a.m.**

You are hereby given notice that the Advisory Council of the Division of Industrial Relations of the Department of Business and Industry, State of Nevada (Advisory Council) will conduct a public meeting on Tuesday, April 4, 2023 at 10:00 a.m. This meeting will be held at the following locations, via WebEx, and by phone:

**Division of Industrial Relations
400 West King Street, Suite 400
Carson City, NV 89703**

**Division of Industrial Relations
3360 West Sahara Ave, Suite 250
Las Vegas, NV 89102**

WebEx Access:

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=m440ca2ad9d4658d62f9f7785a71e1882>

To Join by Phone:

1-415-655-0001

Access Code: 2458 424 2154

Meeting Password: **ppH5AzN2Kh8**

NOTICE

1. Items listed on the Agenda may be taken out of order;
2. Two or more items on the Agenda may be combined;
3. Items of the Agenda may be removed or delayed at any time; and
4. Public comment may be limited to two (2) minutes per speaker in the discretion of the chair. No action may be taken on any matter raised during public comment. Public comment will not be restricted based on viewpoint, but must be relevant to, and within, the authority of the Advisory Council.

AGENDA

1. Call to Order; Roll Call; Introduction of Advisory Council members (Secretary); and establishment of a quorum.
2. Public Comment (*see* Notice 4) (Chair)
3. **FOR POSSIBLE ACTION:** Approval of Minutes from the February 21, 2023 meeting (Chair)

CARSON CITY
400 West King Street
Suite 400
Carson City, NV 89703
(775) 684-7270

LAS VEGAS
3360 West Sahara Avenue
Suite 250
Las Vegas, NV 89102
(702) 486-9080

4. **FOR DISCUSSION:** Division of Industrial Relations Activity Update (DIR Staff)
5. **FOR DISCUSSION:** Regulations Update (Christopher Eccles, Brennan Paterson, William Gardner, and Valerie Hall)
 - a) Mechanical Compliance Section
 - 1) [R034-21RP2](#)– Clean-up regulation, including certification requirements to do construction and alterations on an elevator and timeline for compliance with safety requirements.
 - b) OSHA
 - 1) [R053-20RA](#)– Heat Illness
 - c) Workers’ Compensation
 - 1) [R134-20RA](#) – Workers’ Compensation SB381 changes from 2019 Legislative Session
 - 2) [R032-21RP3](#) – Workers’ Compensation SB289 changes from 2021 Legislative Session
 - 3) [Temporary Regulation](#) on Lump Sum Permanent Partial Disability Payments
 - d) Status of regulations review required by Executive Order [2023-003](#)
6. **FOR DISCUSSION:** Legislative Update (Christopher Eccles)
7. **FOR DISCUSSION:** Review and comments on OSHA quarterly complaint report for October – December 2022 (NRS 618.336 and NRS 232.600) (William Gardner)
8. **FOR DISCUSSION:** Review of OSHA quarterly report on violations of NRS 618.375 for October- December 2022 (NRS 618.347) (William Gardner)
9. **FOR DISCUSSION:** Discussion of items requested for follow-up from the January 10, 2023 meeting:
 - a) City of Sparks firefighter staffing and safety concerns (William Gardner)
10. **FOR DISCUSSION:** Agenda items for next scheduled meeting. (Chair)
11. **FOR POSSIBLE ACTION:** Discussion on possible investigations or studies to be conducted (NRS 232.600). (Chair)
12. Public Comment (*see* Notice 4) (Chair)
13. Adjournment. (Chair)

Any person with a disability as defined by the Americans with Disabilities Act who requires special assistance to participate in the meeting may contact, at least five (5) business days prior to the meeting, Marisa Santizo by emailing ADACoordinator@dir.nv.gov, or by calling (702) 486-9100 to arrange for reasonable accommodations.

Copies of the supporting (not privileged and confidential) material may be obtained upon request by emailing MSantizo@dir.nv.gov, calling Marisa Santizo at (702) 486-9100, or mailing a request to the Division of Industrial Relations, 3360 West Sahara Avenue, Suite 250, Las Vegas, NV 89102, Attention Marisa Santizo.

This Notice and Agenda has been posted at the following locations:

- Division of Industrial Relations, 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102
- Division of Industrial Relations, 400 West King Street, Suite 400, Carson City, Nevada 89703

This Notice and Agenda has also been posted at the following website addresses:

- Division of Industrial Relations Notice of Meeting at <http://dir.nv.gov/meetings/meetings>
- Nevada Public Notices at <https://notice.nv.gov>

DIVISION OF INDUSTRIAL RELATIONS ADVISORY COUNCIL
Minutes of the Meeting, Tuesday, February 21 ,2023

1. Call to Order and Roll Call

At 11:00 a.m. on February 21, 2023, the meeting of the Advisory Council for the Division of Industrial Relations (DIR) via videoconference between Las Vegas DIR and Carson DIR office was called to order by chairman Paul McKenzie. Roll Call was taken by Marisa Santizo. The board members present in the Carson City office were Robert Benner, and Vince Saavedra. Paul McKenzie, Maureen Ostby, Jeff Seavey, and Ian Langtry attended via WebEx. It was determined a quorum was present.

DIR staff present at the Las Vegas Office were Victoria Carreon, Valerie Hall, Todd Schultz, Christopher Eccles, Brennan, Paterson, William Gardner, and Marisa Santizo. Rodney Neils, attended in the Carson City office. Sam Taylor from the Attorney General's Office attended via WebEx.

2. Public Comment on items to which actions may be taken

No items for public comment were raised.

3. Approval of Minutes of Previous Meeting – January 10, 2023. Vince Saavedra made a motion to approve the minutes of the January 10, 2023, meeting as presented. Robert Benner seconded the motion. The motion was approved unanimously.

4. FOR DISCUSSION: Discussion and recommendations to the Division of Industrial Relations on regulations under its jurisdiction that could be streamlined, clarified, reduced, or otherwise improved for the general welfare of the State without unnecessarily inhibiting economic growth. (Executive Order 2023-03(2)).

The Advisory Council was provided with a list of all the statutes and NAC chapters that cover the Division. The Advisory Council had no recommendations at this time.

5. FOR DISCUSSION: Discussion and recommendations to the Division of Industrial Relations regarding regulations under its jurisdiction that could be removed and to rank them in descending order or priority. (Executive Order 2023-03(2)).

Chairman Paul McKenzie asked if all regulations are required by NRS. Division Counsel Christopher Eccles explained that there are general enabling statutes that give the division authority to make regulations within the scope of each section here at DIR. He also explained how some regulations can become duplicative and outdated and how they can be removed if needed while still being faithful to enabling statute that gave authority to make regulations. Advisory council member Robert Benner asked what the process was to remove regulations and if the public will have an option to give recommendations as well. Administrator, Victoria Carreon explained that the executive order from Governor Joe Lombardo outlines the process the agency will have to go through. By May 1, 2023 the agency must provide a report and hold a public hearing where they will receive input on recommendations regarding regulations to be improved or removed. The public hearing will have a fifteen-day notice and will be sent to stakeholders and the public will be able to comment on the Division of Industrial Relations recommendations. Chairman Paul McKenzie recommended that the Division of Industrial

Relations staff move forward looking for duplicate and outdated regulations, along with any regulations not required by NRS. The Advisory Council had no other recommendations at this time.

6. Public Comment (Chair)

No items for public comment were raised.

7. Adjournment:

Motion to adjourn at 11:45 am by Robert Benner and seconded by Vincent Saavedra.

DRAFT

WORKING TOGETHER TO PUT SAFETY AND HEALTH FIRST IN NEVADA



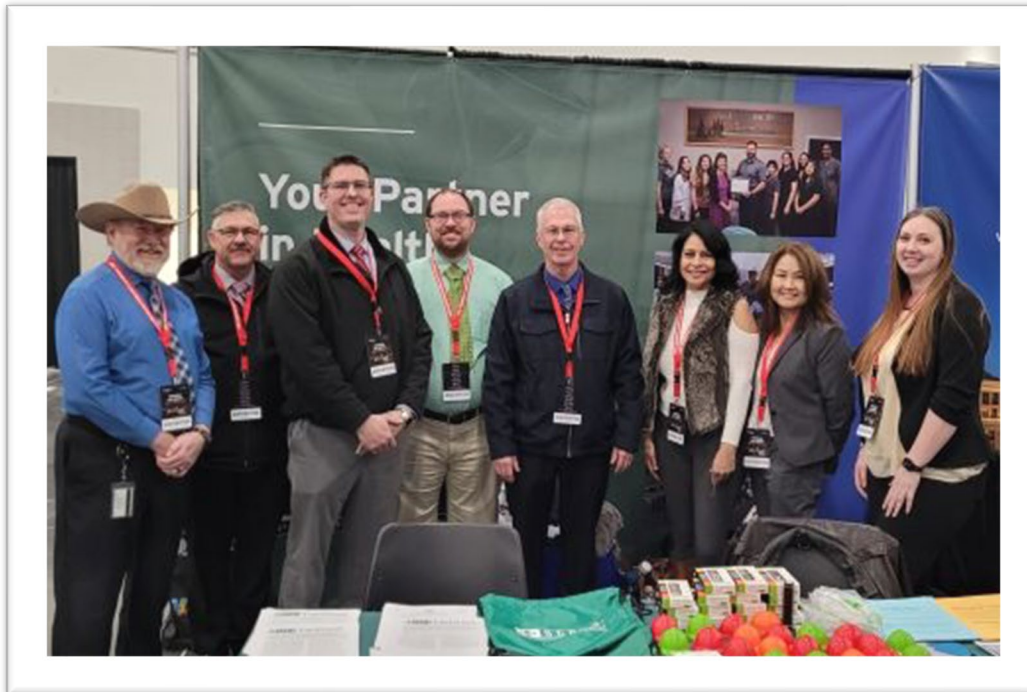
Division of Industrial Relations

ADVISORY COUNCIL MEETING

TUESDAY, APRIL 04, 2023



Item 4: DIR Administrator's Activity Update- Victoria Carreon



*OSHA and SCATS staff at
Penta 16th Annual Safety Kick-Off- 3/1/2023*

- **Legislative Session**
 - Budget Enhancements
 - CARDS enhancements
 - New positions
 - Salary increases and bonuses for state staff
 - Major Legislation
- **Regulations**
- **Outreach and Training**
- **Recruitment**
- **Veteran Employee of the Month**



Item 4: Mechanical Compliance Section Activity Update- Brennan Paterson

Major Accomplishments 2022-2023

- Pressure vessel enforcement efforts have identified several thousand microbulk gas storage tanks installed illegally in Nevada, often without required safety systems. The MCS has brought several of the companies responsible for these installations into compliance agreements, and these pressure vessels are on their way to safety.
- The MCS has identified over 500 stairway chairlifts in Nevada which were poorly installed by unlicensed contractors and without installation permits. Efforts are underway to ensure that the users of these lifts can enjoy them safely and legally.
- Elevator safety enforcement efforts have resulted in the installation of needed safety equipment on thousands of elevators statewide, bringing many elevators into compliance with code requirements.



Microbulk gas storage tank.



Item 4: Mine Safety and Training Section Activity Update - Rodney Neils

- **Major Accomplishments in 2022**

- Completed a total of 440 Safety Inspections
- Identified and eliminated over 754 worksite hazards
- Provided over 1134 Consultations
- Completed 757 requests for Technical Assistance

- **Training Highlights in 2022**

- Instructors provided over 552 hours of classroom instruction
- New Miners Trained – 388
- Annual Refresher Miners Trained – 1022
- Instructors Trained - 27



Item 4: Occupational Safety and Health Administration Activity Update- William Gardner



Crane at Fontainebleau Project



OSHA Training Institute (OTI) Crane Course

- Training Highlights
 - OTI 2050 Cranes in Construction
 - OTI 1231 Accident Investigations
 - OTI 1311 Investigative Interviewing Techniques
 - PSM 3400: Process Safety Management
- Outreach Highlights
 - Hammers for Hope – Women in Construction
 - IBEW Local 401 – Foreman Training
 - ASSP – Eyewash Regulation Outreach



Item 4: Safety Consultation and Training Section Activity Update- Todd Schultz

Major Accomplishments in FY 2023

- Completed a total of 400 Safety and Health Consultations
- Identified over 2,208 serious hazards
- SHARP – four new businesses entered Pre-SHARP
- VPP – two employers working toward certification

Training Highlights in FY 2023

- SCATS provided 742 hours of safety and health training
- SCATS Training has updated 19 programs



*Nevada Professional Facility Managers Association Meeting – Heat Stress
3/9/23*



Self Inspections 12 weeks to a safer workplace – Las Vegas 2/23/23



Item 4: Workers' Compensation Section Activity Update- Valerie Hall

- Annual Report of Compliance Audits of Workers' Compensation Insurers submitted to the Nevada Legislature February 24, 2023.
 - 605 claims reviewed from 39 private carriers and 50 self-insured employers.
 - The objectives of the audits are to identify and correct violations of statutes and regulations relating to the rights and benefits of injured employees, and to determine if procedures are in place to ensure injured employees receive all benefits to which they are entitled in a timely manner.
- The Workers' Compensation Educational Conference Committee has begun planning the 11th annual conference to be held September 7 – 8, 2023.
- Contracts for actuarial services and uninsured claims administration are pending final approval.
- 1,883 WC policy investigations conducted in February, resulting in the issuance of 89 Stop Work Orders.
- 140 Notices of Violation issued for non-compliance with WC coverage requirements in February, resulting in administrative fines of \$95,442.



Item 5: Regulations Update

a) Mechanical Compliance Section

- 1) [R034-21RP2](#) – Clean-up regulation, including certification requirements to do construction and alterations on an elevator and timeline with compliance with safety.

b) OSHA

- 1) [R053-20RA](#) – Heat Illness

c) Workers' Compensation

- 1) [R134-20RA](#) – Workers' Compensation SB381 changes from 2019 Legislative Session
- 2) [R032-21RP3](#) – Workers' Compensation SB289 changes from 2021 Legislative Session
- 3) [Temporary Regulation](#) on Lump Sum Permanent Partial Disability Payments

d) Status of regulations review required by Executive Order [2023-003](#)



Item 6: Legislative Update- Workers' Comp Christopher Eccles

- **AB165:** Lump Sum Permanent Partial Disability Payments
 - Approved by Governor Lombardo on 3/22/2023
 - Provisions apply retroactively from 7/1/2017 to any injury incurred on or after same date
 - Allows claimants injured on or after 7/1/2017, who incur a disability that does not exceed 30% to receive compensation in a lump sum
- **AB441**
 - Expands ability to do claims administration outside Nevada
 - Requires DIR to publish quarterly and annual reports on rating physicians
 - Ends DIR's jurisdiction over Benefit Penalty complaints after 90 days
- **SB274:** Benefit Penalty Increases; Negligence and Bad Faith
 - Hearing before Senate Committee on Commerce and Labor on 3/29/2023
 - Fiscal Note





Item 6: Legislative Update- OSHA Christopher Eccles

- **SB427:** Workplace safety standards for exposure to heat and poor air quality
 - Requires employers to include the following in their written safety program
 - Heat – 95 degrees Fahrenheit; outdoors or in an indoor setting without climate control
 - Air Quality – EPA AQI value of 201 or greater



Item 7: OSHA Complaint Report -William Gardner

- See supplemental material.

Item 8: OSHA quarterly report on violations of NRS 618.375 for October- December 2022 (NRS 618.347)– William Gardner



- See supplemental material.



