

U.S. Department of Labor

Occupational Safety and Health Administration

135 High Street, Suite 361

Hartford, CT 06103

Phone: (860) 240-3152 Fax: (860) 240-3155

<http://www.osha.gov> e-mail: OSHAHartford@dol.gov



February 22, 2022

Kiewit Corporation
200 State Pier
New London, CT 06320

Re: OSHA Complaint No. 1868614

Dear Employer:

On Feb 17, 2022, the Occupational Safety and Health Administration (OSHA) received a notice (Complaint No. 1868614) of safety and/or health hazards at your worksite at:

200 State Pier
New London, CT 06320

The specific nature of the alleged hazards is as follows:

1. Truck operators may be exposed to possible cave in hazards associated with unstable soil. Trucks are being operated too close to the rivers edge exposing them to collapse and possible drowning.
2. Employees may be exposed to possible drowning. Employees are not provided personal flotation devices (PFD) when working in close proximity to water sources.

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 **March 1, 2022** 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, including documentation of the corrected condition.

This letter is not a citation or a notification of proposed penalty which, according to the Occupational Safety and Health 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 March 1, 2022 indicating that appropriate action has been 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 a random sample of 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.

If you need assistance to help resolve the issues of this complaint, the State of Connecticut offers a free OSHA consultation service. However, the variety of services available or the scheduling of those services may be limited by the consultation projects requirement to give priority to small businesses in high hazard industries and by its backlog. If required, a consultant will visit your workplace and assess the validity of the complaint item(s). In addition, you will be provided with methods of correcting the hazard, if necessary. To discuss or request their services, call the consultation project at the following address:

Connecticut Department of Labor
Division of Occupational Safety & Health
38 Wolcott Hill Road
Wethersfield, CT 06109
(860) 263-6900

You are requested to post a copy of this letter and your response to it 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. In addition, 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 Occupational Safety and Health Act provides protection for employees against discrimination because of their involvement in protected safety and health activity.

If you have any questions regarding this matter, please contact the OSHA-Hartford Area Office at (860) 240-3152, 135 High Street, Suite 361, , Hartford, CT 06103. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,


Dale Varney
Area Director

Attachment A

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

Employer Name: Kiewit Corporation
Complaint Number: 1868614

Date of Posting: _____

Date Copy Given to an Employee Representative: _____

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 affected employees, if any. This notice was or will be posted for a minimum of ten (10) days or until any hazardous conditions found are corrected.

Signature

Title

Employer/Establishment Name