

**STATEMENT OF PETER AMES EVELETH
GENERAL COUNSEL, OFFICE OF COMPLIANCE
BEFORE THE SUBCOMMITTEE ON THE LEGISLATIVE BRANCH,
HOUSE APPROPRIATIONS COMMITTEE
July 8, 2008**

Good morning, Madam Chair, Mr. Latham and Members of the Subcommittee. I am pleased to testify this morning about the Capitol Visitor Center and to report to you the actions taken by our Office to ensure that the CVC is a safe facility, is fully accessible to visitors and staff with disabilities, and can open on time.

There are two points I would like to emphasize:

First, since our Office began its pre-inspection of the CVC in February, we have worked closely with CVC management to assure that potential health and safety hazards to visitors and staff are identified and abated in order that the CVC can be opened to the public in November. Although we cannot begin the final phase of our inspection involving operational aspects of the facility until staff and contractors who will be servicing the CVC have moved in during August, we are confident that none of the hazards we have identified to date will delay that opening.

Second, the standards we have followed in conducting our inspections are well recognized - OSHA standards and the OSH Act's general duty clause, augmented by the National Fire Prevention Association's Life Safety Code, the BOCA National Building Code, and other national consensus standards, and the Americans with Disabilities Act. These are the same standards that this office applies during its biennial inspections of other legislative branch facilities.

On the first point, it's important to keep in mind our statutory mandate: Under the Congressional Accountability Act, the Office of Compliance is charged with ensuring safe and healthful working conditions for employees in the CVC - including guides, Capitol Police and others. We are also required to assure visitors with disabilities full access to the CVC's many features. The facility's size, its underground nature, its location next to the iconic U.S. Capitol building - all contribute to the complexity and challenge of assuring the well-being of those who work and visit the CVC.

Throughout our pre-inspections, we have worked collaboratively with the Architect, the Capitol Police and all those involved in this project to identify health and safety hazards. From the very beginning, we have coordinated closely with CVC officials, and since March, we have discussed in weekly conferences any and all issues that have arisen during the inspections. Our inspectors worked with Bernie Ungar and Doug Jacobs to develop a schedule for reviewing the facility in phases. So far our inspectors have been to the CVC on at least eleven separate occasions. This has been a thorough, wall to wall inspection.

As the chart attached to my written testimony shows, it has covered, among other items, fire alarm testing protocols, fire door installations, hand rails, wheelchair ramps, electrical devices,

slip and trip hazards, emergency lighting, radon, Braille and exit signage, emergency egress, and Americans with Disabilities Act requirements.

AOC officials and contractors accompany our inspectors on their walk-arounds; this prevents confusion and, in many instances, facilitates quick hazard abatement. To cite just one example, our inspectors identified incorrectly installed electrical devices that posed a hazard to CVC occupants; virtually all of these were abated in very short order.

As to the second point, our staff is careful to identify to CVC and AOC staff only those hazards that contravene applicable regulations and Code provisions. The chart attached to my written statement cites the applicable standard for each hazard found during our inspections. We don't nitpick: if a condition doesn't violate the law, we don't require abatement.

With respect to the abatement of identified hazards, we work with CVC management to achieve practical, effective, and, as possible, cost effective solutions. For example, air handlers in the ventilation system had partially exposed rotating shafts, thus presenting a risk of injury to workers in the vicinity. OSHA standards require such shafts to be completely covered. Rather than fabricate totally new protective guards, CVC officials modified existing metal guards over the uncovered portions of the shafts – a practical and low-cost solution to the problem that our Office approved. (Illustrative photographs of various abatement actions are attached to my written statement.)

Of the hazards we have found during these inspections, the vast majority have been, or are scheduled to be, abated. With but few exceptions, our AOC counterparts agree with our assessment that these hazards violate recognized safety standards and, therefore, must be abated. Finally, there are a couple of conditions that we both agree are recognized hazards, but we have not as yet settled upon the appropriate means for rectifying them. We fully expect to achieve mutually acceptable solutions to these matters in the near future.

In summary, our inspection is ongoing; as abatement of the identified hazards is achieved, and operating systems are installed, we will continue to work with CVC officials to make sure the facility will be safe, healthful and accessible. Of the 115 types of hazards identified during this phase of the inspection, nearly all have been or will soon be abated; only a handful of issues require further discussion. We continue to consult with the AOC, the Fire Marshal, the USCP, as well as outside consultants, as necessary, to resolve these matters, and we are confident that our discussions will yield positive results as we go forward.

I had the opportunity again to tour the CVC last week, when our Board of Directors was in town. I can attest that it is an extraordinary facility. I'm proud of the contributions that our Office has made toward achieving our objective - the CVC will be safe, fully accessible to disabled individuals and open on time. In closing, I want to commend the AOC, and especially Bernie and Doug and all who worked with them, for their extraordinary cooperation throughout the inspection process. We look forward to continuing to work closely with them until this process has been completed. I would be happy to answer any questions you may have.