Item 9: Discussion of items requested for follow-up from the January 10, 2023, meeting– William Gardner

a) City of Sparks firefighter staffing and safety concerns



State of Nevada

Division of Industrial Relations

Occupational Safety & Health Administration

COMPLAINT LOG SUMMARY FY2023 - Quarter 2

October - December 2022

| Number Complaints Received Las Vegas - Reno | Number Phone/Hotline Complaints Received | Number In-person Complaints Received | Number Inspections Conducted | Number No Inspections Conducted | Cases Open |
|--|--|--------------------------------------|------------------------------|---------------------------------|------------|
| 96 | 94 | 2 | 8 | 86 | 2 |

| Safety | Health | Both Safety / Health | N/A |
|--------|--------|----------------------|-----|
| 51 | 34 | 11 | 0 |

| INITIAL VIOLATION TYPE | |
|------------------------|---|
| Serious | 0 |
| Regulatory Notices | 0 |
| OTS | 0 |
| Willful-Serious | 0 |
| INITIAL PENALTY | |
| \$0.00 | |

| FY COMPARISON TOTALS | |
|----------------------|-----|
| FY23 | 96 |
| FY22 | 148 |
| FY21 | 205 |
| FY20 | 583 |
| FY19 | 176 |

State of Nevada
Department of Industrial Relations
Occupational Safety and Health Administration
Complaint Logs October to December 2022

Item 7

| UPA # | Establishment Name | DBA | UPA Receipt Date | Receipt Type | Letter of Inquiry | Inspection | UPA Open/Closed | Severity-Subject | Hazard Desc & Location | Inspection Results/Comments |
|-----------|---------------------------|-----|------------------|--------------|-------------------|------------|-----------------|-------------------|---|-----------------------------------|
| C-1954770 | ALL OCCASION RENTALS INC. | | 10/06/2022 | Phone | Y | N | Closed | S-Health;S-Safety | Located inside the warehouse: 1. Electrical panels are blocked with rental equipment and other materials. 2. Multiple open electrical junction boxes. 3. Walkways are routinely blocked forcing employees to climb around or over equipment to maneuver. 4. Gas cans are improperly stored creating a potential fire hazard. 5. Various bottles of chemicals without labels. 6. Warehouse is often in disarray with poor housekeeping. | Resolved through inquiry process. |
| C-1955384 | HUMBOLDT GENERAL HOSPITAL | | 10/07/2022 | Phone | Y | Y | Closed | S-Health;S-Safety | 1. On 10/04/2022 at 11:15am in the Respiratory Therapy office, an employee slapped the complainant on the back and yelled at the complainant. | \$0.00 |
| C-1955550 | SMITH'S FOOD AND DRUG | | 10/10/2022 | Phone | Y | N | Closed | S-Health | 1. On 10/9/2022, an employee was required to work while having a medical condition that caused bleeding mixed with sweat to drip onto some grocery items and on the floor potentially exposing employees to the hazards of Bloodborne Pathogens. | Resolved through inquiry process. |
| C-1956008 | Cortez General Store | | 10/11/2022 | Phone | Y | N | Closed | S-Health | 1. Employees do not have access to toilet facilities while working. | Resolved through inquiry process. |
| C-1957296 | RC Willey | | 10/13/2022 | Phone | Y | N | Closed | O-Health | 1. Inside the Retail Store, the employer installed approximately Five (5) Scent Machines/Diffusers to provide pleasant fragrances inside the store. Employees are experiencing irritation to their throat and sinuses and are concerned about other potential health effects. | Resolved through inquiry process. |
| C-1957683 | BALLY'S LAKE TAHOE | | 10/14/2022 | Phone | Y | N | Closed | S-Safety | 1. The employers fire sprinkler system is not operable. 2. Extension cords are creating a tripping hazard on the casino floor. 3. Emergency exits are blocked in the Sierra restaurant. | Resolved through inquiry process. |
| C-1959602 | UPS | | 10/20/2022 | Phone | Y | N | Closed | S-Health;S-Safety | 1. Located by dock door #20 on the east wing, there is a 4 inch x 4 foot long hole in the floor creating a tripping hazard for employees. 2. Located by dock door #9, employees loading trailers and the dock to trailer transition egress is uneven creating a tripping hazard. One employee hit his head in this area on 10/20/22 and was taken by ambulance to the hospital to get checked out. 3. Located by dock door #10, a man door has been converted into a dock door and there is no chain or guardrail up to prevent employees from falling out of the door. 4. Located in the office, there is no heater or air conditioning available. Employees have complained of working under heat stress. | Resolved through inquiry process. |
| C-1959887 | ELIXIR SUPERFOOD & JUICE | | 10/20/2022 | Phone | Y | N | Closed | S-Safety | 1. The employer is not maintaining work areas (food line, smoothie line, dishwashing area) in a dry condition, employees are slipping and falling. False floors, platforms, and slip resistant mats are not provided. 2. On 10/11/22, an employee slipped and fell causing injuries to her wrist and knee. The employee was not hospitalized. | Resolved through inquiry process. |

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|-----------|-------------------------------------|--------|------------------|--------------|-------------------|------------|-----------------|-------------------|---|-----------------------------------|
| C-1960525 | SIERRA WELL | | 10/24/2022 | Phone | Y | N | Closed | O-Health | 1. There are rodent droppings under associate's desks in the show room area and under the refrigerators. 2. There is a strong odor of rodent urine coming from the vents when the HVAC (furnace) system comes on. | Resolved through inquiry process. |
| C-1961621 | THE AMES COMPANIES, INC. | | 10/26/2022 | Phone | Y | N | Closed | O-Safety | 1. The employer requires employees to wear safety glasses but does not provide glasses to employees creating eye related injury hazards. | Resolved through inquiry process. |
| C-1962189 | CUSTOM INK, LLC | | 10/27/2022 | Phone | Y | N | Closed | O-Health | 1. The employer is not maintaining the workplace to prevent the entrance or harborage of insects in the facility, employees are over whelmed with the harboring of flies in the breakroom and on the production floor. | Resolved through inquiry process. |
| C-1962985 | EXPRESS MESSENGER SYSTEMS INC | ONTRAC | 10/31/2022 | Phone | Y | N | Closed | O-Health | 1. Not enough bathrooms provided based on the number of current employees. | Resolved through inquiry process. |
| C-1967674 | THE CLUB AT ARROWCREEK | | 11/10/2022 | Phone | Y | N | Closed | S-Safety | 1. Employees operating a wood chipper without the benefit of being trained. 2. Employees are being allowed to work near an excavator and are being exposed to struck-by hazards. | Resolved through inquiry process. |
| C-1967797 | EINSTEIN BROS BAGELS | | 11/14/2022 | Phone | Y | N | Closed | O-Health;O-Safety | 1. Facility roof is leaking and employees have become ill from the contaminated water that dripped on them. 2. Employees exposed to slip hazards from standing water. | Resolved through inquiry process. |
| C-1970416 | D & D ROOFING AND SHEET METAL, INC. | | 11/21/2022 | In person | Y | N | Closed | S-Safety | At the site location, the following hazards were reported: 1. The employer does not require the use of hardhats where overhead hazards exist, exposing employees to struck-by hazards. | Resolved through inquiry process. |
| C-1972287 | KYND CANNABIS COMPANY | | 11/29/2022 | Phone | Y | N | Closed | O-Safety | 1. There is water and ice on the floor of the extraction freezer, causing a potential slip hazard. | Resolved through inquiry process. |
| C-1972470 | PETSMART LLC | | 11/29/2022 | Phone | Y | N | Closed | S-Safety | At the location the following hazards were reported: 1. Janitorial staff employees are not properly trained to minimize exposure to the hazards associated with the work environment and are being exposed to struck-by hazards created by forklifts and other machinery. 2. Janitorial staff employees are being directed to move wooden pallets and other heavy objects without the benefit of proper foot protection, and are being exposed to potential foot injuries. | Resolved through inquiry process. |
| C-1972509 | American Musical Supply | | 11/29/2022 | Phone | Y | Y | Closed | S-Safety | 1. Throughout the warehouse, shipping, and receiving areas, employees are being allowed to operate forklifts and order pickers without the benefit of being trained. 2. Supervisors are not enforcing the use of personal protective equipment such as harnesses when employees use order pickers to retrieve merchandise from racks and exposed to falls greater than 4 feet. 3. Pallets with merchandise are being stored haphazardly on racks exposing employees to struck-by hazards. | \$0.00 |

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| C-1972935 | T.J. MAXX & HOMEGOODS | | 11/30/2022 | Phone | Y | N | Closed | S-Safety | At the location the following hazards were reported: 1. Located in the back storage area, aisleways are blocked with boxes and pallets. These aisleways lead to emergency exits creating hazards for employees that require emergency egress. 2. Located in the storage area, emergency exit doorways are blocked with boxes and products that restrict or prevent access to emergency egress. 3. Located in the storage area, boxes are stacked in excess of 15 feet in height. Employees had been struck-by boxes when stacks are bumped. 4. Located in the storage area, housekeeping is poor, trip hazards are throughout the walking working surfaces. | Resolved through inquiry process. |
| C-1973179 | CHEWY FULFILLMENT CENTER | | 12/01/2022 | Phone | Y | Y | Closed | S-Health;S-Safety | 1. Employees are driving powered industrial trucks recklessly. 2. Forklift crash occurred on 11/27/2022. 3. Employees are symptomatic with Covid-19 and continuing to work exposing other employees. | \$0.00 |
| C-1973253 | WASHOE COUNTY SCHOOL DISTRICT - GALENA HIGH SCHOOL | | 12/01/2022 | Phone | Y | Y | Closed | S-Health | 1. Located in the 100 hallway, in rooms 108 and 106, the air quality is suspect, two employees have reported reactions while working in the classroom. Employees are being exposed to mold contamination and inhalation hazards. | \$0.00 |
| C-1973375 | Family Dollar | | 12/01/2022 | Phone | Y | N | Closed | S-Safety | The main lights at the establishment have not been operational for about 6 weeks. The only lighting being used is temporary/emergency lighting. | Resolved through inquiry process. |
| C-1973612 | SANTA ROSA CHEVRON GAS STATION | | 12/02/2022 | Phone | Y | N | Closed | S-Safety | 1. Located in the store, the emergency exit door and aisleway are blocked. The aisleway inside the store is routinely blocked with dry goods, boxes and crates of sodas. The exterior emergency exit door is blocked with pallets that will not allow the door to open in an emergency. | Resolved through inquiry process. |
| C-1973844 | T.J. MAXX | | 12/02/2022 | Phone | Y | N | Closed | S-Health;S-Safety | 1. Employees in the stock room are reporting the following symptoms; dizziness, disorientation, nausea, stomach aches, headache and elevated heart rate. 2. Chemicals used in the facility are not labeled. 3. Fire escape is blocked. 4. Mouse droppings present in the stock room. | Resolved through inquiry process. |
| C-1974722 | ALS GEOCHEMISTRY | | 12/06/2022 | Phone | Y | N | Closed | S-Health | 1.The building smells like natural gas during the night shift from running samples in the ovens overnight. Employees are experiencing symptoms including; lightheadedness. | Resolved through inquiry process. |
| C-1974763 | SECURITAS SECURITY SERVICES USA | | 12/06/2022 | Phone | Y | N | Closed | S-Health;S-Safety | 1. Employees are not being provided with copies of OSHA 300 logs when requested. 2. OSHA 300 logs are not being filled out by employer. | Resolved through inquiry process. |
| C-1974903 | NEVADA DRUG & ALCOHOL TESTING, INC. | | 12/06/2022 | Phone | Y | Y | Open | O-Health;S-Safety | 1. Tiles in the bathroom are in poor repair and are a tripping hazard. 2. Facility is not being maintained clean. Facility is soiled with debris and dead bugs. 3. The building smells like sewage. | Pending |

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| C-1977184 | TRAVELER'S INN | | 12/13/2022 | Phone | Y | N | Closed | O-Safety | 1. Housekeeping staff are required to empty trash from the motel into an outside dumpster located across the parking lot. The employer has not cleared the walking path to the dumpster of snow and ice creating a slipping hazard for the employee. | Resolved through inquiry process. |
| C-1977788 | EDGEWOOD TAHOE RESORT | | 12/14/2022 | Phone | Y | N | Closed | O-Safety | 1. Employees are exposed to roll-over hazard when they drive golf carts to deliver room service food or housekeeping supplies on pathways that are not cleared of snow and ice. | Resolved through inquiry process. |
| C-1978127 | Itsy Bitsy Learning Center | | 12/15/2022 | Phone | Y | N | Closed | O-Safety;S-Health | 1. Located in the Tiger Classroom, a roof leak has caused the ceiling tiles to collapse. The ceiling tiles have not been replaced, causing insulation and dust continually fall into the classroom, creating breathing hazards for employees. 2. Located in the Tiger Classroom, a roof leak occurs when we have rain or snow, leaking water is falling onto ceiling electrical lights. Water is pooling on the glass of lighting fixtures. Employees are concerned over an electrical exposure. 3. Above the ceiling - in the attic space, black mold is visible, creating inhalation hazards for employees. | Resolved through inquiry process. |
| C-1979738 | PANASONIC ENERGY OF NORTH AMERICA | | 12/20/2022 | Phone | Y | N | Closed | S-Health | At the location the following hazards were reported: 1. In the area near the Waste Room (GF-1 F96A.01) the sound levels are very high and no hearing protection is provided. Creating a hearing loss hazard for exposed employees. 2. In the Waste Room area (GF-1 F96A.01) the cathode slitter (slicer) is creating dust that is not captured by the machinery dust collection system, creating inhalation hazards to exposed employees. | Resolved through inquiry process. |
| C-1980112 | VALEO | | 12/21/2022 | Phone | Y | N | Closed | S-Health | Third floor, Fire Wall (FW)Area: 1. Employees are being exposed to ergonomic hazards due to standing on concrete during 12-hour shifts are not protected by methods such as anti-fatigue mats. 2. Recycle air machine are not working properly, filters are not changed. | Resolved through inquiry process. |
| C-1955331 | Jackson Electric, Inc. | R L Jackson Electric | 10/07/2022 | Phone | Y | N | Closed | S-Safety | 1. The employer has not provided employees with PPE, including hardhats, eye protection, gloves, high viz vests, or anti-cut sleeves. Additionally, respiratory protection is not being provided for nuisance dusts. 2. The employer is not maintaining adequate first aid supplies on site to treat basic lacerations/cuts. | Resolved through inquiry process. |

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| C-1955574 | W.A. Richardson Builders, LLC | | 10/10/2022 | Phone | Y | N | Closed | S-Safety | 1. On the basement level, a forklift operator struck an employee while they were sitting and eating lunch. 2. At the Level 5 Spa on 10/5/2022, a Bombard Mechanical employee was operating a genie lift and ran over an employee's foot resulting in minor injuries. 3. At the Level 5 Spa around 9/21/2022, a Bombard Mechanical employee dropped a 2 pound sledge hammer from a boom lift at approximately 40 feet creating a struck by hazard. 4. At the Level 5 Spa, carpenters are utilizing portable circular saws to cut metal studs without a guard. The sparks created by the circular saws are hitting other employees as they walk by. cw 10/10/22 | Resolved through inquiry process. |
| C-1955581 | 1 Solar | | 10/10/2022 | Phone | Y | N | Closed | S-Safety | 1. Solar panel boxes and pallets are stacked 3 boxes high and are leaning throughout the entire warehouse resulting in a struck by hazard. 2. Storage racks throughout the warehouse are not bolted down. 3. The emergency exit located at the back wall of the warehouse is blocked and is inaccessible. 4. Isles are blocked throughout the warehouse with materials, scrap metal and boxes. 5. During installation operations, employees are provided harnesses but are not forced to wear them. An employee fell off of a roof on Thursday, 10/6/2022. 6. During installation operations, employees are required to carry panels up a ladder without assistance resulting in a fall hazard. 10/10/22 cw | Resolved through inquiry process. |
| C-1955958 | TA Operating, LLC. | Petro Travel Center | 10/11/2022 | Phone | Y | N | Closed | O-Health | 1. In the deli and back storage, there are rats and rat feces. Employees have voiced their concerns to management but no corrective action has been taken. 10/11/2022 JB | Resolved through inquiry process. |
| C-1956191 | Berry Global Inc. | | 10/11/2022 | Phone | Y | N | Closed | S-Safety | 1. The company had a lapse where no one was handling company safety and health matters per NRS 618.375(4). 2. A employee was recently hospitalized for a work related injury, but the hospitalization was not reported to NVOSHA per NRS 618.378. 3. Company training is not in the language that employees understand. Many employees speak Spanish, but the trainings are in English. 4. Multiple machines are been leaking oil, hydraulic oil, and antifreeze for several years. The oil on the floors is creating a slip-and-fall hazard. 5. The building's fire suppression system is not being maintained. The system does not have its required redundancies. Building 22510 does not have pull down alarms. 6. The 22510 building's beams have been struck by forklifts and have sustained damage. 7. Employees are consuming alcohol at work. Hazard Locations: Both buildings 22520 and 22510. | Resolved through inquiry process. |

