

**PARSIPPANY AREA OFFICE  
DIARY SHEET**

Complaint  
Assignment: Galaxy Towers Condominium Association Inspection #: 205 715 907

Set Address: 7000 Kennedy Boulevard East

City: West New York County: Hudson State: NJ

Zip Code: 07093 SIC: \_\_\_\_\_

DATE	ACTION TAKEN	INITIALS
5/2/06	Receive complaint. Phone/FAX ER.	
	Send complainant E letter.	
5/3/06	Phone messages from complainant & ER	
5/4	Spoke w/ Susan Fitzpatrick	EX
	Rec'd ER response by FAX.	7
	Phone message from complainant:	
	ER Response satisfactory (wet methods, plastic)	
	but letter not posted).	
5/8	ER response satisfactory G. letter to	
	complainant. Case closed.	
	Call from complainant: Wet methods	
	discontinued; dust problem again.	
	Call from local 124	EX 7

Department of Labor Occupational Safety & Health Administration  
Parsippany Area Office  
299 Cherry Hill Road, Suite 103  
Parsippany, NJ 07054  
Phone (973) 263-1003  
Fax (973) 299-7161  
OSHA Website Address: <http://www.osha.gov>



05/02/06

Galaxy Towers Condominium Association  
7000 Kennedy Boulevard East  
West New York, NJ 07093  
Attn: Susan Fitzpatrick

Re: Galaxy Towers Condominium Association  
Complaint No. 205715907

Dear Ms. Fitzpatrick:

On 05/02/2006, the Occupational Safety and Health Administration (OSHA) received a notice of health hazards at your **worksite** at:

7000 Kennedy Boulevard East  
West New York, NJ 07093

We notified you, by telephone, of these **alleged** hazards on 5/2/06. The **specific nature** of the alleged hazards is as follows:

**Employees in the break room and garage on the 15th floor** are overexposed to dust from renovation work involving activities such as **jack hammering**.

We have not **determined whether** the hazards, as alleged, exist at your workplace; and we do not intend to conduct an **inspection at this** time. However, since allegations of violations and/or hazards have **been** made, we request that you **immediately investigate** the alleged conditions and make any necessary corrections or **modifications**. Please advise me in writing, no later than **5/10/06** of the results of your investigation. You must **provide supporting documentation** of your findings, including any applicable measurements or monitoring results, and **photographs/video** which you believe would be helpful, as well as a description of any corrective action you have taken or are in the process of taking. If the complaint item is valid, please include the date the **hazard** was corrected and the number of employees **removed** from the hazard by this correction.

This letter is not a citation or a notification of proposed penalty which, according to the OSH Act, may be issued only after an inspection or investigation of the workplace. It is our goal to assure that hazards are promptly identified and eliminated. Please **take immediate corrective** action where needed. We encourage employee participation in investigating and responding to

any alleged hazard. **If we do not receive a response from you by 5/10/06 indicating that appropriate action has been taken, or date by which it will be taken, or that no hazard exists and why, an OSHA inspection will be conducted.** An inspection may include a review of the following: injury and illness records, hazard communication, personal protective equipment, emergency action or response, bloodborne pathogens, confined space entry, lockout and related safety and health issues.

Please note, however, that OSHA selects for inspection some cases where we have received letters in which employers have indicated satisfactory **corrective** action. This is to ensure that employers have actually taken the action stated in their letters.

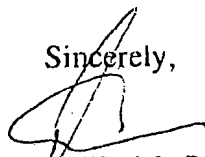
The State of New Jersey offers OSHA consultation services:—without charge, to assist in resolving all occupational safety and health issues. The variety of services available or the scheduling of those services may be limited by the consultation project's requirement to give priority to small **businesses** in high hazard industries and by its backlog. However, you may be able to obtain similar services from your insurance carrier or **private** consultant in a more **timely** fashion. To discuss or request the services, call or write your New Jersey **consultation** project at the following address:

NJ Department of Labor - Division of Workplace Standards  
Office of Occupational Safety and Health Consultation Services  
CN 053  
Trenton, NJ 08625-0953  
Safety Issues: (609) 292-0404 - Health Issues: (609) 984-0785

You are requested to post a copy of this letter where it will be readily accessible for review by **all** of your employees and return a copy of the signed Certificate of Posting (Attachment **A**) to this office. Also, you are requested to provide a copy of this letter and your response to it to a **representative** of any recognized **employee** union or safety **committee** if these are at your facility. Failure to do this may **result** in an on-site inspection. The complainant **has been** furnished a copy of this letter and will be advised of your response. Section 11(c) of the OSH Act provides **protection** for **employees** against discrimination because of their involvement in protected safety and health related activity.