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Hazard No.	Observed Date	Location		OOC Finding	Applicable Standard	OOC's Proposed Solution	Abatement Status	AOC Comments
1	2/21/2008	Near steam pipe entry area	Service level near steamline entry area along wall	Steam line is leaking steam. Employees are potentially exposed to a steamline leak that is creating a hot environment in the immediate area.	2 U.S.C. sec. 1341, CAA sec. 215 Gen. Duty	Repair the steamline and stop the steam leak.	Abated - Ready for reinspection	
3	2/21/2008	HVC230	Somewhat narrow storage area near exit stairway 8	A floor hole or opening is large enough to cause someone to fall into it as it has no cover or guardrail around it.	29 CFR 1910.23(a)(3), (a)(5) and (a)(8)	Cover the hole or opening with a metal grate or other device to prevent falling into the opening in the floor.	Will be abated	
5a	2/21/2008	CVC245B House Virtual Gallery	The row level of seats with entry from either end	A fall hazard is created in front of the cross aisle or walkway by the absence of a protective railing of proper height.	29 CFR 1910.35 and NFPA 101 sec. 12.2.11.1.3	Install a proper railing of at least 26 inches in height or higher to prevent persons from fall over the open area. Remove the condition that could allow a person to fall over the lower level of seats.	Will be abated	Cost is approximately \$5,000
5b	2/21/2008	CVC245C Senate Virtual Gallery	At entry points on both ends of the aisle	A fall hazard is created in front of a cross aisle because of the absence of a proper safety rail.	29 CFR 1910.35 and NFPA 101 sec. 12.2.11.1.3	Install a safety rail of proper height to prevent a person from falling over the seats in front of their aisle. Remove the condition that could allow a person to fall over the lower front of the aisle or walkway.	Will be abated	Cost is approximately \$5,000
7	2/21/2008	On the service level	Building engineers control room	This room does not have a fire alarm system's audible or visual alerting device.	29 CFR 1910.37(a)(4)	The fire alarm system needs to include a proper alerting device in this area.	Will be abated	
8	2/21/2008	HVC119CR	Access to the Cannon tunnel at CVC doorway	An exit route is significantly obstructed by the presence of a 6 inch drop on the stair step side of the doorway.	29 CFR 1910.35, 2000 NFPA 101 sec. 7.2.1.3	Exit pathway needs to be on same plain.	Abated - Ready for reinspection	
9	2/21/2008	CVC227B Kitchen	Food storage freezers area	These freezers were not inspected on the inside. It is not known as to whether there is an inside safety release available or not.	29 CFR 1910.146	Inside safety release needs to be available and in good working condition even when door is not currently being locked.	Abated - Ready for reinspection	
10	2/21/2008	(whole facility)	All fire door protective openings requiring two fire doors together	Paired fire doors have a gap between them that exceeds 1/8 inch when they are closed.	29 CFR 1910.37(a)(4)	Fire doors need to be adjusted to close the gap between the fire doors, or an astragal needs to be installed or other effective means needs to be implemented to close the gap to acceptable limits.	Abated - Ready for reinspection	
11	2/21/2008	Near steam pipe entry area	Near the steamline entry area and sump hole	A portable extension ladder is used to make entry into the sump hole area where wet operations are expected to take place. It is anticipated that multiple entries will be required periodically in the future.	29 CFR 1910.333(a)(1)	Replace the use of the portable ladder with a fixed properly designed ladder. Provide for safe access to the fixed ladder and eliminate the need to bring in a portable ladder with wet floors.	Will be abated	OOC recommendation: not a requirement.
12	2/21/2008	Near steam pipe entry area	Steamline entry area with sump hole	A sump hole with its cover off creates a floor opening large enough to allow someone to fall into it.	29 CFR 1910.23(a)(3), (a)(5), (a)(8)	Return cover over the hole or opening when work is completed, otherwise provide a guardrail or other barrier to prevent a person from falling into the hole.	Will be abated	OOC recommendation; not a requirement.
13	2/21/2008	(whole facility)	The Fire Fighter Phone Boxes throughout building	Access to a fire fighter phone is denied by having locked doors at staging areas. D.C. Fire Fighters will not have keys to these phones and so they will be using their radios to the extent they will work in the building.	29 CFR 1910.37(e)	These phones to be of use to anyone in an emergency need to have the locks removed from the doors, otherwise, the phones serve no purpose. They will not be able to be used by anyone to communicate with the fire alarm panel attendants during an emergency.	Will be abated	Doors will be unlocked - Approved by Fire Marshal