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| C-1956629 | Urth Caffé UnCommons Las Vegas | | 10/03/2022 | Phone | Y | N | Closed | S-Safety | 1. There are no safety data sheets for the chemicals used by the kitchen staff. The chemicals used are degreasers, dish detergent, floor soap, and sanitizer. 2. There are no OSHA posters posted in the establishment. 3. Employees work with chemicals and are not provided with personal protective equipment. Employees use dish detergent and degreaser. 10/03/2022 EM | Resolved through inquiry process. |
| C-1957716 | Proficient Patios & Backyard Design | | 10/14/2022 | Phone | Y | N | Closed | O-Safety | 1.No employees have OSHA cards. 2.Employees perform work on top of two-story roofs and on scaffolding to set up a patio, but are not provided harnesses. 3.Chop saws produce sparks when used and employees are not required to wear fire-rated personal protective equipment. 3.Business trucks are not equipped with fire extinguishers. 4.Employees are not provided PPE to include hard hats, safety glasses, gloves or the appropriate safety shoes. 5.The employer does not provide employees a restroom while on the jobsite. Jobs take approximately 2-5 days to complete and employees are not allowed to leave the site to use the restroom. 6.In the warehouse, the welder onsite is not certified or trained to perform welding activities. 7.Employees utilizing the Hilti DX 351 are not trained to use the tool. The tool fires a high powered magazine into concrete which results in a spent shell. | Resolved through inquiry process. |
| C-1958011 | Brady Linen Services LLC | | 10/17/2022 | Phone | Y | N | Closed | S-Safety | 1. On October 17, 2022, at approximately 7:00 am, a small fire near the dryers in Plant 18 was creating a lot of smoke. Fire alarm systems did not go off to warn employees of a fire in the work area. | Resolved through inquiry process. |
| C-1959277 | Walmart Incorporated | Sam's Club #6382 | 10/19/2022 | Phone | Y | N | Closed | S-Health | 1. On Oct 14, 2022, an employee was working and passed out and was sent to the hospital due to a spider bite. | Resolved through inquiry process. |
| C-1960135 | Accuracy Gun Shop Inc | | 10/21/2022 | Phone | Y | N | Closed | O-Health | 1. Employers do not have an uncontaminated area to eat and drink, due to them having to eat or drink around bullets and gun power. 2. Employers are not providing adequate ventilation methods for the shooting range 3. The rear exit is blocked with trash 10/21 SB | Resolved through inquiry process. |
| C-1960141 | DHL | | 10/21/2022 | Phone | Y | N | Closed | O-Health | 1) Employee was hospitalized due to the use of hazardous materials without proper PPE protection. 2) Employees do not have proper training in handling hazardous materials. 3) The employer does not have a sufficient hazard communication program in place. 10/21 SB | Resolved through inquiry process. |

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| C-1960737 | Saddle West Hotel, Casino RV and Resort | | 10/24/2022 | Phone | Y | N | Closed | O-Safety | 1. They are remodeling the casino and there are strong paint and stain fumes which are causing employees to experience headaches. the renovation work has been going on for 2-3 weeks. 2. There is a rat issue on the property. Rats have been found in the bar area, the restaurant, and in the casino cage. Rat feces have been found in the casino cage. and there is a constant odor of dead, presumably, dead rats. | Resolved through inquiry process. |
| C-1961003 | Lucille S Rogers Elementary School | | 10/25/2022 | Phone | Y | N | Closed | O-Health | 1. Employees are feeling unwell when breathing the air coming from the elementary school's air ventilation system. | Resolved through inquiry process. |
| C-1962809 | Therabody | | 10/31/2022 | Phone | Y | N | Closed | O-Health | 1. There is an offensive sewage smell in the store causing an employee to experience dizziness and lightheadedness. 10/31/2022 bm | Resolved through inquiry process. |
| C-1963172 | Caesars Palace | | 10/31/2022 | Phone | Y | Y | Closed | S-Health | 1. Employees working in the banquet department/special events are experiencing hearing loss and pain in their ears even after having been provided with earplugs. Events last four to six hours and are held every two to three days. Noise levels have been measured between 87-96 decibels on phone apps. 10/31/2022 bm | \$0.00 |
| C-1963584 | A.P.A.I. Special Projects, L.L.C. | | 11/01/2022 | Phone | Y | N | Closed | O-Health | 1. Located in the back shop are several 5-gallon drums that are overflowing with lacquer thinner and the employer is not disposing of them. 2. Located inside and outside of the back shop are razor blades laying around on the floor. 3. Employees working in the mechanical and detail areas use power tools and grinders and management does not enforce the use of safety glasses. 4. Employees performing spraying and priming activities do not perform the task inside the paint booth. Employees working in the other areas of the back shop and front office can smell the chemicals being sprayed. 11/1/2022 bm | Resolved through inquiry process. |
| C-1963885 | Shrader & Martinez Construction Inc | | 11/02/2022 | Phone | Y | N | Closed | O-Health | 1. At the 611 Marks Street jobsite in the back of the building, employees tasked with sweeping foreign white powder on the floor and walls in the three rooms are not provided personal protective equipment. Employees are experiencing difficulty breathing and dizziness during their shift. 11/2/2022 JB | Resolved through inquiry process. |
| C-1963922 | Hudson Group, LLC | | 11/02/2022 | Phone | Y | Y | Closed | O-Safety | 1. Ladders used by employees are unstable, missing screws, and bent. 2. Employees operating electric pallet jacks are not trained and certified. 3. Storage racks up to 25 feet high are not anchored and the shelves are unstable. 4. Storage materials stacked on racks are leaning into the aislesways. | \$0.00 |
| C-1963977 | Caesars Palace | | 11/02/2022 | Phone | N | N | Closed | O-Safety | 1. In the food and beverage warehouse, the loading dock elevator shaft is overflowing with water. 2. The elevator safety harnesses are eroded. 11/02/2022 JB | Resolved through inquiry process. |

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| C-1964039 | Michael Kors Outlet | | 11/02/2022 | Phone | Y | Y | Closed | O-Safety | 1. In the back of house, the emergency exit door is blocked by boxes filled with merchandise. 2. Boxes are stacked directly in front of and on top of the transformer box and other electrical equipment. 3. Stacked boxes are unstable and fall onto employees working in the back of house. 11/02/2022 JB | \$0.00 |
| C-1964436 | MGM Resort International | New York New York Hotel & Casino | 11/03/2022 | Phone | Y | N | Closed | O-Health | 1. Employees have concerns of occupational noise exposure while working directly next to loud DJ speakers for an extended period of time during their shift. Hazard Location Casino Center Bar 11/3/2022 JW | Resolved through inquiry process. |
| C-1964647 | Domino's Pizza | | 11/03/2022 | Phone | Y | N | Closed | O-Safety | 1. Emergency exit doors are blocked with boxes and ladders preventing access for employees should evacuation be needed. 2. Employees are not provided personal protective equipment (PPE) for washing dishes with chemicals which are causing rashes to employees hands and arms. | Resolved through inquiry process. |
| C-1965679 | The Cosmopolitan of Las Vegas | | 11/07/2022 | Phone | Y | N | Closed | O-Health | 1. There are roaches coming out of the walls on both the men's and women's sides of the spa. Guests have pointed them out. Employees have pointed it out. They have sprayed once. 2. There is mold on the walls and ceiling of the spa area. These problems have been there for over 6 months. | Resolved through inquiry process. |
| C-1966141 | Sitel Group | | 11/08/2022 | Phone | Y | N | Closed | O-Safety | 1. There is no heating in the building. 2. There is no hot water available in one of the women's restrooms. | Resolved through inquiry process. |
| C-1968291 | MGM Grand International | MGM Grand | 11/15/2022 | Phone | Y | N | Closed | O-Safety | 1. Employees working in the Studio Tower are exposed to dust due to construction being performed in the building. | Resolved through inquiry process. |
| C-1968382 | Shango | Shango Marijuana Dispensary Las Vegas | 11/15/2022 | Phone | Y | N | Closed | S-Health;S-Safety | 1. Workers are exposed to electrical hazards in the cultivation area due to several water pumps without grounds on their electrical plugs and water is splashed on electrical outlets. 2. There have been several incidents of employees being shocked by electrical outlets and extension cords. 3. Employees exposed to chemicals are not provided PPE. Employees manually shake chemicals, such as SaniDate (22% organic hydrogen peroxide), in 55 gal drums on pallet jackets and employees mix chemicals that include Bioceres and BotaniGard. 4. Insecticides are sprayed around employees. Employees are not provided PPE and there have been several complaints of employees feeling sick and some complaints of breathing issues associated with the spraying. 5. There is concern because employees have not received training regarding hazards associated with the chemicals being used. Some time this year, there was an incident where an employee went to the hospital due to chemical burns. 11/15/2022 SM | Resolved through inquiry process. |

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| C-1968565 | Albertson's #3207 | | 11/14/2022 | Phone | N | N | Closed | O-Safety | 1. The employer refused to document a work-related injury from an incident that resulted in an employee injury on August 11, 2022, between 6:30pm and 7:30pm. While attempting to take out an overfilled trash can in the bakery, multiple corrugated boxes from the trash fell out, hitting an employee in the head shoulders, and neck. When notified of the incident, the employer refused to write the incident up because they were too busy. After feeling sick, having headaches, and blurry vision in the days that followed, it was discovered that the incident resulted in a C2 cervical spine and right shoulder fracture. The employer did not send the employee to Concentra until September 2, 2022, after they heard about the diagnosis the employee had received. 11/14/2022 bb | Resolved through inquiry process. |
| C-1968865 | Hudson Group, LLC | | 11/16/2022 | Phone | N | N | Closed | S-Safety | 1. Ladders used by employees are unstable. 2. Three employees are operating forklifts and have not been certified. 3. Storage racks up to 25 feet high are not anchored and pallets containing shirts and toys are leaning into the aisles. Hazard location: Within the warehouse distribution center. 11/16/2022 EH | Resolved through inquiry process. |
| C-1969034 | Super Color Digital, LLC | | 11/16/2022 | Phone | Y | Y | Closed | S-Safety | 1. The Vutek GS3250 have had its safety interlocks disabled and will continue to operate with the hood open. Employees are concerned of being caught-in the machine. 2. Employees utilizing ladders are required to carry large sheets of printing material from a storage rack and do not have any free hands to descend the ladder. 3. Extension cords providing electricity to the Zund cutter have been installed in walking areas and are creating trip hazards. Hazard location: To the left of the main entrance doors within the production facility. 11/16/2022 EH | \$0.00 |
| C-1969039 | Data Momma, LLC | PCIHIPAA | 11/16/2022 | Phone | N | N | Closed | S-Safety | 1. Employees are concerned that the fire sprinkler system has been leaking for a period of up to 4 months and it has not been corrected. Hazard location: Near the discolored ceiling tiles within the "bull pen" on west side of the building. 11/16/2022 EH | Resolved through inquiry process. |
| C-1969311 | Worldwide Flight Services, Inc. | | 11/17/2022 | Phone | Y | N | Closed | S-Safety | 1. Hand soap is not available to employees in bathrooms or break rooms. Employees are being tasked with removing trash from airplanes daily and are in close contact with trash when transporting within vans. 2. Employees transporting trash within vans are not secured. The seats have been removed to allow more trash and employees are required to sit next to trash bags when transporting. Hazard location: Within the bathroom and break room of the employee area nearest to the operations room at E2 gates. 11/17/2022 EH | Resolved through inquiry process. |

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| C-1969744 | City Electric Supply | | 11/18/2022 | Phone | Y | N | Closed | S-Safety | 1. There materials on the floor such as wires, pallets, and reels that are creating a trip hazard for employees. 2. Forklift operators are not certified to operate equipment. 3. An employee sustained a cut to the hand due to lack of gloves while handling wire. | Resolved through inquiry process. |
| C-1969919 | Elara by Hilton Grand Vacations | | 11/18/2022 | Phone | Y | N | Closed | S-Safety | 1. The employer has not developed and implemented a COVID-19 exposure control plan at the workplace. | Resolved through inquiry process. |
| C-1970480 | J.M. Installation, Inc. | | 11/18/2022 | Phone | Y | N | Closed | O-Safety | 1. Employees are utilizing a scissor lift for the installation of garage doors. Employees have not received training on the safe operation of the equipment. | Resolved through inquiry process. |
| C-1970813 | The Hertz Corporation | Hertz | 11/22/2022 | Phone | N | N | Closed | O-Health | 1. Employees working inside a two story office building are exposed to extremely cold temperatures because the heating system isn't working, and hasn't worked for a week now. Space heaters were brought in for the managers but not the employees. | Resolved through inquiry process. |
| C-1971265 | Cort Mayos Trade Show Furnishings | | 11/14/2022 | Phone | Y | N | Closed | O-Safety | 1. Walkways throughout the IPC portion of the warehouse are so blocked that they do not allow for employees to travel throughout without repositioning furniture along the way. Employees are unable to easily exit in an emergency. 11/22/2022 bb | Resolved through inquiry process. |
| C-1971269 | Westgate Las Vegas Resort & Casino | | 11/23/2022 | Hotline | N | N | Closed | O-Safety | 1. No fountain water to wash hands or water at all. 11/23/2022 bb | Resolved through inquiry process. |
| C-1972500 | StarPoint Resort Group | | 11/29/2022 | Phone | Y | N | Closed | O-Health | 1. Work being performed on the roof of the building is causing dust to fall throughout the building and making it difficult for employees to breathe. | Resolved through inquiry process. |
| C-1972793 | Learning Jungle Lone Mountain | | 11/30/2022 | Phone | Y | N | Closed | O-Safety | 1. Employees have concerns the daycare is operating without running water or restroom facilities. Hazard Location: Inside the daycare facility 11/30/2022 JW | Resolved through inquiry process. |
| C-1972809 | Superior Moulding of Nevada | | 11/30/2022 | Phone | Y | N | Closed | O-Safety | 1. Employees are operating forklifts without any training or certification. 2 .Employees are operating forklifts under the influence of marijuana. Hazard Location: Inside the warehouse of Superior Molding of Nevada, 5190 W Patrick Ln, Las Vegas, NV 89118 11/30/2022 JW | Resolved through inquiry process. |
| C-1972949 | P.F. Chang's China Bistro, Inc. | | 11/16/2022 | Phone | Y | N | Closed | S-Safety | 1. On 11/16/2022, an employee received sutures in the head after being struck by a stove lid that was stored on the upper level of a storage rack. The incident occurred on the walking path from the computer area to the convention expo. 11/28/2022 EM | Resolved through inquiry process. |