If you have any questions concerning this matter, please contact **1**  
. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,



Philip M. Peist  
Area Director

Attachments

### CERTIFICATE OF POSTING OSHA NOTIFICATION OF ALLEGED HAZARD(S)


Complaint Nr: 205715907

Galaxy Towers Condominium Association

Date of Posting: May 04, 2006

Dare Copy Given to  
an Employee Representative: May 04, 2006

On behalf of the employer, I certify that a copy of the complaint letter received from the Occupational Safety and Health Administration (OSHA) has been posted in a conspicuous place, where all affected employees will have notice, or near such location where the violation occurred, and such notice has been given to each authorized representative of affective employees, if any. This notice was or will be posted for a minimum of ten (10) working days or until any hazardous conditions found are corrected.

  
\_\_\_\_\_  
Signature

General Manager  
Title

PLEASE PROVIDE,: Employers Identification #  
(ID#) EX7



**Report of Alleged Safety or Health Hazards**

May 2, 2006 11:02am

Complaint Number	205715907
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Establishment Name	Galaxy Towers Condominium Association		
Site Address	7000 Kennedy Boulevard East, West New York, NJ 07093		
	Site Phone	(201) 453-2400	Site FAX (201) 861-8387
Mailing Address	7000 Kennedy Boulevard East, West New York, NJ 07093		
	Mail Phone	(201) 453-2400	Mail FAX
Management Official	Susan Fitzpatrick	Telephone	
Type of Business	Building Management	Ownership	
Primary SIC	6512	Primary NAICS	

**HAZARD DESCRIPTION/LOCATION.** Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.

**DESCRIPTION:**

Employees in the break room and garage on the 15th floor are overexposed to dust from renovation work involving activities such as jack hammering.

**LOCATION:**



**The Galaxy Towers  
Condominium Association**

May 4, 2006

U.S. Department of Labor  
Occupational Safety and Health  
Parsippany Area Office  
299 Cherry Hill Road, Suite 103  
Parsippany, NJ 07054

Dear <sup>1</sup>

I am in receipt of your letter dated May 2, 2006 with regard to dust from renovation work that is currently being conducted.

In accordance with our conversation earlier today, please be advised that on May 2, 2006 concrete restoration in our garage was taking place. The area that is undergoing restoration is completely enveloped in plastic. Wet methods were being employed at the time. The proximity of the work to the employee break room, coupled with the fact that the garage has open air spaces where wind can travel, did cause some dust to enter the employee break room. The dust has since been cleaned and the break room continues to be monitored and cleaned.

After learning of your telephone call, and seeing the situation first hand, I immediately had additional plastic sheeting placed over two sets of doors that lead to the break room. I also have ordered that the set of doors that lead to the break room from the garage be sealed with plastic. I have also ordered that the other set of doors that lead to the break room from inside the building be utilized until the work is complete. In the event of an emergency, however, egress will be possible through both sets of doors.

We anticipate that the work that has been taking place in the proximity of the break room will be completed within the next 10 working days. We will continue to keep the area enveloped in plastic and will continue to employ wet methods when removing the deteriorated concrete from the area.

I have posted your letter conspicuously outside the break room where all other important notices are posted and will do so for 10 days as directed by you earlier in our phone conversation. I am also faxing a copy of the Certificate of Posting to you with this letter, and am providing a copy of the letter and Certificate of Posting to <sup>EX 7</sup> for Local 734, the Union that represents our employees.

Thank you for taking the time to notify me of this condition. I assure you that we are taking every precaution to prevent dust from entering the break room, and will continue to clean the room on a consistent basis. Please feel free to contact me should you require any additional information.

Sincerely,