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Hazard No.	Observed Date	Location		OOO Finding	Applicable Standard	OOO's Proposed Solution	Abatement Status	AOC Comments
14	2/21/2008	(whole facility)	Exterior and interior stairways' handrail ends	A number of stairway handrail systems are not in serviceable condition. They present a projection hazard where visitors and employees could be injured if they run or fall into this part of the handrail.	29 CFR 1910.23(e)(5)	Replace the handrail system's end piece so it curves back to the wall or to the post and does not project out beyond the stair steps and into the walkway area. It needs to be secured and properly mounted to provide the required protection features.	Under Discussion	NFPA does not require turning rails back to the wall in non-egress stairs. CVC has worked with OOC to determine locations which might be considered projections hazards. Cost is approximately \$50,000.
15	3/27/2008	CVC320B	A middle column in the men's bathroom on the service level	An electrical outlet down by floors that will be wet and within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
16	3/27/2008	CVC320B	Men's restroom/shower on service level	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
17	3/27/2008	CVC318B	Women's restroom/shower area wall outlet	An electrical outlet is near areas that are expected to have wet floors and within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
18	3/27/2008	CVC3 Stair_14	Wide exit stairway without middle handrail	An exit route is lacking proper handrail installations as it has no middle handrail and the stair width is over 10 feet.	29 CFR 1910.35, 2000 NFPA 101 sec. 7.2.2.4.2	Install a middle handrail in the center of the exit stairway.	Will be abated	
19	3/27/2008	CVC3 Stair_14	Signage needed over the entrance doorway at top landing	A needed exit sign is missing.	29 CFR 1910.37(b)(2)	An appropriate exit sign needs to be installed to help facilitate emergency evacuation.	Will be abated	Will coordinate with Fire Marshal
20	3/27/2008	CVC327CR	Wall outlet along corridor	Testing by the OOC indicates that an electrical wall outlet has high impedance of over 1.0 ohm on the hot and neutral connections.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure the outlet is safe to use.	Abated	
21	3/27/2008	HVC352	Wall outlets near sink	Two electrical outlets within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
24	3/27/2008	HVC311	Electrical panelboards CHSD and EPHSD inside the electrical closet	The directory (index) of circuit breakers in two electrical panels are not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
25	3/27/2008	On the service level	Air handling fan drive shafts in mechanical area	Machine guarding for air handlers RF-13, CVRF-15, CVRF-16, CVEF-14, and CVRF-17 on the drive shafts for these machines is inadequate because there are openings of 2 and 3 inches where the rotating shaft is not guarded. There is openings where a person can have their fingers or hand contact the shaft.	29 CFR 1910.219.(c)(2)	Install appropriate guarding over the drive shafts of each of these air handlers.	Abated	
26	3/27/2008	SBC300	Wall electrical outlet across from the Grunley Room	An electrical outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its screws to keep it safely positioned.	Abated	
27	3/27/2008	SVC300	Electrical wall outlet across from freight elevator room.	An electrical outlet is missing a face plate, exposing energized components.	29 CFR 1910.303(g)(2)(i)	A cover plate needs to be installed to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Abated	

Hazard No.	Observed Date	Location		OOC Finding	Applicable Standard	OOC's Proposed Solution	Abatement Status	AOC Comments
28	3/27/2008	On the service level	Elevator machinery room that is to the right of the freight elevator	Several unsealed penetrations of a fire barrier by pipes running through ceiling area above entrance are present.	29 CFR 1910.37(a)(4)	Fire stopping materials need to be applied to openings to stop the potential spread of fire, smoke, or other hazards.	Will be abated	
30	4/2/2008	SVC221CR	Senate SCIF area electrical closet panelboard PSLH sec. 2	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
31	4/2/2008	SVC228	Electrical closet with panelboards LSLH, ELSH, EPSLH, and TSC4-4	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
32	4/2/2008	SVC232	A electrical wall outlet on left wall in entering restroom	An electrical wall outlet is loose in its mounting box. The marble does not allow the outlet to properly seat on the box.	29 CFR 1910.303(a)	Need to chip some marble away then tighten the outlet mounting screws to keep it safely positioned.	Abated	
33	4/2/2008	SVC236CR	Electrical wall outlet in corridor across from exit stairway access door	An electrical wall outlet has a tine left in its neutral connection and so outlet is damaged and cannot be used as is.	29 CFR 1910.303(b)(1) & (2)	The tine stuck in the wall outlet needs to be removed.	Abated	
35	4/2/2008	HVC208CR	Exit signs that are mounted at the ceiling level	Exit sign cannot be seen because its view is obstructed by a wall column that projects out from the corridor wall.	29 CFR 1910.37(b)(4)	Relocate exit sign or obstruction so that the exit sign can be seen without obstructions or install another exit directional sign to compliment it that can be seen.	Will be abated	Will coordinate with Fire Marshal
35	4/2/2008	HVC215CR	Exit sign that is mounted at the ceiling level	Exit sign cannot be seen because its view is obstructed by wall projects that block the view.	29 CFR 1910.37(b)(4)	Relocate exit sign or obstruction so that the exit sign can be seen without obstructions or install another exit directional sign to compliment it that can be seen.	Will be abated	Will coordinate with Fire Marshal
36	4/2/2008	SVC210	Electrical wall outlet in the corner	An electrical outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
37	4/2/2008	SVC203	Electrical floor outlet in the middle of room	Testing by the OOC indicates that an outlet has a false ground.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure that it is safe to use.	Abated	
38	4/2/2008	SVC219	Electrical wall outlet in a corner high on the wall for a TV	An electrical wall outlet high on the wall is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
39	4/2/2008	SVC200CR	Wall outlets near stainless steel sink	There are four electrical wall outlets within 6 feet of a stainless steel sink lacks GFCI protection. Some outlets were as close as 1 to 2 feet away.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
40	4/2/2008	SVC234	Electrical wall outlets in the atrium area one by elevator lobby and one in the corner	Testing by the OOC indicates that an electrical wall outlet has high ground impedance, over 1.0 ohm.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure the outlet is safe to use.	Abated	
41	4/2/2008	SVC329	Electrical wall outlet on the right hand wall close to the entrance door	Testing by the OOC indicates that an outlet has a false ground.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure that it is safe to use.	Abated	
42	4/2/2008	CVC230	Electrical wall outlet on opposite wall from entrance door	An electrical wall outlet is missing a face plate, exposing energized components.	29 CFR 1910.303(g)(2)(i)	A cover plate needs to be installed to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Abated	