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| C-1973400 | Mandalay Bay Resort And Casino | | 12/01/2022 | Phone | Y | N | Closed | O-Safety | 1. On October 12, 2022 at approximately 10:00 a.m., an employee was operating a forklift at the rear of the convention center facing the highway, and was reversing down a ramp with a load of approximately 2000 pounds. While reversing, the forklift's brakes failed resulting in a loss of control of the forklift. The employee ran into the gate pole at approximately 20 mph causing the employee's head to move forward and make contact with the forklift's cage causing a concussion, a neck injury, and a head contusion which required 10 stitches. 2. The gate pole located at the rear of the convention center has not been used for approximately 2 years and is located at the bottom of a ramp obstructing the entry and exit of vehicles. cw 12/1/2022 | Resolved through inquiry process. |
| C-1973685 | Circus Circus Hotel and Casino LV LLC | | 10/11/2022 | Phone | Y | N | Closed | S-Health;S-Safety | 1. The midway stage attic area has unsafe electrical wiring which may be a fire hazard. 2. Trapeze performers are slapping the ceiling above the stage and are disturbing asbestos materials. | Resolved through inquiry process. |
| C-1973832 | Henderson Libraries | | 12/02/2022 | Phone | Y | N | Closed | O-Health | 1. There has been a strong sewage smell inside the establishment for approximately two (2) months which is making it difficult for employees to breathe. | Resolved through inquiry process. |
| C-1974282 | Convey Health Solutions | | 12/03/2022 | Hotline | Y | N | Closed | O-Safety | 1. Forklifts are being operated unsafely. 2. Pallets are stacked 10 to 12 feet high and leaning. 3. Pallets are being stacked in aisles. | Resolved through inquiry process. |
| C-1974299 | Luxor Hotel & Casino | | 12/05/2022 | Phone | Y | N | Closed | O-Health | The volume of the music from a DJ in the center bar area is affecting the workers in the pit area, which surrounds the bar. The employees complain of their ears ringing after getting home from work. This only occurs for a few hours, after Raiders' home games on Sundays. | Resolved through inquiry process. |
| C-1974445 | PuroClean of East Las Vegas | | 12/05/2022 | Phone | Y | N | Open | S-Safety | 1. Employees are using cleaning chemicals without proper training, causing serious chemical burns. They have no access to SDS information. | Pending |
| C-1974778 | CVS Pharmacy #2929 | | 12/06/2022 | Phone | N | N | Closed | S-Health | 1. The employer has failed to establish a housekeeper to clean the facility which has resulted in the cross contamination of COVID-19. 2. Employee's bathroom is not cleaned nor sanitized from COVID-19 and has resulted in cross contamination. 12/6/2022 AB | Resolved through inquiry process. |
| C-1974799 | Brady Linen Services, LLC | | 12/06/2022 | Phone | Y | N | Closed | O-Safety | 1. On December 6, 2022, the employees were forced to return to work by their supervisor and inhale smoke after a fire in Plant B. 2. The employees were not provided an emergency evacuation training in the event of a fire which led to panic and uncertainty towards returning to work. 3. Employees near the fire did not hear a fire alarm or have access to fire extinguisher. 12/6/2022 AB | Resolved through inquiry process. |

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| C-1974930 | Convey Health Solutions | | 12/06/2022 | Phone | Y | N | Closed | S-Safety | 1. Forklifts are operated at fast speeds. 2. Pallets are stack high and have the potential to fall over. 3. High pallets are stored in the walkways and creating limited egress in case of an emergency. 12/6/2022 AB | Resolved through inquiry process. |
| C-1977271 | Tides on West Cheyenne | | 12/12/2022 | Phone | Y | N | Closed | S-Safety | 1. Employee was going to conduct maintenance on apartment B at building 3133 on 12/08/2022 when a homeless person came out of the vacant apartment and hit him in the face. The employee required stitches to the nose. 12/12/2022 A.R. | Resolved through inquiry process. |
| C-1978590 | State of Nevada Division of Welfare and Supportive Services | | 12/16/2022 | Phone | Y | N | Closed | O-Health | 1. The fumes from the chemicals being used during the work performed on the roof are affecting the employees who work on the second floor of the building. | Resolved through inquiry process. |
| C-1978592 | MGM Resort International | New York New York Hotel & Casino | 12/14/2022 | Phone | Y | N | Closed | O-Safety | 1. Construction on going on several guest room floors. Security employees are required to conduct safety walks during ongoing construction. Security employees accessing the construction areas are not provided personal protective equipment, such as, hard hats and steel toe boots. 12/16/2022 A.R. | Resolved through inquiry process. |
| C-1978630 | The Pepsi Bottling Group | | 12/16/2022 | Phone | N | N | Closed | O-Safety | 1. Employee was ordered by a supervisor, in August, to backdate safety inspection forms or would be fired. Employee backdated the safety inspection forms and notified the employer's Human Resources department. | Resolved through inquiry process. |
| C-1979557 | Water FX | | 12/20/2022 | Phone | Y | N | Closed | O-Health | 1. The facility does not have adequate ventilation for the site processes which includes welding, pain, chemical, and polyurethane coatings. 2. The facility does not have adequate heating. | Resolved through inquiry process. |
| C-1979609 | Reliant Construction, LLC. | | 12/20/2022 | Phone | Y | N | Closed | S-Safety | 1. At the North Lamb Blvd & East Colton Avenue jobsite, traffic flaggers are working in the street but no other traffic control signage is in use. | Resolved through inquiry process. |
| C-1979703 | lululemon | | 12/20/2022 | Phone | Y | N | Closed | S-Safety | 1. Backroom emergency exits are being blocked or partially obstructed with materials and merchandise. 2. The hallways outside the store are being blocked or partially obstructed with materials and merchandise. 3. The stockroom clothing fixture racks are not properly secured. The racks and clothing have fallen and struck employees. 4. Merchandise is being stored too close to the ceiling, potentially obstructing fire sprinklers. | Resolved through inquiry process. |
| C-1979754 | MV Transportation | | 12/20/2022 | In person | N | N | Closed | O-Health | 1. Approximately 20 employees are currently on light duty at the Simmons yard but are being required to complete tasks outside of their doctor required restrictions and accommodations. | Resolved through inquiry process. |
| C-1980258 | Bombard Mechanical | | 12/21/2022 | Phone | Y | N | Closed | O-Health | 1. Employees are bonding fiberglass with limited ventilation and are being provided with inadequate masks, causing headaches and dizziness for the workers. 2. Employees were not fit tested for respirators but are seen wearing N95 masks while performing work. 12/21 SB | Resolved through inquiry process. |

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| C-1980566 | Planet Hollywood Las Vegas Resort & Casino | | 12/21/2022 | Phone | Y | N | Closed | O-Health | 1. Employees working at the outside bar are exposed to loud noise from a near-by street performer. Earplugs were provided to employees to protect them from loud noises. However, employees are complaining that the ear protection doesn't help due to the loud noise coming from the street performer. 2. Employees are working at the outside bar and are exposed to temperatures reaching low 40s. Employees are freezing in the cold and are concerned they will get sick. | Resolved through inquiry process. |
| C-1981602 | Lake Sahara Apartments | | 12/27/2022 | Phone | Y | N | Closed | O-Health | 1. At building T, employees are required to clean up sewage but have not been trained to safely handle urine and feces. 2. Employees must access the roof of the buildings to check on disconnects. The AC unit disconnects have no paneling and pine needles collect on the roof resulting in a fire hazard. 3. The complex was built in the 1970s and there is asbestos in the walls. Employees must access the walls to perform a variety of tasks approximately twice a week and are at risk of asbestos exposure. 12/27/2022 cw | Resolved through inquiry process. |
| C-1982467 | Golden Nugget - Laughlin | | 12/29/2022 | Phone | Y | N | Closed | O-Health | 1. Bleach is being poured down the sinks and drains of the poorly ventilated Bean and Bread coffee shop, resulting in vapors which cause employees working within the area to have symptoms which include trouble breathing and burning of the eyes and throat. 12/29/2022 bb | Resolved through inquiry process. |
| C-1982504 | Domino's Pizza LLC #7445 | | 12/29/2022 | Phone | Y | N | Closed | S-Safety | 1. There is a workplace violence concern at this location after a customer was allowed being the work counter and held a loaded gun at an employee near the back door. The incident happened about a month ago and an investigation occurred however nothing resulted from the investigation. 12/29/2022 bb | Resolved through inquiry process. |
| C-1982808 | NEVADA DEPARTMENT OF CORRECTIONS - ELY STATE PRISON | | 12/30/2022 | Phone | Y | N | Closed | O-Health | 1. The facility water supply is not being treated adequately to be considered potable water. Potable drinking water is not being provided 2. Auto, boiler, culinary, warehouse, canteen, and maintenance shop do not have drinking fountains or access to potable water. | Resolved through inquiry process. |

Advisory Council**NRS 618.347 – Report Concerning Issuance of NRS 618.375(1), NRS 618.375(2)****General Duty Citations by the Division****2nd Quarter FY23: October – December 2022****1. Sierra Pallet, Inc. - Inspection 1604926**

Nevada Revised Statutes 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

At the facility, a Doosan Pro 5 sit-down LP powered industrial truck No. 11 (model/serial number unknown) was available for use, and had been used, without a restraint device or seat belt installed exposing employees to the recognized hazard of being displaced from the truck in the event of an accident.

Reference: ANSI/ITSDF B56.1 - 2012, Section 7 - Design and Construction Standards, 7.41 Operator Restraint Systems

Abatement Note: Among other methods, one feasible and acceptable abatement method to correct this hazard is to install a restraint device.

Abated during the inspection: A restraint device was installed.

Proposed Penalty \$6,526.00

2. Giomi Plumbing. LLC – Inspection 1621003

Nevada Revised Statute 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

Located at the jobsite, 193 Shady Lane, Stateline NV: The employer failed to furnish a place of employment which was free from recognized hazards that was likely to cause death or serious physical harm to employees. An employee was allowed to work in an enclosed space, where a gas-powered cut-off saw was being operated. The employee was overcome by carbon monoxide emitted from the gas-powered cut-off saw and transported to local hospital for emergency care. On arrival to the worksite, a Tahoe Douglas Fire Department representative measured 450 parts per million of carbon monoxide in the enclosed space where the employees had been working.

References; A) The OSHA PEL for carbon monoxide (CO) is 50 parts per million (ppm). OSHA standards prohibit worker exposure to more than 50 parts of CO gas per million parts of air averaged during an 8-hour time period. However, NIOSH recommends no more than 35 ppm time weighted average (TWA) exposure limit. In addition, NIOSH recommends no more than 200 ppm short term exposure limit (STEL) for 15 minutes. An atmosphere of 200 ppm or greater will cause physical symptoms and is fatal in hours.

B) The safety manual for the cut-off saw stated "WARNING As soon as the engine is running, this product generates toxic exhaust fumes containing chemicals, such as unburned hydrocarbons (including benzene) and carbon monoxide, that are known to cause respiratory problems and cancer. To reduce the risk of serious or fatal injury/illness from inhaling toxic fumes, never run the machine indoors."

Abatement: One feasible and acceptable means of abatement is to follow all cut-off saw manufacturer recommendations for safe operation and not use this type of equipment indoors.

Proposed Penalty \$2,797.00

3. Las Vegas Wrought Iron & Steel, Inc. – Inspection 1598853

Nevada Revised Statute 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not furnish employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm to his employees. Employees installed horizontal bridging between open web steel joists series 88DLH with span lengths of 160 feet to 162 feet and weighing between 13,000 pounds up to 43,000 pounds. At approximately 4:50 PM, a joist failed and fell. As a result of bridging not being installed diagonally, a chain reaction occurred when the joist fell, and a total of 19 joists fell up to approximately 39 feet to the next lower level. Deep long span steel joists, DLH-series, with spans greater than 60 feet in length are recognized by the Steel Joist Institute to exhibit various degrees of stability dependent upon the span, depth, member sizes, self-weight, and other parameters. Therefore, bolted diagonal erection bridging must be installed to support the top and bottom chords against lateral movement during the construction period. The design drawings indicated six sets of diagonal erection bridging between each joist unless noted. Employees performing welding work from elevated boom lifts (make: JGL Industries, Inc, models: 600S and 660SJ) were struck by the falling joists and sustained serious bodily injuries. Employees working on the next lower level were exposed to crush-by hazards that are likely to cause death or serious physical harm.

A feasible means of abatement would be to ensure bridging is installed diagonally as indicated on the design drawings.

References:

1. Steel Joist Institute Code of Standard Practice for Steel Joists and Joist Girders (January 1, 2015)
2. Steel Joist Institute Standard Specification for K-Series, LH-Series, and DLH-Series Open Web Steel Joists and for Joist Girders (July 1, 2020)
3. Design drawings by CANAM BUILDINGS. Project Name: MATTER PARK, Project #: 203360 (May 17, 2022)

Abatement Action: The employer indicated that per the design drawings, erection stability bridging was in place prior to releasing hoisting lines when installing the new joists. The CSHO verified abatement at the job site.

Proposed Penalty \$8,601.00

4. Lee's Discount Liquor – Inspection 1599816

Nevada Revised Statute 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not ensure that employees were protected from recognized hazards that are likely to cause serious physical harm. In the warehouse in the rear of the retail store, the employer utilized a twelve-foot-high metal storage rack on the north wall of the warehouse to store various pallets of store products on top of the storage racks without anchor plates secured to the ground by any means potentially causing the storage racks to be at risk of being tipped over or collapsing. Employees performing stocking and inventory duties approximately 1 foot away from the storage racks were exposed to recognized crush-by injuries in the event of the storage racks tipping or collapsing.

Reference: Section 1.4.7 of ANSI MH16.1: 2012 Specification for the Design, Testing and Utilization of Industrial Steel Storage Racks.

Section 1.4.7 Column Base Plates and Anchors: The bottom of all columns shall be furnished with column base plates, as specified in Section 7.1. All rack columns shall be anchored to the floor with anchor bolts, which shall be designed in accordance with Section 7.3, to resist all applicable forces as described in Section 2.1 or Section 2.2.

A feasible means of abatement would be for the employer to follow the requirements of American National Standards Institute (ANSI) MH16.1-2008. The employer must ensure that column base plates of each storage rack are properly anchored to the floor.

Abatement Action: The employer abated the violation by ensuring the column base plates of each storage rack were properly anchored to the floor in accordance with the American National Standards Institute (ANSI) MH16.1: 2012.

Proposed Penalty \$9,479.00

5. Carpets Galore, Inc. – Inspection 1610938

Nevada Revised Statute 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not ensure that employees were protected from recognized hazards that are likely to cause serious physical harm. In the warehouse on the east wall, the employer utilized a storage rack with a bent column to store carpet rolls. An employee utilized a Doosan Forklift (Model: G25N-7) to load and unload carpet rolls onto the storage rack on the east wall of the warehouse. Employees operating the forklift were exposed to crush-by injuries in the event of the storage rack collapsing.

Reference: Section 1.4.9 of ANSI MH16.1:2012 Specification for the Design, Testing and Utilization of Industrial Steel Storage Racks.

Section 1.4.9 Rack Damage: Upon any visible damage, the pertinent portions of the rack shall be immediately isolated by the user until the damaged portion is evaluated by a storage rack design professional. Before allowing the rack to be placed back into service the design professional must certify that the rack system and/or the repaired components have been restored to at least their original design capacity.

Abatement Action: A feasible means of abatement would be for the employer to follow the requirements of American National Standards Institute (ANSI) MH16.1-2012. The employer must ensure that the pertinent portions of the rack are immediately isolated until the damaged portion is repaired and evaluated by a storage rack professional.

Proposed Penalty \$3,511.00

6. ANA, Inc. – Inspection 1628640

Nevada Revised Statute 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not ensure that employees were protected from recognized hazards that are likely to cause serious physical harm. Employees were exposed to recognized crush-by hazards created by a damaged restraint device. A forklift (make: Toyota, model: 7FGCU25) utilized by employees to move trailers and material handling was not equipped with a functional restraint device. Employees utilizing the forklift were exposed to death or other serious injuries by not being able to utilize a restraint device.

Reference: Section 7.40 of ASME B56.1-2000 Safety Standard for Low and High Lift Trucks

Section 7.40 Operator Restraint Systems: Counterbalanced, center control, high lift trucks that have a sit-down, no elevating operator position shall have a restraint device, system, or enclosure that is intended to assist the operator in reducing the risk of entrapment of the operator's head and/or torso between the truck and ground in the event of a tip-over. Such means shall not unduly restrict the operation of the truck, e.g., the operator's mounting, dismounting, movement, and/or visibility. Warnings and instructions on the purpose and use of the operator protection provided shall be displayed in clear view on the truck and included in the operator's manual.

Feasible means of abatement would be for the employer to follow the requirements of The American Society of Mechanical Engineers (ASME) B56.1-2000. The employer must ensure a restraint device, system, or enclosure is installed on the industrial powered truck.

Proposed Penalty \$9,136.00



State of Nevada
Department of Business and Industry
Division of Industrial Relations
Occupational Safety and Health Administration

Inspection Narrative

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|---|---------------------|-------------------|--------|
| Inspection Number: | | 1631949 | |
| Opt. Case Number: | | | |
| Inspection Type: | Complaint | | |
| Inspection Scope: | Partial | | |
| Establishment Name: CITY OF SPARKS - SPARKS FIRE STATION #3 | | | |
| Street Address 1: | 1750 E. Greg Street | Street Address 2: | |
| City: | Sparks | State: | Nevada |
| Zip Code: | 89431 | | |

| |
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| Opening Conference Summary: |
| On 11/1/2022, an opening conference was initiated with Mr. Jim Kindness, Division Chief Operations of CITY OF SPARKS - SPARKS FIRE STATION #3. I presented my credentials and explained the purpose and scope of this inspection. The employer was advised of the right to grant or deny entry. Entry was granted. |
| Additional Opening Conference Notes: |
| Division Chief Kindness contacted Local 1265 Vice President, Jarrod Stewart, via cell speaker phone and advised him of our presence at station #1. Chief Kindness advised that OSHA would be on site for the next two to three days. Chief Kindness advised him of the walkaround inspection, Mr. Stewart stated he had a scheduling conflict but would meet with us on 11-2-23. |
| Unusual Circumstances Encountered – Opening Conference/Entry |
| None |
| Unusual Circumstances Encountered – Opening Conference/Entry - Comments |
| N/A |

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|---|
| Walkaround Inspection Observations & Comments: |
| The inspection of the City of Sparks Fire Department (SFD) Fire Station #3 was predicated on NV-OSHA Referral #1961432. The inspection was conducted on November 1, 2022, with Division Chief Jim Kindness and Division Chief Shawn McEvers. NV-OSHA Safety CSHO Michael Hernandez was present and addressed the safety items on the complaint. Employee representative Jarrod Stewart, Vice President, IAFF Local 1265, was notified of the inspection, and declined initial participation. The facility, located at 1750 E. Greg Street, Sparks, NV 89431, is a large, single-story structure that houses firefighting apparatus, emergency response personnel, office spaces, training room, dormitories, a kitchen, and a day room. The facility is staffed with a total of 9 personnel: 3 firefighters, 3 captains, 3 fire apparatus drivers. The facility operates 3 shifts, on a 48 hour on-duty, 96 hour off duty shift rotation. Emergency response services are provided 24 hours a day, 365 days a year with a staff of 3 firefighters per shift. |
| Complaint #1961432 listed the following items: |
| 1. Located at Station 3 (1750 E Greg St, Sparks, NV 89431), there are water leaks in the ceiling and mold throughout the building. NOT VALID AT THE TIME OF INSPECTION. One employee interviewed stated, "Every time it rains, the roof at this station leaks in the Captains office and throughout the station. The wall by the washer has mold. All items have been reported to the Safety Committee." One employee from another fire station, told CSHOs there was mold above the ceiling tiles. However, CSHO was unable to verify any visible mold when looking above the drop ceiling in multiple locations. The building has a history of water leaks that have been identified and corrected by outside contractors and the cities facility maintenance department employees. Safety meeting, Capital Improvement Project, and maintenance meetings minutes were provided and did not mention any issues with mold in the facility. Water leaks were addressed in the meetings minutes. Throughout the building there are water stained ceiling tiles. These tiles do not present a health threat and are more of an aesthetic issue. Water stained tiles are not replaced unless they are broken. |

Four areas of the facility were sampled for mold February 09, 2023. Utilizing Allergenco D cassettes and a calibrated Gilian AirCon 2 flow sampler (Serial #201806005), The areas included the engine bay near the washing machine, dorms, bathroom and outside the buildings entrance.

Sample 05 - Engine bay/washing machine, cassette 4380143, 9:02 - 9:12 am.

Sample 06 - Dorms, cassette 4380134, 9:20 - 9:30 am.

Sample 07 - Bathroom, cassette 4380149, 9:53 - 10:03 am.

Sample 08 - Outside main entrance, cassette 3223403, 10:17 - 10:27 am.

Fungal spores are part of the natural environment and can be found both outdoors and indoors. Given the proper moisture level and nutrient source, indoor mold growth can occur on building materials and furnishings. Exposure to certain molds and fungi can cause health problems, such as allergic reactions and asthma attacks, in certain individuals. Susceptibility to the effects of mold and fungi may vary with age, genetic predisposition, impaired immune systems and exposure level. Common mold and fungi types were found in all locations sampled at the station. Molds commonly found outdoors were found in indoor locations such as the engine bay due to foot traffic and vehicles coming and going throughout the day. Results indicated spore counts found outside the building had the highest concentration of spores. Per the analytical report (pages 1 and 2), none of the mold and fungi types found in the sample collected indoors presented an indoor air quality concern.

2. Located at Station 3, Engine 31 has had a non-functioning foam proportioner system for months. In the event of a flammable liquids fire, the fire can spread toward firefighters using water hoses without the ability extinguish the fire before it spreads and threatens personnel. **SEE SAFETY INSPECTION #1631802.**

3. Located at Station 3, Engine 31 has a leaking cooler. During a fire, this can cause water tanks to run out quickly before a hydrant changeover can occur, leaving firefighters inside without water, exposing them from being overrun by fire. **SEE SAFETY INSPECTION #1631802.**

Closing Conference Summary:

On 3/20/2023, a closing conference was conducted in person with Mr. Jim Kindness, Division Chief Operations of CITY OF SPARKS - SPARKS FIRE STATION #3. I advised the employer no citations were proposed. Services available through the Safety Consultation and Training Section were discussed, and an employer survey was provided, concluding the closing conference.

Additional Closing Conference Notes:

A separate closing conference was conducted in person with members of the IAFF Local 731. In attendance were Jarrod Stewart, Vice President, Tom Dunn, Vice President, and Darren Jackson, Vice President. Results of the inspection were discussed with the attendees. Note: During the course of the inspection, IAFF Local 1265 merged with IAFF Local 731. Any correspondence should be sent to Reno Local Firefighters Local 731, 9590 South McCarran Blvd., Reno, NV 89523.

Unusual Circumstances Encountered – Closing Conference

None


Unusual Circumstances Encountered – Closing Conference - Comments

N/A

Was a closing conference held with an employee representative?

Yes, a separate closing conference was held with employee representatives.

NV OSHA Compliance Safety & Health Officer Information:

| | | | |
|--------------------|--|----------|-----------|
| CSHO Printed Name: | William Sibley | CSHO ID: | P2842 |
| CSHO Signature: |  IH Supervisor on behalf of William Sibley | | |
| Accompanied by: | N/A | Date: | 3/20/2023 |



State of Nevada
Department of Business and Industry
Division of Industrial Relations
Occupational Safety and Health Administration

Inspection Narrative

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|--|---------------------|-------------------|-------|
| Inspection Number: | | 1631802 | |
| Opt. Case Number: | | MSH-09-23 | |
| Inspection Type: | Complaint | | |
| Inspection Scope: | Partial | | |
| Establishment Name: City of Sparks Fire Department - Station # 3 | | | |
| Street Address 1: | 1750 E. Greg Street | Street Address 2: | |
| City: Sparks | State: NV | Zip Code: | 89431 |

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| Opening Conference Summary: |
| On 11/1/2022, an opening conference was initiated with Jim Kindness, Sparks Fire Department - Division Chief of City of Sparks Fire Department - Station # 3. I presented my credentials and explained the purpose and scope of this inspection. The employer was advised of the right to grant or deny entry. Entry was granted. |
| Additional Opening Conference Notes: |
| Division Chief Kindness contacted Local 1265 Vice President, Jarrod Stewart, via cell speaker phone and advised him of our presence at station #1. Chief Kindness advised that OSHA would be on site for the next two to three days. Chief Kindness advised him of the walkaround inspection, Mr. Stewart stated he had a scheduling conflict but would meet with us on 11-2-23. |
| Unusual Circumstances Encountered – Opening Conference/Entry |
| None |
| Unusual Circumstances Encountered – Opening Conference/Entry - Comments |
| None |

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| Walkaround Inspection Observations & Comments: |
| The inspection of the City of Sparks Fire Department (SFD) Fire Station #3 was predicated on NV-OSHA Referral #1961432. The inspection was conducted on November 1, 2022, with Division Chief Jim Kindness, Division Chief Shawn McEvers, and NV-OSHA Industrial Hygienist William Sibley. Employee representative Jarrod Stewart, Vice President, IAFF Local 1265, was notified of the inspection, and declined initial participation. The facility, located at 1750 E. Greg Street, Sparks, NV 89431, is a large, single-story structure that houses firefighting apparatus, emergency response personnel, office spaces, training room, dormitories, a kitchen, and a day room. The facility is staffed with a total of 9 personnel: 3 firefighters, 3 captains, 3 fire apparatus drivers. The facility operates 3 shifts, on a 48 hour on-duty, 96 hour off duty shift rotation. Emergency response services are provided 24 hours a day, 365 days a year with a staff of 3 firefighters per shift. |
| Referral #1961432 listed the following items: |
| 1. Located at station #3 (1750 E. Greg Street, Sparks, NV. 89431) There are water leaks in the ceiling and mold throughout the building. |
| Please refer to IH inspection #1631802 |
| 2. Located at Station #3, Engine 31 has had a non-functioning foam proportioner system for months. In the event of a flammable liquids fire, the fire can spread toward firefighters using water hoses without the ability to extinguish the fire before it spreads and threatens personnel. NOT VALID AT THE TIME OF THE INSPECTION. At the time of the inspection, the foam proportioner system was operational on the fire apparatus located at station #3, Engine 31. During the inspection, an evaluation of employer submitted documents was conducted, including City of Sparks Fire Department Standard Operating Procedure 2.09, Fireground |

Operations, NFPA 1901, Standard for Automotive Fire Apparatus (2016), NFPA 1911, Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Emergency Vehicles (2017), Sparks Structural Fires Matrix (Appendix B, SOP 2.09), International Fire Service Training Association (IFSTA) references, and International Fire Service Accreditation Congress (IFSAC) references, City of Sparks Fleet Services Work Orders, and City of Sparks Fire Department Daily Apparatus Check Log for Engine 31.

An evaluation of NFPA 1901, Standard for Fire Apparatus was reviewed. This standard defines the requirements for automotive fire apparatus and trailers designed to be used under emergency conditions to transport personnel and equipment and to support the suppression of fires and mitigation of other hazardous situations. Chapter 5, mandates specific equipment that must be carried on a fire apparatus in order to qualify as a “pumper fire apparatus.”

NFPA 1901, chapter 5 establishes the following equipment shall carried on an apparatus if it is to function as a fire response pumper: fire pump, water tank, equipment storage, hose storage, ground ladders, suction hose, minor equipment, fire hose and nozzles, and miscellaneous equipment.

Section 5.4 states “If a pumper is equipped with a foam proportioning system, it shall meet the requirements of Chapter 20.” The foam proportioning system is not a mandated equipment requirement. In a statement provided by Division Chief Jim Kindness he states, “the fact that a foam proportioner is not functioning on an apparatus would not place the vehicle out of service.” He further states “First response fire apparatus carries approximately 20 gallons of foam concentrate, if an actual Class B fire is reported, Sparks Foam Unit would be dispatched, this apparatus carries 300 gallons of foam concentrate.”

A review of the City of Sparks Fire Department, Standard Operating Procedure 2.09, Fireground Operations, states:

“The incident commander and all company officers will evaluate the risk to personnel with respect to the purpose and potential results of their actions. Continuous awareness of the risk is essential and needs to be updated and reviewed as incident conditions change.

The concept of risk management will be utilized on the basis of the following principles:

- Activities that present a significant risk to the safety of personnel will be limited to situations where there is a potential to save endangered lives.
- Activities that are routinely employed to protect property will be recognized as inherent risks to the safety of personnel, and considerations will be taken to reduce or avoid these risks.
- Risk to personnel will not be acceptable when there is no possibility to save lives or property.
- The possibility that a structure may be occupied will be assessed by the incident commander regardless of time of day or occupancy type.
- Operations will be limited to those that can be safely performed by the personnel available at the scene.”

The standard operating procedure establishes that response actions are based on evaluations of facts at the scene of the emergency, capabilities of responders, and measuring risk to actions “that can be safely performed by the personnel available at the scene.” As such, any response is based on facts presented at the emergency and an assessment by the first arriving officer or incident commander. A competent evaluation would not allow personnel to engage in a response knowing that the specific remediation equipment is not available.

During those emergency instances where fire personnel discover Class B hazards (Flammable liquids such as alcohol, ether, oil, gasoline, and grease, which are best extinguished by smothering.) all Sparks Fire apparatus carry Class B portable extinguishers. Further, in those cases where fire personnel were engaged in emergency actions and required immediate evacuation, the utilization of hose streams could be used to direct flames away from responders allowing for evacuation. According to Captain Darren Jackson, Station 3, Engine #31, he could not recall the last time foam concentrate was needed, however, hose lines could be used to control the direction of the flames, although not ideal, it could be used in an emergency. He went on to describe the response area for station #3 consists of heavy trucking operations and above ground fuel storage and that having Class B foam is a good tool to have if needed.

Evaluation of the produced documents, reference materials and interview statements, confirmed that the foam proportioner was in fact non-operational from April 17th, thru September 13th, 2022. However, this in itself does not pose an immediate hazard to

employees. Further analysis of the facts could not find evidence to substantiate the alleged hazard that in the event of a flammable liquids fire, the fire can spread toward firefighters using water hoses without the ability to extinguish the fire before it spreads and threatens personnel.

3. Located at station #3, engine 31 has a leaking cooler. During a fire, this can cause water tanks to run out quickly before a hydrant changeover can occur, leaving firefighters inside without water, exposing them from being overrun by fire. **NOT VALID AT THE TIME OF THE INSPECTION.** At the time of the inspection, the cooling line was operational on the fire apparatus located at station #3, Engine 31. During the inspection, an evaluation of employer submitted documents was conducted. Documents reviewed included, City of Sparks Fire Department, Standard Operating Procedure 2.09, Fireground Operations, NFPA 1901, Standard for Automotive Fire Apparatus (2016), NFPA 1911, Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Emergency Vehicles (2017), City of Sparks Fleet Services Work Orders, and City of Sparks Fire Department Daily Apparatus Check Log for Engine 31.

A review of the Sparks Fire Department Daily Apparatus Check Log for Engine 31 revealed a leaking auxiliary cooling line was reported by Fire Apparatus Operator Landon Vega on October 15, 2022. Sparks Fleet Services work order dated October 27, 2022, verified the repair to the cooling line.