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43	4/2/2008	(whole facility)	Exit stairways 6,7,8,9,10, and 48	A number of needed exit signs are missing.	29 CFR 1910.37(b)(2)	An appropriate exit signs need to be installed to help facilitate emergency evacuation.	Will be abated	Will coordinate with Fire Marshal
44	4/2/2008	SVC221C	Two electrical outlets near sink	Two electrical wall outlets within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlets need to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
45	4/2/2008	SVC216A	Slop sink between rooms SVC 216 A and SVC216B	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized, or it can be moved or removed.	Abated	
46	4/2/2008	SVC200	Electrical wall outlet right side of door	An electrical wall outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
48	4/2/2008	SVC228	Openings above the entry door	One or more unsealed penetration of a fire barrier is present above the entry doorway.	29 CFR 1910.37(a)(4)	Fire stopping materials need to be applied to openings to stop the potential spread of fire, smoke, or other hazards.	Abated	
49	4/2/2008	CVC231	Bathroom sink has an electrical outlet nearby	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
50	4/10/2008	CVC147	Along left wall several panelboards EPLSK and CRTS 7,9, and 11	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted. The existing directories need to be updated.	Abated	
50	4/10/2008	CVC147	Electrical closet has several panelboards LSLK, CRTS 14, 16 and 18	The directory (index) of circuit breakers in an electrical panel has no directory at all, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
51	4/10/2008	CVC123	Electrical wall outlet on the left side of sink	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
52	4/10/2008	CVC103	Electrical wall outlet on left wall near column	An electrical outlet is missing a face plate, exposing energized components.	29 CFR 1910.303(g)(2)(i)	A cover plate needs to be installed to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Abated	
53	4/10/2008	CVC144	Electrical closet with panelboard TSC3-A6	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers. It needs to be updated.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
54	4/10/2008	SVC324C	Senate Gift Shop area NW display area	An electrical outlet is missing a face plate, exposing energized components.	29 CFR 1910.303(g)(2)(i)	A cover plate needs to be installed to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Abated	
55	4/10/2008	SVC324C	Senate Gift shop NW area where a wall outlet is located	Testing by the OOC indicates that an electrical wall outlet has high ground impedance, over 1.0 ohm.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure the outlet is safe to use.	Abated	
56	4/10/2008	SVC324C	Senate Gift Shop area's wall outlet on left column	An electrical outlet cannot be used because a ground prong is broken off inside it.	29 CFR 1910.303(b)(1) & (2)	The outlet needs to have the ground prong removed so the outlet can be placed in service.	Abated	

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57	4/10/2008	CVC153	Along the upper north wall	One or more unsealed penetration of a fire barrier is present.	29 CFR 1910.37(a)(4)	Fire stopping materials need to be applied to openings to stop the potential spread of fire, smoke, or other hazards.	Will be abated	
58	4/10/2008	CVC153	Along the west wall	One or more unsealed penetration of a fire barrier is present.	29 CFR 1910.37(a)(4)	Fire stopping materials need to be applied to openings to stop the potential spread of fire, smoke, or other hazards.	Will be abated	
59	4/10/2008	CVC117	Electrical wall outlet on the left wall	Testing by the OOC indicates that an outlet has a false ground.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure that it is safe to use.	Abated - Ready for reinspection	
60	4/10/2008	CVC117	Electrical wall outlet on the right side of door	An electrical wall outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
61	4/10/2008	CVC124	Inside electrical panelboard TSC3-A1 Sec. 3	An electrical panel lacks a required dead front because the cabinet door is not able to be locked that covers this area.	29 CFR 1910.305(d)(2)	Repair the cabinet door or otherwise close all openings, preventing accidental contact with energized components behind the cover.	Abated - Ready for reinspection	
63	4/10/2008	CVC126	Electrical wall outlet across from room SVC-126	An electrical wall outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
64	4/10/2008	CVC129	Electrical devices inside of furniture cabinet	Testing by the OOC indicates that an outlet has a false ground when the furniture equipment power line is plugged into the other connection on the outlet.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure that it is safe to use. It looks like the furniture equipment wiring is causing the problem.	Abated	
65	4/10/2008	SVC153A	Wall penetrations above the entrance door	One or more unsealed penetration of a fire barrier is present.	29 CFR 1910.37(a)(4)	Fire stopping materials need to be applied to openings to stop the potential spread of fire, smoke, or other hazards.	Will be abated	
66	4/10/2008	SVC156B	Wall penetrations above the door	One or more unsealed penetration of a fire barrier is present.	29 CFR 1910.37(a)(4)	Fire stopping materials need to be applied to openings to stop the potential spread of fire, smoke, or other hazards.	Will be abated	
71	4/18/2008	CVC257	Near women's restroom adjacent to the slop sink a wall outlet	An electrical outlet within 6 feet of a sink lacks GFCI protection. There is a malfunctioning GFCI that does not work.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection and the bad unit needs to be replaced with a working GFCI.	Abated	
72	4/18/2008	CVC225	Electrical closet panelboard SPHLB	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
73	4/18/2008	CVC206	Electrical closet left wall from entrance door	An electrical wall outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
74	4/18/2008	CVC206	Electrical closet panels TLG-1 and TSC-A1 sec. 1	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
75	4/18/2008	HVC237	Near the ceiling area of the entrance doorway	A needed exit sign is missing.	29 CFR 1910.37(b)(2)	An appropriate exit sign needs to be installed to help facilitate emergency evacuation.	Will be abated	Will coordinate with Fire Marshal