In a statement provided by Captain Darren Jackson, Station 3, Engine #31, he stated that an interim repair was provided by the crew at station #3. He further stated that the cooling line was an auxiliary line that required manual activation to operate.

When discussing the repair with [REDACTED], [REDACTED], City of Sparks Fleet Services, [REDACTED] explained that the purpose of the cooling line was to circulate cool water from the apparatus water holding tank thru the pump to the engine radiator in the event the engine overheats. The line is a ½ inch diameter hose that is not under pressure. Engine 31 carries 750 gallons of fresh water in a holding tank that is utilized during the initial phase of a fire attack operation. This tank allows for immediate application of water on a fire until a second fire apparatus arrives and establishes a water line from a fire hydrant.

In a statement from Division Chief Jim Kindness, he stated that all structure fire responses are dispatched with a minimum of three fire apparatuses, a ladder (truck) company and a battalion chief. Responding engine companies arrive with-in minutes of each other and the likelihood of an initial fire apparatus running out of water due to a ½ inch cooling line was highly unlikely.

A review of the City of Sparks Fire Department, Standard Operating Procedure 2.09, Fireground Operations, states: "The incident commander and all company officers will evaluate the risk to personnel with respect to the purpose and potential results of their actions. Continuous awareness of the risk is essential and needs to be updated and reviewed as incident conditions change."

As such, at any incident, the company officer, or incident commander is responsible for maintaining situational awareness to include water supply at the fire ground. Should an incident occur where the water supply is compromised, nothing precludes the incident commander or captain from ordering an immediate evacuation of fire responders.

Evaluation of the produced documents, reference materials and interview statements, confirmed that the cooling line was in fact non-operational from October 15th thru October 27th, 2022. However, an initial repair was completed by station fire crews until fleet services was able to fully repair the hose. Further analysis of the facts could not find evidence to substantiate the alleged hazard that due to a leaking auxiliary cooling line, at a fire, this can cause water tanks to run out quickly before a hydrant changeover can occur, leaving firefighters inside without water, exposing them from being overrun by fire.

No violations were observed.

Closing Conference Summary:

On 3/20/2023, a closing conference was conducted in person with Jim Kindness, Division Chief of City of Sparks Fire Department - Station # 3. I advised the employer no citations were proposed. Services available through the Safety Consultation and Training Section were discussed, and an employer survey was provided, concluding the closing conference.


Additional Closing Conference Notes:

Briefed local 731 union representatives of inspection outcomes. Jarrod Stewart, Darrin Jackson, and Tom Dunn

Unusual Circumstances Encountered – Closing Conference

None

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| Unusual Circumstances Encountered – Closing Conference - Comments |
| N/A |
| Was a closing conference held with an employee representative? |
| Yes, a separate closing conference was held with an employee representative. |

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|---|---|----------|-----------|
| NV OSHA Compliance Safety & Health Officer Information: | | | |
| CSHO Printed Name: | Michael Hernandez | CSHO ID: | Z3102 |
| CSHO Signature: |  | | |
| Accompanied by: | W. Sibley | Date: | 1/17/2023 |



State of Nevada
Department of Business and Industry
Division of Industrial Relations
Occupational Safety and Health Administration

Inspection Narrative

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|---|-----------|-----------------------|-------------------|
| Inspection Number: | | 1631948 | |
| Opt. Case Number: | | WS-25-23 | |
| Inspection Type: | Complaint | | |
| Inspection Scope: | Partial | | |
| Establishment Name: CITY OF SPARKS - SPARKS FIRE STATION #1 | | | |
| Street Address 1: | | 1605 Victorian Avenue | Street Address 2: |
| City: | Sparks | State: | Nevada |
| Zip Code: | | 89431 | |

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| Opening Conference Summary: |
| On 11/1/2022, an opening conference was initiated with Mr. Jim Kindness, Division Chief of Operations of CITY OF SPARKS - SPARKS FIRE STATION #1. I presented my credentials and explained the purpose and scope of this inspection. The employer was advised of the right to grant or deny entry. Entry was granted. |
| Additional Opening Conference Notes: |
| Division Chief Kindness contacted Local 1265 Vice President, Jarrod Stewart, via cell speaker phone and advised him of our presence at station #1. Chief Kindness advised that OSHA would be on site for the next two to three days. Chief Kindness advised him of the walkaround inspection, Mr. Stewart stated he had a scheduling conflict but would meet with us on 11-2-23. |
| Unusual Circumstances Encountered – Opening Conference/Entry |
| None |
| Unusual Circumstances Encountered – Opening Conference/Entry - Comments |
| N/A |

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| Walkaround Inspection Observations & Comments: |
| CITY OF SPARKS, FIRE STATION #1 was a local municipality 3 story fire station that included an administration building, dormitories, an apparatus bay, kitchen, basement, training rooms, and multiple storage areas. The facility had previously been remodeled during the past 20 years due to the age of the facility. The inspection was predicated upon a complaint and included a walk around of the facility, interviews, industrial hygiene sampling, and review of pertinent documents. Industrial Hygiene Supervisor Stewart was present during a portion of the walkaround inspection, visual inspection for mold, and air sampling for mold and benzene. |
| Complaint #1961427 listed the following items: |
| 1. There are water leaks in the ceiling and mold throughout the building. NOT VALID AT THE TIME OF INSPECTION. A previous inspection (1568364 Complaint #1799166) of FIRE STATION #1 was conducted on 08/20/2021 and included the following items previously addressed: |
| 1. East Stairwell: Water leaks contributing to mold growth in the building. NOT VALID AT TIME OF INSPECTION. The East Stairwell had shown signs of water that had penetrated the wall and begun to run down the wall into the basement. During a remodel phase of the station house an active broken water line was found on the outside wall of the east stairwell that had contributed to the water leaking inside the stairwell. Previously there was a garden on the outside wall. The waterline was removed from the ground and capped. The area was sealed over with asphalt. Sampling was conducted on November 18, 2021 utilizing Allergenco D cassettes and a calibrated Gilian AirCon 2 flow sampler (Serial #201806005), I collected samples in the following areas: |

Sample 01 – East side of building. Outside wall, cassette 4380144, 10:45 – 10:55 a.m.

Sample 02 – East basement stairwell, cassette 4380110, 11:00 – 11:10 a.m.

Results were received from ALS lab on December 03, 2021. Results indicated spore counts found in the stairwell basement were below the spore count of the sample collected outside the building. In addition, per the analytical report (pages 2 and 5), none of the mold and fungi types found in the sample collected indoors presented an indoor air quality concern (none of the mold and fungi types listed under Potential Indoor Air Quality Molds and Fungi were found in the samples). The mold and fungi types present in the indoor sample are commonly found outdoors and can be found indoors (see Common Outdoor Molds and Fungi list).

2. Roof leaks in the building are contributing to mold growth. **NOT VALID AT TIME OF INSPECTION.** A new roof membrane was installed five years ago. Due to the age of the building, it is always being upgraded. A new HVAC unit was installed about a year ago and the catch basin was not connected to the unit correctly. There were a couple of mornings there was water on the lunch table. Throughout the building there were stained ceiling tiles that showed signs of previous water leakage. The tiles had not been replaced due to the tiles not being damaged only water stained.

3. Water dripping from penthouse down onto lunch area which possibly contains caustic water treatment chemicals. **NOT VALID AT TIME OF INSPECTION.** A new HVAC unit was installed about a year ago and the catch basin was not connected to the unit correctly. There were a couple of mornings there was water on the lunch table. Above the HVAC unit is the chiller unit that sits on the floor above the lunch table. The HVAC unit sits in the drop ceiling above the lunch table and below the chiller unit. Maintenance stated the chiller unit has not had any issues with leaking and is on a preventative maintenance schedule with a contractor. The chiller unit had two drains systems that were to be utilized if there was a leak in the unit or flooding. According to maintenance employees the drains had never been used.

During the current inspection employees were interviewed regarding mold at the facility. Employees stated there had been water leaks, but they had not seen any mold. One employee told CSHOs there was mold above the ceiling tiles. However, CSHO was unable to verify any visible mold when looking above the drop ceiling in multiple locations, including dormitories and other areas where stained tiles were observed. The building has a history of water leaks that have been identified and corrected by outside contractors and the city's facility maintenance department employees. Safety meeting, Capital Improvement Project, and maintenance meetings minutes were provided and did not mention any issues with mold in the facility until OSHA was on-site during inspection #1568364 (08/20/2021 - 02/04/2022). Water leaks were addressed in the meetings minutes. Throughout the building there are water stained ceiling tiles. These tiles do not present a health threat and are more of an aesthetic issue. Water stained tiles are not replaced unless they are broken.

Four areas of the facility were sampled for mold February 01, 2023. Utilizing Allergenco D cassettes and a calibrated Gilian AirCon 2 flow sampler (Serial #201806005), The areas included the second floor breakroom, the lobby, third floor restroom and outside the buildings entrance.

Sample 01 - Second floor breakroom, cassette 4380155, 7:30 - 7:40 am.

Sample 02 - Lobby, cassette 4380115, 7:57 - 8:07 am.

Sample 03 - Third floor bathroom, cassette 4380148, 8:43 - 8:53 am.

Sample 04 - Outside main entrance, cassette 4380145, 9:02 - 9:12 am.

Fungal spores are part of the natural environment and can be found both outdoors and indoors. Given the proper moisture level and nutrient source, indoor mold growth can occur on building materials and furnishings. Exposure to certain molds and fungi can cause health problems, such as allergic reactions and asthma attacks, in certain individuals. Susceptibility to the effects of mold and fungi may vary with age, genetic predisposition, impaired immune systems and exposure level. Common mold and fungi types were found in all locations sampled at the station. Molds commonly found outdoors were found in indoor locations such as the lobby due to foot traffic and blowing debris and dust coming and going throughout the day. Results indicated spore counts found the lobby had the highest concentration of spores. Per the analytical report (pages 1 and 2), none of the mold and fungi types found in the sample collected indoors presented an indoor air quality concern.

Note: Currently, there are no federal standards or recommendations (e.g., OSHA, NIOSH, EPA) for airborne concentrations of mold or mold spores.

2. Employees are exposed to workplace violence. The written safety program/policy is not being followed. For example, engineering controls previously implemented are in disrepair (e.g., duct tape is used on the entry door's locking mechanism, and any one from the public can enter. There has been a history of threats to staff, including threats of shooting employees. **SEE SAFETY INSPECTION #1631799.**

3. The safety committee portion of the written safety program is not being followed: many of the safety/health issues raised by committee members are not abated/fixed. **SEE SAFETY INSPECTION #1631799.**

4. On September 13, 2022, at a large apartment fire at 565 Sparks Blvd., the written safety program its associated safety policies were not followed to ensure adequate personnel responded to ensure the safety/health of the firefighters on scene. **SEE SAFETY INSPECTION #1631799.**

5. Due to the lack of staffing and training of current mechanics, firefighters are pressured to operate vehicles in a state of disrepair, compromising employee safety while fighting fires. **SEE SAFETY INSPECTION #1631799.**

6. Truck 11, the Reserve Ladder, and Engine Reserves 1, 2, and 4 have metal wires routed through the doors to the exterior to bypass the latching system. In the event of an emergency, such as building collapse, being overrun with fire or violent situations requirement shelter or egress, employees may not be able to enter the vehicle. **SEE SAFETY INSPECTION #1631799.**

7. The torque box on Truck 11 is in disrepair, so when firefighters are elevated in the bucket, the aerial boom could tilt over or break. **SEE SAFETY INSPECTION #1631799.**

8. At a fire scene about six weeks ago, an employee operating out of Station 1 (Engine 11) was forced to stand in a cloud of crankcase ventilations being exhausted at the pump panel, exposing the employee to toxins/carcinogens. **NOT VALID AT THE TIME OF INSPECTION.** The pump operator stated, "I was not wearing a respirator. I did not think about putting on an N95. I was busy and was the only pumper. This has not happened to me before to the extent of this incident." Employees who were at the scene at the time of the incident stated it was a one off event. Thus, CSHO was unable to recreate event to perform sampling. The operator had to stand at the pump panel more than usual based upon the positioning of the apparatus along Interstate 80 and the type of fire. SCBA's are readily available along with canisters that attach to the firefighters full face respirators. Maintenance records provided to CSHO show the crank case exhaust had been a problem. The exhaust pipe had been extended from underneath the cab to the back of the cab. However, it was later discovered that it now exposes the pump operator to crank case fumes. The trucks are again having the crank case exhaust rerouted parallel with the truck exhaust and exiting at the same location as the truck engine exhaust.

9. After the Reserve Ladder has been driven and then backed into the bay, employees are exposed to exhaust/carcinogens while the truck idles and is shut down. **NOT VALID AT THE TIME OF INSPECTION.** A previous inspection (1568364) of FIRE STATION #1 was conducted on 08/20/2021 and included the following:

1. Employees are being exposed to diesel exhaust that is being ducted into the living quarters which is also exposing employees to benzene and polycyclic aromatic carbons (PAH's). The following issues contribute to the diesel exhaust getting into the building: The Apparatus Bay exhaust system exits near the fresh air intake for the building; on call and pump checks are performed inside the Apparatus Bay without the exhaust system hooked up; the Battalion Chief's vehicle is not hooked up to the exhaust system; and the crank case on the truck vents inside the building and cab of the vehicle. **NOT VALID AT TIME OF INSPECTION.** The fresh air intakes are not located near the buildings Nederman vehicle exhaust system. The fresh air intakes were located on the opposite side of the building. This was verified by maintenance employees who explained how the ventilation system worked.

Pump checks were conducted outside the building as required as verified by employee interviews. There was an issue with truck #11's air system. The truck usually is started up and leaves the apparatus bay in about 15 seconds. However, the truck had an air leak and required the truck to sit for three to four minutes connected to the Nederman exhaust system until enough air pressure was built up to release the brakes on the truck. The air leak was fixed by the maintenance department and had no issues that I observed while on-site.

The Battalion Chief's vehicle is a gas vehicle and was not required to be connected to the Nederman exhaust system based on the size of the apparatus bay and where the vehicle is being parked next to the apparatus bay roll-up doors. The vehicle is started every two days and pulled out of the apparatus bay for system checks. The vehicle is not left idling inside the apparatus bay.

The crank case on truck #11 did emit exhaust into the cab of the truck. The crank case exhaust was extended to the rear of the truck about three to five years ago to eliminate the problem.

The following tests were conducted at the facility including the apparatus bay:

A Drager CMS (Chip Management System) Serial Number ARWN-0106 with a Drager CMS Petroleum Hydrocarbon chip. The chip is able to analyze between 20 to 500 parts per million (PPM). Substances included n-hexane, n-heptane, n-nonane, n-toluene, o-xylene. All substances fell below 20 ppm. There were 5 areas sampled. The dormitory at the east and west locations, second floor deck, and various locations inside the engine bay.

A Metrosonics aq-5000 Air Quality Monitor serial number 1680 was used in the same areas mentioned above to test for carbon dioxide (CO₂). The readings were between 508 PPM and 516 PPM. OSHA's permissible exposure limit (PEL) is 5000 ppm time weighted average (TWA) for an 8-hour time period.

A TSI Dusttrak DRX Aerosol Monitor model number 8533, serial number 8534214101. There were 5 areas sampled. The dormitory at the east and west locations, second floor deck, and various locations inside the engine bay. The largest particle number and concentration size range was while sampling truck #11's exhaust pipe end, resulting in a 0.211 peak mass concentration at PM_{2.5} size fractions. OSHA's Permissible Exposure Limit (PEL) for nuisance dust (diesel soot) is 5 mg/m³ respirable fraction.

CSHO observed the following during the current inspection conducted:

Sparks Fire Station #1 had a Nederman vehicle exhaust extraction system installed for all vehicles housed in the engine bay. The Nederman vehicle exhaust extraction system consisted of hoses and nozzles mounted above the vehicles. The nozzles are easy to attach to the exhaust pipe as the fire truck arrives at the entrance bay, where the hoses will extract the fumes right at the source and prevents them from spreading to fire personnel. The hose attaches by electromagnets to the side of the vehicle. When the vehicle departs, the hose detaches from the side of the vehicle, thus causing no delay and being ready to extract diesel exhaust fumes again as soon as the truck returns to the station. The nozzle and hose are reattached to the vehicles manually while the vehicle is backing into the engine bay. The same system is also used for Reserve Engine 377 Ladder 1.

On February 01, 2023, CSHO used a Gilian GilAir Plus Air sampling pump, serial numbers 30059 to sample benzene in the apparatus bay while employees conducted their normal procedures that included backing the apparatus into the bay, connecting the Nederman exhaust system to the vehicle, and shutting the engine down. The results were sent to Bureau Veritas for analyzing. Six short-term exposure limit (STEL) samples were taken including one blank tube. The results came back non-detectable. Benzene samples were found to be <.42 parts per million (ppm) which fell below the reporting limit of 5 ppm for any 15-minute period.

Closing Conference Summary:

On 12/19/2022, a closing conference was conducted in person with Division Chief Jim Kindness and Division Chief Kevin Jakubos of CITY OF SPARKS - SPARKS FIRE STATION #1. I advised the employer no citations were proposed. Services available through the Safety Consultation and Training Section were discussed, and an employer survey was provided, concluding the closing conference.


Additional Closing Conference Notes:

A separate closing conference was conducted in person with members of the IAFF Local 731. In attendance were Jarrod Stewart, Vice President, Tom Dunn, Vice President, and Darren Jackson, Vice President. Results of the inspection were discussed with the attendees. Note: During the course of the inspection, IAFF Local 1265 merged with IAFF Local 731. Any correspondence should be sent to Reno Local Firefighters Local 731, 9590 South McCarran Blvd., Reno, NV 89523.

Unusual Circumstances Encountered – Closing Conference

None

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| Unusual Circumstances Encountered – Closing Conference - Comments |
| N/A |
| Was a closing conference held with an employee representative? |
| Yes, a separate closing conference was held with employee representatives. |

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|---|---|----------|-----------|
| NV OSHA Compliance Safety & Health Officer Information: | | | |
| CSHO Printed Name: | William Sibley | CSHO ID: | P2842 |
| CSHO Signature: |  IH Supervisor on behalf of William Sibley | | |
| Accompanied by: | Marc Stewart | Date: | 3/21/2023 |



State of Nevada
Department of Business and Industry
Division of Industrial Relations
Occupational Safety and Health Administration

Inspection Narrative

| | | | |
|--|---------------------|-------------------|-------|
| Inspection Number: | | 1631799 | |
| Opt. Case Number: | | MSH-08-23 | |
| Inspection Type: | Complaint | | |
| Inspection Scope: | Partial | | |
| Establishment Name: City of Sparks Fire Station #1 | | | |
| Street Address 1: | 1605 Victorian Ave. | Street Address 2: | |
| City: Sparks | State: NV | Zip Code: | 89431 |

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| Opening Conference Summary: |
| On 11/1/2022, an opening conference was initiated with Jim Kindness, Division Chief of Operations of City of Sparks Fire Station #1. I presented my credentials and explained the purpose and scope of this inspection. The employer was advised of the right to grant or deny entry. Entry was granted. |
| Additional Opening Conference Notes: |
| Division Chief Kindness contacted Local 1265 Vice President, Jarrod Stewart, via cell speaker phone and advised him of our presence at station #1. Chief Kindness advised that OSHA would be on site for the next two to three days. Chief Kindness advised him of the walkaround inspection, Mr. Stewart stated he had a scheduling conflict but would meet with us on 11-2-23. |
| Unusual Circumstances Encountered – Opening Conference/Entry |
| None |
| Unusual Circumstances – Opening Conference/Entry - Comments |
| None |

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|--|
| Walkaround Inspection Observations & Comments: |
| The inspection of the City of Sparks Fire Department (SFD) Fire Station #1 was predicated on NV-OSHA Referral #1961427. The inspection was conducted on November 1, 2022, with Division Chief Jim Kindness, Division Chief Shawn McEvers and NV-OSHA Industrial Hygienist William Sibley. Employee representative Jarrod Stewart, Vice President, IAFF Local 1265, was notified of the inspection, and declined initial participation. The facility, located at 1605 Victorian Avenue, Sparks, NV 89431, is a large, three-story structure that houses firefighting apparatus, emergency response personnel, office spaces, training rooms, dormitories, a kitchen, and a day room. Located at the rear of the property is a large, fenced parking area. The secured parking area is for employee parking and for city owned vehicles. The facility is staffed with a total of 12 personnel: 8 firefighters, 2 chief officers, 2 administrative personnel. The facility operates 3 shifts, on a 48 hour on-duty, 96 hour off duty shift rotation. Emergency response services are provided 24 hours a day, 365 days a year with a staff of 8 firefighters per shift. |
| Referral #1961427 listed the following items: |
| 1. There are water leaks in the ceiling and mold throughout the building. |
| Please see IH inspection #1631948. |
| 2. Employees are exposed to workplace violence. The written safety program/policy is not being followed. For example, engineering controls previously implemented are in disrepair (e.g., duct tape is used on the entry door's locking mechanism, and anyone [sic] from the public can enter.) There has been a history of threats to staff, including threats of shooting employees. NOT VALID AT THE TIME OF THE INSPECTION. Referral Item #2 details multiple alleged hazards under the category of workplace violence. They are summarized and addressed individually as follows: |

a. "The safety policy is not being followed." A review of the employers Injury and Illness Prevention Program (IIPP) dated July 29, 2021, addresses threats of violence. Located on page IIPP 5-3 the employer states the following: "Threats of violence can come through a range of modes of communication, directed at a single employee, a group of employees or the entire workplace. Every threat is serious. If you receive or are aware of a threat of violence, contact a supervisor immediately, if you are able to do so safely. Please see the chapter on "Workplace Violence Prevention" for more information about how to prevent and respond to threats of violence and violence in the workplace." The policy further states, "City of Sparks - Fire Department encourages a safe and healthy work environment. Verbal or physical intimidation, harassment, threats of violence, or any violent act are expressly forbidden. A person who makes threats of violence, exhibits threatening behavior, or engages in violent acts on company property will be removed from the premises as quickly as safety permits and will be kept off premises pending the outcome of an investigation." (IIPP 8-21)

In this case, two reports of workplace violence stemmed from a civilian property owner, who resides adjacent to the rear of the facility. The employer was notified of a potential threat, upon evaluation of the threat, the employer immediately notified the City of Sparks Police (SPD) and had the matter investigated. Sparks Police officers responded, investigated, and determined that no reasonable threat existed and took no further action. The employer's actions were consistent with the Workplace Violence Policy. In the area where the threat occurred, the employer maintains industrial lighting, a card reader to open / close the rear parking gate, and a recorded video camera system.

b. "Engineering controls previously implemented are in disrepair, e.g., duct tape is used on the entry door's locking mechanism allowing civilian access to the facility." An unannounced inspection of the facility occurred on November 1st, 2022. An exterior inspection from public areas showed no reasonable means of unauthorized building access. Inspections on November 2nd and November 3rd, 2022 found the following: Fence gates at the rear of the facility were found in the closed position and locked. Rear and side entry doors were found locked. The main public access point was locked and utilized a functional closed circuit TV monitor. Visitors to the facility were required to state the purpose of their visit, including visual confirmation, before access was allowed.

The public access point opened into a first floor foyer. The foyer provides access to an elevator, the engine bays, captains offices, and a stairwell to the upper floors. Access to the elevator was not restricted, however, access to the third floor was keypad restricted. Access to the captains offices was restricted by a keypad. The door to the stairwell was found locked and was maintained in the locked position. Access to the engine bay was controlled by a newly installed keypad. At the time of the inspection, the keypad was not operational. The employer stated that final installation was dependent on parts not currently available due to nation-wide shortages. While not functional at the time of the inspection, the locking system located within the foyer was determined to be a redundant system not critical to exterior locking systems preventing unauthorized access. The employer stated that upon receiving needed parts full implementation would occur.

c. "There has been a history of threats to staff, including threats of shooting employees." At the time of the inspection, two incidents of workplace violence were verified. (See item a.) Statements provided by the employer could not substantiate a pattern of repeated threats or risks of workplace violence. Statements from employees who work at the facility could not substantiate a pattern of repeated threats or risks of workplace violence.

Evaluation of submitted documents, interviews with employees and the employer could not find evidence to substantiate the alleged hazard that the written safety program/policy is not being followed. The employer has a written policy on workplace violence, the physical building is kept secure, in two instances where threats were made to employees, the employer took appropriate action by notifying Sparks Police.

3. The safety committee portion of the written safety program is not being followed: many of the safety/health issues raised by the committee members are not abated/fixed. **NOT VALID AT THE TIME OF THE INSPECTION.** At the time of the inspection, documents were requested from the employer. Documents included Safety Committee meeting notes, recommendations, and actions taken. Also requested were purchase orders, emails referencing safety committee actions, and other related documents.

A review of Sparks Fire Department Standard Operating Procedure 1.21- Safety Program and Safety Committee, addresses the purpose of the safety committee. It states, "To provide procedures for the structure and operation of the Fire Department Safety Committee." It further states, "The Sparks Fire Department Safety Committee will provide policy and guidance pertaining to health and safety issues for all department employees. The Sparks Fire Department Safety Committee also acts as a fact-finding and

review committee with the authority to cause immediate corrective action when any hazardous condition or practice is detected, and to review accidents as required in Administrative Rule 2.020 Reporting City Property Accidents. The final approval or disapproval of the Sparks Fire Department Safety Committee's findings and recommendations will be at the discretion of the Fire Chief."

In this case, the alleged hazard concerns the lack of action taken by the employer on recommendations by the safety committee. A review of safety committee meeting notes from November 17th, 2021, thru August 18th, 2022, identified various on-going issues with associated recommendations.

Items from the November 17th, 2021, meeting included:

a. Earpieces for apparatus operators to monitor radio traffic for enhanced situational awareness. The issue was discussed at the March 3rd, 2022, May 18th, 2022, meetings, and August 18th meeting with direction to purchase 40 units for Sparks Fire Department staff. This item was resolved with the purchase of the equipment as noted in an email dated September 19th, 2022, from Firefighter P. Coyle, Safety Committee member, stating: "All acting and FAO's, we have "secret service" ear pieces [sic] available. These are so you can hear radio traffic and have situational awareness while wearing your helmets. These should not be worn into a fire. If you have questions or have not received one and would like one, please email or text me. If you're not an acting FAO yet, once you have a pumper or truck book signed off, please let me know and you'll be issued one."

b. OSHA inspection. The committee requested results and findings from an OSHA site visit. The issue was discussed at the March 3rd, 2022, May 18th, 2022, meetings. At the August 18th, 2022, meeting, the OSHA findings were presented to the committee for review.

Items from the March 3rd, 2022, meeting included:

a. Threat of violence complaint received on February 23rd, 2022. The actions taken were discussed, it was determined that department pedestrian traffic should use an alternate route and avoid using the alley where possible. It was also recommended that refuse containers be relocated inside of the fence to avoid any possible contact with the subject.

b. Crank case fumes from certain fire apparatus – Engine #2 (384) update. A complaint of fumes was received on December 7th, 2021. Recommendations included relocating exhaust piping further back on Engine # 2 (384). On December 24th, 2021, the apparatus was tested using a four-gas monitor by the City of Sparks Fleet Department. No hazards were noted. An invoice provided by the employer, dated December 24th, 2021, for a pressure test on the crank case vent tube – no leaks. The employer updated the safety committee as noted in an email dated December 27th, 2021, from Chief McEvers, where he stated: "Safety Committee, please see the latest update on E-2 issue being looked at for fumes in the cab." The email included an attached report of findings from the testing. The issue was not discussed at the May 18th, 2022, safety committee meeting. In an email dated August 12th, 2022, from Chief Kindness to [REDACTED], City of Sparks Fleet Maintenance [REDACTED], they discuss the problem and possible recommendations. [REDACTED] states that "We did all of the ALFs. It's a 2006 the fumes have to go somewhere. There have been no complaints in 15 years." At the August 18th, 2022, Safety Committee meeting the following was stated: "There is still an issue with crank case fumes in the ALF reserve engines. The EMS bags have been moved away from the exhaust pipe. The exhaust pipe has been lengthened to be further back under the carriage. [REDACTED] will follow up with the garage on the current location of the exhaust piping and will see if approval can be given to run the hose back further. Approval was also given to buy N100 masks to keep on the ALFs to use until the situation is corrected."

Safety committee meetings held on March and May 2022 generated recommendations and as noted in the above examples, the employer demonstrated a pattern of addressing those items where feasible. Abatement actions were affected by such things as availability of parts, availability of maintenance personnel, and funding for high-cost items.

Evaluation of submitted documents could not find evidence to substantiate the alleged hazard of safety committee recommendations remaining non-abated or lacking action.

4. On September 13, 2022, at a large apartment fire at 565 Sparks Blvd., the written safety program its associated safety policies were not followed to ensure adequate personnel responded to ensure the safety/health of the firefighters on scene. **NOT VALID AT THE TIME OF THE INSPECTION.** During the inspection, a review of requested documents was conducted. Documents reviewed included: fire response reports for the incident at 565 Sparks Blvd., City of Sparks Fire Department, Standard Operating Procedure 2.09, Fireground Operations, National Fire Protection Association 1710, OSHA 2-in-2-out requirements

(1910.134(g)(4)), Sparks Structural Fires Matrix (Appendix B, SOP 2.09), International Fire Service Training Association (IFSTA) references, and International Fire Service Accreditation Congress (IFSAC) references.

An evaluation of fire report # 2022-0010682 for the incident at 565 Sparks Blvd on September 13, 2022, revealed the following:

At 09:33 p.m. Sparks Fire Department (SFD) received an emergency service request for a structure fire.

At 09:37 p.m. Sparks Fire units arrived, provided rescue and extinguishment of the fire which was located on the exterior of the building.

At 09:46 p.m. Sparks Fire Battalion Chief declares the fire extinguished and the scene under control.

Three residents were treated at the scene for minor smoke inhalation, and all declined further medical treatment or transportation to the hospital.

The structure was a two-story residential apartment complex. At the time of dispatch, and per department protocol, a standard dispatch alarm assignment was initiated. The alarm response assignment consisted of four fire engines, one ladder truck and one battalion chief officer. Specifically, Engine Co. 31, Engine Co. 21, Engine Co. 12, Engine Co. 41, Ladder Truck 11, and Battalion Chief 3. In total 17 firefighters, 2 EMS personnel and 1 fire investigator for a response total of 20 responders. There were no fatalities reported, three occupants were treated for minor smoke inhalation and refused hospital care. There were no reported injuries to any first responders.

A timeline summary of the incident is as follows:

09:33 p.m. - Fire units are dispatched.

09:37 p.m. - Engine 31 arrives and provides a situation report to incoming response units, specifically the location is a two-story apartment complex, fire is visible from an area on the exterior first floor stairwell, the fire is extending along the exterior wall to an upper apartment and there are people on the balcony attempting to evacuate. Residents of the apartment complex have extended ladders to the occupants on the second-floor balcony. Engine 31 crew members remove the individuals from the balcony and begin extinguishing the fire that was on the exterior of the first-floor stairwell area. Due to the location of the fire, residents were unable to evacuate using the stairwell.