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76	4/18/2008	CVC228 SOUTH SEVERY	Two storage rooms beneath stairways near dining area	One or multiple fluorescent light tube(s) within 8 feet of the floor lack protective coverings or sleeves, enabling a tube to readily break and fall.	29 CFR 1910.303(b)(2)	A protective covering or tube shield needs to be provided to keep a broken tube from falling and spreading glass around a work area.	Abated	
77	4/18/2008	CVC133	House Orientation Theater's center section back row left side	Testing by the OOO indicates that an electrical wall outlet has a false ground.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure that it is safe to use.	Abated - Ready for reinspection	
78	4/18/2008	CVC133	House Orientation Theater stage access stair lights	The access stair light fixture or bulb on each stair is not functioning, preventing the area from being adequately lit.	29 CFR 1910.303(a)	Repair or replace of the light bulb for each access stairway to the stage is needed in this area.	Abated - Ready for reinspection	
79	4/18/2008	SVC200CR	The sink that is next to the corridor has a wall outlet	An electrical wall outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
80	4/18/2008	HVC236	Wall outlet on the left from the entrance door beneath the electrical panel	Testing by the OOO indicates that an electrical wall outlet has high ground impedance, over 1.0 ohm.	29 CFR 1910.303(b)(1)	Evaluate this condition and make any necessary corrections to ensure the outlet is safe to use.	Abated	
81	4/18/2008	CVC227B Kitchen	Electrical wall outlets near various sinks in the food preparation areas.	There are nine electrical outlets all within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The nine outlets need to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
82	4/18/2008	CVC227B Kitchen	Food serving area electrical outlets at stainless steel sinks	Two electrical outlets are within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
83	4/18/2008	CVC228 SEVERY	Cafeteria cash register island 3rd one from the end	An electrical outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
84	4/18/2008	CVC228 SEVERY	First cash register area the door beneath	The cabinet door fell off when moved under the cash register. The door hinges had no screws installed.	29 CFR 1910.22(b)(1)	Replace the cabinet door and properly install it so as not to fall on the employee's leg or shin when working is being done in the area.	Abated	
85	4/18/2008	SVC236CR	Along the left wall at an electrical wall outlet	An electrical outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
86	4/25/2008	CVC200	Congressional auditorium's stairs to the stage on each side of stage	Each stairway to the Auditorium stage has five steps and each stairway lacks a handrail.	29 CFR 1910.23(d)(1)	An appropriate handrail system needs to be installed.	Will be abated	
87	4/25/2008	CVC201	Electrical closet panelboard TSC1-A1	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated - Ready for reinspection	
89	4/25/2008	HVC109	Condensate drain down to the electrical closet floor	An electrical closet is not designed to be an area where water is to be collected from a condensate drain above near the ceiling level and brought down to the floor level to a location where a bucket will not fit. The drain is directly behind the door and leaves no room for a bucket.	29 CFR 1910.303(b)(1)	Evaluate and eliminate the conditions that promote moisture inside electrical closet that could accumulate on the floor. Redirect pipe drain to a place a bucket could be used to collect the water. Need to keep the electrical closet floor dry.	Will be abated	