09:38 p.m. - Engine 21 arrives and assists with extinguishment. Engine crews search the ground floor apartment #281 for victims and fire extension. No victims or fire extension in the apartment were noted.

09:39 p.m. - Battalion Chief 3 arrives and assumes command.

09:39 p.m. - Engine 12 arrives and assists with extinguishment, established a water supply for the first arriving fire trucks and secured utilities to the two involved apartments.

09:40 p.m. - Engine 41 arrives and establishes a Rapid Intervention Team (RIT) – rescue team for firefighters operating inside the structure.

09:41 p.m. - Ladder Truck 11 arrives and checks the second-floor apartment #282 for victims and fire extension. Upon verification of no fire extension or victims, crews begin salvage and overhaul operations.

09:46 p.m. - The fire was fully extinguished, and the situation declared under control.

10:05 p.m. - Engine 12 is released back in service and returns to their duty station.

Over the next two hours, fire units are released and placed back in service.

At 11:48 p.m. - The property is released back to apartment management.

A review of Sparks Fire Department Standard Operating Procedure, Fireground Operations, Number 2.09 states: “The intent of this policy is to assure consistency in emergency incident operations, with a focus on maintaining the highest level of safety for all personnel.” Under Incident Commander (IC) responsibilities, 12 items are listed as benchmarks for IC fireground actions. They include assume and announce command and locate in an effective command position, perform a size-up that includes a risk assessment, initiate, maintain, and control incident communications, ensure water supply, complete a 360 around the fire structure, assign personnel and resources consistent with the operational plan.

With respect to personnel resources, the policy states “When available, ensure that adequate personnel and resources are assigned to the incident (Reference NFPA 1710).” The National Fire Protection Association (NFPA) 1710 standard provides the minimum requirements relating to the organization and deployment of fire suppression operations, emergency medical operations, and special operations to the public by career fire departments. NFPA 1710 determines deployment requirements based on occupancy types. In this case, a structure fire was reported in a two-story apartment, the standard states “The initial full alarm assignment to a structure

fire in a typical 1200 ft² (111 m²) apartment within a three-story, garden-style apartment building must provide for a minimum of 27 members (28 if an aerial device is used). The initial response from the Sparks Fire department included 17 firefighters, 2 EMS personnel, 1 chief officer, and 1 fire prevention investigator. In section 5.2, Fire Suppression Services (NFPA 1710), 5.2.1.3 states; “The fire department shall be permitted to use established automatic aid and mutual aid agreements to comply with the requirements of section 5.2.” As part of the departments fireground operations protocol, the Sparks Fire Department utilizes a mutual aid agreement with the City of Reno, Truckee Meadows Fire Protection District, and other neighboring emergency response agencies.

During those instances where emergency operational needs exceed the capacity of the Sparks Fire Department, mutual aid requests are dispatched, and additional resources deployed to the incident. In a statement provided by Forrest Johnson, Captain, Sparks Fire Department, indicated “On emergency responses, Captains have the authority to request more resources based on the conditions present.” Jim Kindness, Division Chief, Sparks Fire Department stated “Reference staff deployment, at any point during an emergency, additional resources can be requested, likewise resources responding to an emergency can be returned to service as needed. Emergency responsibility/crew availability is a key consideration during emergency calls for service, we must ensure continuity of service city wide as part of resource management.” Meeting the intent of NFPA 1710, would necessitate utilizing mutual aid resources, those resources are reserved for active, on-going incidents that exceed on scene capacity. NFPA 1710 recognizes that not all emergency incidents are the same, as such allows for initial arriving responders to exercise their professional judgement in evaluating the incident and determining resource needs to mitigate the event. Initial arriving responders have the authority to reduce or request additional resources as necessary for each emergency event. NFPA 1710 section A.5.2.4.6.2 states “Once units arrive, or a determination is made that other resources are required, additional alarms should be called for and dispatched. Departments should have predetermined procedures for additional alarms. Many departments send the same number and type of units on the second alarm as on the first alarm. Incident commanders can always request unique resources when required. Many departments will only be able to handle additional alarms through automatic or mutual aid agreements that have been previously established.”

In the September 13, 2022, apartment fire, the first engine company arrived, assessed the incident, and initiated rescue and suppression actions. Approximately one minute later a second engine company arrived, assessed the incident, and assisted with fire extinguishment. Two minutes after the first arriving engine company, a battalion chief arrived, assessed the incident, established command, and took actions consistent with Sparks Fire Department SOP 2.09. In the following three minutes, three more Sparks Fire Apparatuses arrived on scene. At 09:46 p.m., nine minutes after the first arriving engine company, the situation was declared under control. At 10:05 p.m., Engine Company 12 was released and returned to service. Had the September 13, 2022, apartment fire developed into an incident where capacities were exceeded, additional resources would have been requested, at which point the intent of NFPA 1710 would have been met. It is important to note that the language in the Sparks Fire Department Fireground Operations Procedure states “**When available**, ensure that adequate personnel and resources are assigned...” Actions taken by the incident commander were consistent with departmental fireground procedures, including a request for an additional fire apparatus for coverage and verification of EMS response to the incident.

Evaluation of the produced documents could not find evidence to substantiate the alleged hazard that the written safety program associated safety policies were not followed to ensure adequate personnel responded to ensure the safety/health of the firefighters on scene.

5. Due to a lack of staffing and training of current mechanics, firefighters are pressured to operate vehicles in a state of disrepair, compromising employee safety while fighting fires. **NOT VALID AT THE TIME OF THE INSPECTION.** At the time of the inspection, documents were requested from the City of Sparks Public Works / Fleet Maintenance, that included Sparks Fire Department Daily Check logs for apparatus, and statements from SFD personnel, and Sparks Fleet Maintenance staff. NFPA 1911 Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Emergency Vehicles was also reviewed.

A document request for certifications and training records of The City of Sparks Public Works - Fleet Maintenance Department was transmitted and a reply was received. A review of the documents submitted, revealed the following: the maintenance and repair facility operates with a total of 9 personnel. Comprising of 1 public works manager, 1 fleet supervisor, 1 lead mechanic, 4 mechanics, 1 parts technician, and 1 parts/shop laborer. All mechanics are certified by the National Institute for Automotive Service Excellence (ASE) as Master Automobile Technicians. All mechanics have attended the Fire Service Academy in Sacramento, California. Two mechanics are designated to make repairs on fire apparatus, these mechanics are certified as ASE – Master Medium/Heavy Duty Technicians. They are [REDACTED] and [REDACTED].

A review of submitted credentials for [REDACTED], [REDACTED], revealed an ASE – Master Automotive and Medium/Heavy

Truck Technician certification with areas of demonstrated achievement in the following sections: Diesel engines, Drive trains, Brakes, Suspension and Steering, Electrical/Electronic Systems, Heating, Ventilation and A/C, Preventative Maintenance, and Inspection. These certifications had expiration dates of June 30, 2024. Further certifications included Truck Equipment Installation and Repair and Auxiliary Power Systems, with expiration dates of December 31, 2024. All certifications were current and documented.

A review of submitted credentials for [REDACTED] revealed an ASE – Master Automotive and Medium/Heavy Truck Technician certification with areas of demonstrated achievement in the following areas: Engine Repair, Automotive Transmission and Transaxle Repair, Manual Drive Train Repair, Steering and Suspension, Brakes, Electrical and Electronic Systems, Heating and A/C, Diesel Engines, Heavy Drive Trains, Heavy Suspension and Steering, and Heavy Vehicle Preventative Maintenance and Inspections. Most certifications have expiration dates of December 31, 2024. All certifications were current and documented.

Evaluation of the submitted documents could not find evidence to substantiate the alleged hazard of a lack of training for fleet mechanics.

In a statement from [REDACTED], [REDACTED] admitted that there is a “significant workload at the repair facility.” [REDACTED] further described the process for assigning work. All first responder vehicles receive priority for repairs. This priority includes all police and fire department apparatus. In evaluating the prioritization of repairs for vehicles, factors include: the critical need for the vehicle, time required for the repair, availability of parts, and repair technicians to complete the repair. When necessary other mechanics will be reassigned to repair vehicles that require immediate attention. Consistent with NFPA 1911, 6.1.2, the technician evaluates the emergency vehicle or a component of the vehicle to determine if the vehicle is taken out of service, retained in-service with limitations, or retained in-service with no limitations. If the vehicle is placed out of service, or in-service with limitations, the repair process is initiated. [REDACTED] stated that determination of vehicle in-service, limited service, or out of service evaluations are made jointly with Sparks Fire Department Chief Officers so that all parties are aware of actions taken. [REDACTED] stated that every effort is made to return the vehicle in a timely and fully operational manner as possible.

A review of the Sparks Fire Department Apparatus Daily Check Log was conducted. The daily check-off log closely mirrors NFPA 1911, 7.1., Daily Weekly Visual Operational Checks. The apparatus daily check covers 41 items and allows for comments to describe problem areas. Fire apparatus operators conduct daily inspections and report deficiencies to the station captain. An email is generated and sent to “SFDWRITEUPS” detailing the needed repair(s). The email is sent to fleet maintenance repair staff, and department chief officers. The station captain notifies the battalion chief, and a determination is made to place the apparatus out of service, pending an evaluation from fleet personnel. Consistent with NFPA 6.1.2 (1) The emergency vehicle shall be taken out of service. SFD, will place an apparatus out of service if any component critical to the effective capability of the apparatus is not functioning, i.e., engine, pump, brakes, electrical system. In his statement, Jim Kindness, Division Chief, Sparks Fire Department stated, “if an apparatus is deemed inoperable, crews are moved into a reserve apparatus until such time as repairs are made to the front-line apparatus.”

If a maintenance request is received, and the needed repair is not critical to the capability of the apparatus, the vehicle repair requests would be submitted, however the apparatus would remain in-service. An example would be lack of air-conditioning in the vehicle. The functionality of the fire apparatus would not be impacted, although uncomfortable for firefighters, the vehicle would retain its capability to operate as designed.

Evaluation of submitted documents, interview statements from employees, and a review of apparatus maintenance procedures could not find evidence to substantiate the alleged hazard that firefighters are pressured to operate vehicles in a state of disrepair, compromising employee safety while fighting fires.

6. Truck 11, the Reserve Ladder, and Engine Reserves 1, 2, and 4 have metal wires routed through the doors to the exterior to bypass the latching system. In the event of an emergency, such as building collapse, being overrun with fire or violent situations requirement shelter or egress, employees may not be able to enter the vehicle. **NOT VALID AT THE TIME OF THE INSPECTION.** At the time of the inspection, the door latching system on Reserve Truck 11, reserve apparatus 1, 2 and 4 were functional and operating. No wires were visible. In a statement from SFD Division Chief Shawn McEvers, all of the apparatus listed were manufactured by American LaFrance, LLC (ALF).

American LaFrance, LLC, manufacturing ceased all operations in 2014. The termination of operations included the manufacturing of fire, rescue, and vocational vehicles, warehousing, production, parts and service facilities in Monks Corner, SC., Ephrata, PA.,

and Los Angeles, CA. (<https://www.fireapparatusmagazine.com/fire-apparatus/report-american-lafrance-closes-doors/#gref>) As a result of the companies closure, parts and related specialty equipment were difficult to acquire. In a statement by SFD Division Chief Jim Kindness, the door latching mechanism was a consistent problem with all ALF apparatus. During the on-set of the COVID-19 pandemic obtaining aftermarket replacement parts for any fire apparatus was extremely difficult. Compounding this problem was obtaining parts from a company no longer in business. At the peak of the pandemic, multiple doors experienced a latching failure, in an effort to keep reserve apparatus operational, SFD station personnel engineered a quick fix utilizing a heavy gauge wire to open doors to the apparatus. Once Sparks Fleet Maintenance obtained the needed parts, they were installed."

Evaluation of on-line resources, interview statements from employees, the employer, fleet maintenance staff and a review of apparatus maintenance documents indicated the following: A latching problem existed with multiple doors on reserve apparatus, COVID-19 impacted world-wide distribution of goods and services, this included obtaining parts for SFD apparatus, SFD employees initiated a quick fix repair as an interim effort to keep reserve apparatus available, as soon as parts became available, repairs were made to the apparatus. While the utilization of a wire to operate the latching mechanism of an apparatus door is not a recommended practice, given the circumstances surrounding the issue, and in an effort to maintain reserve apparatus in an available status, the use of a wire to activate the latching mechanism was a best path forward until the repair could be made. Lastly, a review of incidents and in statements from SFD employees and the employer could not identify an instance where crews were required to evacuate to an apparatus due to a building collapse, being over-run by fire, or a violent situation. As such, the evidence reviewed could not substantiate the alleged hazard of an inability to enter an apparatus during an emergency event.

7. The torque box on Truck 11 is in disrepair, so when firefighters are elevated in the bucket, the aerial boom could tilt over or break. **NOT VALID AT THE TIME OF THE INSPECTION.** At the time of the inspection, documents were requested from the City of Sparks Public Works / Fleet Maintenance, Sparks Fire Department Daily Check logs for apparatus, statements from Sparks Fire personnel, and Sparks Fleet Maintenance staff. NFPA 1911 Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Emergency Vehicles was also reviewed.

NFPA1911, 22.1.2 states "The inspection and tests specified in this chapter as Non-destructive Testing (NDT) shall be conducted as follows: (1) At least every five years. (2) Whenever visual inspection or load testing indicates a potential structural or safety problem. (3) Where there is a desire to further confirm continued operational safety. In this case documents submitted by the City of Sparks Fleet Maintenance Department confirmed non-destructive testing (NDT) was performed on September 24, 2021. The certificate states "This certifies that the above designated device has successfully met all test of the 5-year NDT inspection. It has been thoroughly examined by Diversified Inspections/ITL, Inc. for the conformance of all operational specifications in accordance with the requirements of the NFPA 1911 standards for Performance Testing Aerial Devices."

Evaluation of submitted documents could not find evidence to substantiate the alleged hazard that the torque box on Truck 11 is in disrepair, so when firefighters are elevated in the bucket, the aerial boom could tilt over or break.

8. At a fire scene about six weeks ago, an employee operating out of Station 1 (Engine 11) was forced to stand in a cloud of crankcase ventilations being exhausted at the pump panel, exposing the employee to toxins/carcinogens.

Please see IH inspection #1631948.

9. After the Reserve Ladder has been driven and then backed into the bay, employees are exposed to exhaust/carcinogens while the truck idles and is shut down.

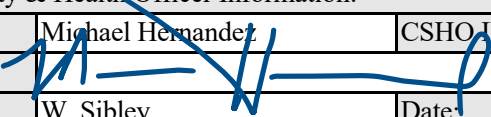
Please see IH inspection #1631948.

No other violations were observed.

Closing Conference Summary:

On 3/20/2023, a closing conference was conducted in person with Division Chief Jim Kindness, at City of Sparks Fire Station #1. I advised the employer no citations were proposed. Services available through the Safety Consultation and Training Section were discussed, and an employer survey was provided, concluding the closing conference.

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| Additional Closing Conference Notes: | |
| Briefed local 731 union representatives of inspection outcomes. Jarrod Stewart, Darrin Jackson, and Tom Dunn | |
| Unusual Circumstances Encountered – Closing Conference | |
| None | |
| Unusual Circumstances Encountered – Closing Conference - Comments | |
| N/A | |
| Was a closing conference held with an employee representative? | |
| Yes, a separate closing conference was held with an employee representative. | |

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|---|---|----------|------------|
| NV OSHA Compliance Safety & Health Officer Information: | | | |
| CSHO Printed Name: | Michael Hernandez | CSHO ID: | Z3102 |
| CSHO Signature: |  | | |
| Accompanied by: | W. Sibley | Date: | 12/16/2022 |