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Hazard No.	Observed Date	Location		OOC Finding	Applicable Standard	OOC's Proposed Solution	Abatement Status	AOC Comments
90	4/25/2008	HVC114	Double set of fire doors between two smoke zones	Fire doors swing against the direction of exit travel for building evacuation for the disabled employees and visitors. The swing of these doors was designed before the Cannon Tunnel exit was created, and now there is no need to people to evacuate in the direction the doors now swing.	29 CFR 1910.36(a)(2)	Install doors that swing in the direction of exit travel or otherwise meet the OSHA regulations. These doors could use an automatic door opener for ADA purposes as one way to meet the requirements. Doors need to close completely, latch, and remain closed unless there an automatic release mechanism is installed to allow doors to shut if alarms are triggered.	Abated - Ready for reinspection	
91	4/25/2008	HVC120D	Electrical closet on upper level at panelboard PHUD panel DP-TLGH	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated - Ready for reinspection	
92	4/25/2008	HVC120D	Electrical closet upper level at panel EPHUC	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated - Ready for reinspection	
93	4/25/2008	HVC102	Electrical wall outlet near sink	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized, or it can be moved or removed.	Abated	
95	4/25/2008	CVC126CR	Hallway electrical wall outlet near the South Gift Shop	An electrical outlet is missing a face plate, exposing energized components.	29 CFR 1910.303(g)(2)(i)	A cover plate needs to be installed to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Abated	
96	4/25/2008	HB11C	Access double doors to the Capitol Building	This set of doors are not to be used as an exit and at present they are marked as such. They could be mistaken for an exit door and they need to be marked with a sign indicating NOT AN EXIT or indicating its intended use.	29 CFR 1910.37(b)(5)	Install one or more NOT AN EXIT sign(s), making it clear to people that they are not to attempt to exit the building or structure through that door during an evacuation.	Will be abated	Will coordinate with Fire Marshal
97	4/25/2008	CVC101	Electrical wall outlet to the left of the entrance door	An electrical outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten mounting its screws to keep it safely positioned.	Abated	
98	4/25/2008	CVC108	Electrical wall outlet to the left side of entrance	An electrical outlet is loose in its mounting box.	29 CFR 1910.303(a)	Tighten its mounting screws to keep it safely positioned.	Abated	
99	4/25/2008	HVC116	In the makeup room an electrical wall outlet near sink	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
100	4/25/2008	CVC137	Fire sprinklers in the ceiling area of the room	The fire sprinkler's fusible area of one or more fire sprinkler heads is painted, changing their rated trigger temperature and potentially delaying head activation.	29 CFR 1910.37(a)(4)	Replace the painted fire sprinkler head(s).	Abated	
101	4/25/2008	H107	Baseboard component covering electrical outlet wiring	A section of the baseboard cover of electrical raceway is displaced, exposing energized wires.	29CFR1910.303(g)(2)	The section of baseboard cover needs to be replaced or re-mounted so energized wires are shielded.	Abated	

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Hazard No.	Observed Date	Location		OOB Finding	Applicable Standard	OOB's Proposed Solution	Abatement Status	AOC Comments
102	4/25/2008	H100G	Electrical wall outlets by Health Unit's sinks	Five electrical outlets within 6 feet of sinks in this Health Unit area lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
103	4/25/2008	H100G	Electrical wall outlet near sink area in X-ray room of the Health Unit	An electrical outlet within 6 feet of a sink lacks GFCI protection.	29 CFR 1910.304(b)(3)	The outlet needs to have GFCI protection, or be covered with a blank plate to prevent its use if its wiring is not de-energized.	Abated	
104	4/25/2008	HVC133	Door leads into Capitol Building	Needs "Not an Exit" sign	29 CFR 1910.37(b)(2)	Facility designed so that occupants would not exit into Capitol Bldg. during emergencies.	Will be abated	Will coordinate with Fire Marshal
105	5/1/2008	SVC169	Electrical room at panels LSUF and SPSUF	The directory (index) of circuit breakers in an electrical panel is not properly labeled, so it is not possible to readily determine areas controlled by individual breakers.	29 CFR 1910.303(f)(2)	It is important that the purpose of each used breaker be identified so appropriate circuits can be readily de-energized during emergencies and so electrical maintenance activities can be safely conducted.	Abated	
119	5/1/2008	HVC100CR1	Entering from public area the reception area on right side	A needed exit sign is missing.	29 CFR 1910.37(b)(2)	An appropriate exit sign needs to be installed to help facilitate emergency evacuation.	Will be abated	Will coordinate with Fire Marshal
120	5/1/2008	SVC172	Exit route to the Capitol Building that is secured	A door that could be mistaken for an exit door needs to be marked with a sign indicating NOT AN EXIT or indicating its intended use. At present this doorway has an exit sign over the entrance, the USCP has it locked, and it is not intended to be an exit.	29 CFR 1910.37(b)(5)	Install one or more NOT AN EXIT sign(s), making it clear to employees that they are not to attempt to exit the building or structure though that door during an evacuation.	Will be abated	Will coordinate with Fire Marshal
121	5/1/2008	CVC1 Stair_45	Upper level of stairway hole in stairway wall	One unsealed penetration of a stairwell fire barrier reduces the fire rating of the exit stairwell, potentially imperiling evacuees during an emergency. There is a condensate line in the hole that needs sealing around it.	29 CFR 1910.36(a)(2)	Fire stopping materials need to be applied to openings to stop potential spread of fire, smoke, or other hazards.	Will be abated	
121	5/1/2008	CVC1 Stair_45	Upper level leading to Senate subway steam pipe support	Pressure piping for steam pipe-supporting structures are not being inspected and evaluated to assure their safe, serviceable condition. This badly rusted pipe support does not look to be in serviceable condition.	Nat Brd Insp Code RB 3400	Pipe-supporting structures need to be maintained in serviceable condition. Evaluate and correct the condition problems of this pipe support. Maintain a record of all inspections, findings, and corrections.	Will be abated	
123	5/1/2008	CVC120	Jefferson tunnel point where the direction changes	A needed exit sign is missing. At present on the other side of this sign is marked as an exit to go towards the CVC, however, there is an exit coming from the other direction at the Jefferson Building interface.	29 CFR 1910.37(b)(2)	An appropriate exit sign needs to be installed to help facilitate emergency evacuation for those going towards the Jefferson Building ramp.	Will be abated	Will coordinate with Fire Marshal
124	5/1/2008	East Front CVC Gallery Level	At both ends of the corridor	Exit lights are not lit.	29 CFR 1910.37(b)(2)	Repair or activate lights.	Abated - Ready for reinspection	

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Hazard No.	Observed Date	Location		OOC Finding	Applicable Standard	OOC's Proposed Solution	Abatement Status	AOC Comments
125	5/1/2008	CVC Gallery Level	East front both ends of the corridor at ceiling area	At present there are exit signs on doors that go into the Capitol Building, however, we are told that there will be no evacuations into the Capitol Building. If this is going to be the norm then these signs need to be removed as they could be mistaken for an exit door. These doors then need to be marked with a sign indicating NOT AN EXIT or indicating its intended use.	29 CFR 1910.37(b)(5)	Install one or more NOT AN EXIT sign(s), making it clear to employees that they are not to attempt to exit the building or structure though that door during an evacuation.	Will be abated	Will coordinate with Fire Marshal
126	5/1/2008	CVC Gallery Level	The suspended light fixtures over the stairs	The suspended light fixtures over the stairway or walkway is not functioning properly. They are flickering on and off probably due to bad ballast, preventing the area from being adequately lit.	29 CFR 1910.303(a)	Replace or repair the lighting fixtures to provide the needed light in this area.	Abated - Ready for reinspection	
142a	5/21/2008	[whole facility]	Entire Facility	Require approved emergency action plan and any necessary access and egress modifications to the CVC necessary to accommodate individuals with disabilities.	28 CFR Prt 36 AppA 4.13.11(1) and 29 CFR 1910.38	Under discussion for proposed solution.	Awaiting approved plan and proposed modifications	AOC position emailed to OOC on 6/6/08 and Fire Marshal raised concerns about having power assists on doors forming the enclosure of areas with smoke control systems. Costs for adding door operators on 6 pairs of doors is approximately \$90,000.
142b	5/21/2008	(whole facility)	Interior doors	All non-fire doors used by the public must be able to be opened with 5 pounds or less of pressure to a point where there is 32" of clear passage	28 CFR Prt 36 AppA 4.13.11(2)(b); 4.13.5	Doors must be adjusted so that the force to open the doors is 5 lbf or less.	Will be abated	
143	5/21/2008	(whole facility)	ADA staging areas designated by the USCP committee	Accessible exit route(s), including staging areas do not presently have signage marking these areas on the floors in this building. Braille signage at exit stairways is included in this finding.	NFPA 101-2000 LSC 7.10.1.4	Install signs showing the accessible egress route(s), including the location of staging areas, exit stairways for the blind and/or discharge points. Wall maps would be of help showing the locations of these important features in the building for those disabled persons and those assisting them.	Will be abated	
145	5/21/2008	ELEV 14	ADA ramp to and from Auditorium behind elevator 14	The slope of the ramp is greater than 8.3% or 1:12 and not in compliance with the requirements for new buildings. This ramp will be used for ADA access to the Congressional Auditorium and for emergency evacuation to the staging area at elevator 14.	28 CFR Prt 36 App A 4.3.7	Modify the ramp so its slope does not exceed 8.3% or 1:12 as it will be used for access to the Auditorium and for emergency evacuation from the same.	Will be abated	A professional survey confirmed that the slope is unacceptable. Contractor to repair.
146	5/21/2008	ELEV 26	ADA exit route to the Senate subway tunnel	The slope of a corridor ramp is greater than 8.3% or 1:12. This ramp is part of the ADA exit route to the Senate subway tunnel.	28 CFR Prt 36 App A 4.3.7	Modify the ramp so its slope does not exceed 8.3% or 1:12.	Will be abated	A professional survey confirmed that the slope is unacceptable. Contractor to repair.

Hazard No.	Observed Date	Location		OOC Finding	Applicable Standard	OOC's Proposed Solution	Abatement Status	AOC Comments
148	5/21/2008	Freight Elevator	Access points for the USCP on the Upper and Lower levels to freight elevator control panel	Emergency evacuation cannot be properly implemented where the USCP officer can not gain access to the elevator control panel. There are no pull handles or thumb pulls for the officer to use to open the decorative freight elevator doors on the upper and lower levels of the building.	29 CFR 1910.38(e)	USCP officers need to be provided at least a thumb pull means to gain access to the freight elevator control panel so as to use for ADA emergency evacuation. Emergency Plan calls for the freight elevator to be used as a staging and evacuation means for the ADA persons.	Will be abated	
150	5/8/2008	HB11C	Near elevator 3 a metal grating in pathway to double doors to Capitol Building is an ADA concern	An abrupt change in level of surfaces in metal grating covering the floor exceeds 0.5 inch. This metal grating is in front of the pathway towards the double doors into the Capitol Building, and it has 3.5 by .75 inch openings and one part is bent down below the other by .75 inches. This will be a problem for legislative branch wheelchair bound employees.	28 CFR Prt 36 App A 4.5.2	Replace the metal grating that is bent down or otherwise modify the joint to eliminate the excessive change in level. Change needs to be made level.	Will be abated	
151	5/8/2008	ELEV 23	Electrical closet near elevator 23	An energized electrical junction box in a limited access area is missing its cover plate, exposing energized wires.	29 CFR 1910.303(b)(2)	Install a cover plate to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Will be abated	
152	5/8/2008	ELEV 23	Electrical closet has a mounted junction box on wall	An energized electrical junction box in a limited access area is missing its cover over an open knockout in the metal junction box, exposing energized wires.	29 CFR 1910.303(b)(2)	Install a cover plate over the open knockout to prevent contact with energized wires and to confine molten metal in the event of an electrical failure.	Will be abated	
153	5/8/2008	ELEV29	Near elevator 29 the Rollup Overhead Main Fire Door on the west side of the CVC	The overhead rollup fire door has damaged electrical wiring that is used to energized electrical equipment limit switches and others. The wiring is frayed and in need of repair or replacement. This condition could cause an electrical shock upon contact.	29 CFR 1910.303(a)	Repair electrical equipment, provide durable enclosing energized wires or contacts and return it to serviceable condition, or replace the equipment.	Will be abated	
154	5/8/2008	ELEV 05	Egress ramp for ADA access near elevator 5 into the Capitol Building from the CVC or the reverse.	This ramp on an accessible route to the Capitol Building is not compliant because it is too steep on several segments of the ramp. The top ramp has a slope of 13% or greater, and a switch back ramp the fourth from the bottom has a slope of 9.4% or greater and they are non-compliant with ADA requirements.	28 CFR P36 App A sec 4.8	Responsible office must make corrections to the existing ramp to bring it into compliance with the applicable requirements. This ramp can be used for emergency evacuation for some persons and an accessible route for others coming from the Capitol Building.	Will be abated	
156	5/8/2008	CVC120	Jefferson Tunnel access ramp for ADA access	The Jefferson tunnel lower ramp bottom area slope of this ramp is greater than 8.3% or 1:12. The upper half of this lower ramp is OK.	28 CFR Prt 36 App A 4.3.7	Modify the ramp so its slope does not exceed 8.3% or 1:12 throughout its length.	Will be abated	Will be corrected during terrazzo installation.
157	6/10/2008	CVC Loading Dock	Driveway access to the loading dock about halfway in has an exit door	A needed exit sign is missing.	29 CFR 1910.37(b)(2)	An appropriate exit sign needs to be installed that can be seen from both directions to help facilitate emergency evacuation.	Will be abated	
158	6/10/2008	CVC Loading Dock	Driveway into the loading dock area near exit about halfway into the tunnel	The fire alarm system lacks audible and/or visual alerting device in this area as the one there has been broken from its mounting and is not known to be working.	29 CFR 1910.37(a)(4)	The alerting system device needs to be repaired or replaced so as to provide for proper alerting mechanisms in this area.	Will be abated	

**Eveleth Statement
Attachment 2**

Office of Compliance CVC Pictures



Hazard: Exposed rotating shaft not compliant with 29 CFR § 1910.212(a)(1).



Solution: Modified guard protects operator and employees and is low cost.



Hazard: Protruding handrails create projection hazard not compliant with 29 CFR § 1910.23(e)(5)(i), 2000 NFPA 101 7.2.2.4.5, ANSI/ASSE A1264.1-2007 Section 5.8 and ASTM E 985-00 Section 4.3.2.



Solution: Turn handrail end into the wall.



Hazard: Outlets are not protected with Ground Fault Circuit Interrupters, which are required in kitchens due to wet floors by 1999 NFPA 70E Section 110-10.

Solution: Install low cost GFCI outlets in the kitchen and near all water sources.



Hazard: Telephones at staging areas are locked, prohibiting use.

Solution: Change lock on cover into a knob or handle that is compliant with 28 CFR Part 36 Appendix A Section 4.27.4.

**Eveleth Statement
Attachment 2**

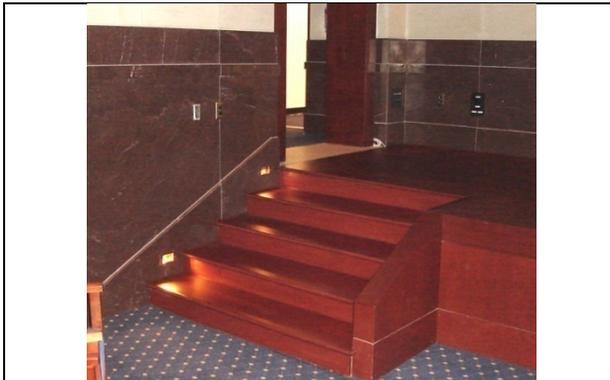
Office of Compliance CVC Pictures



Violation: Ramp is too steep for individuals in wheelchairs and does not comply with 28 CFR Part 36 Appendix A Section 4.8.2.
Solution: Regrade ramp equal to or less than 8.3% grade.



Hazard: Door swings against direction of egress travel, which does not comply with 2000 NFPA 101 7.2.1.4.2.
Solution: Rehang door to swing in the direction of egress travel.



Hazard: Stairway with greater than 4 risers has no handrails, not complying with 29 CFR § 1910.23(d)(1).
Solution: Install handrails compliant with 29 CFR § 1910.23(d)(1).



Hazard: Handrail protruding into open space in room.
Solution: End handrail at bottom riser and make compliant with 29 CFR § 1910.23(e)(5)(i), 2000 NFPA 101 7.2.2.4.5, ANSI/ASSE A1264.1-2007 Section 5.8 and ASTM E 985-00 Section 4.3.2..