

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Phone: (510) 622-2916 Fax: (510) 622-2908

Inspection #: 1511657
Inspection Dates: 01/22/2021 - 08/03/2021
Issuance Date: 08/03/2021
CSHO ID: Q0917
Optional Report #: 018-21



Citation and Notification of Penalty

Company Name: Frank Lucarelli
Establishment DBA: Lucarelli Racing Corporation
and its successors
Inspection Site: 1100 Eastshore Highway
Berkeley, CA 94710

Citation 1 Item 3 Type of Violation: General

Title 8 Section 3205(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include: Items (1) through (11).

Violation:

Prior to and during the course of the inspection, including but not limited to, on January 22, 2021, the Employer failed to have established and implemented a written COVID-19 Prevention Program that included the elements set forth in Subsections (c)(1) through (c)(11

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$0.00**

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Citation 1 Item 4 Type of Violation: General

Title 8 Section 5144(c)(1) Respiratory Protection

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

Violation:

Prior to and during the course of the inspection, respirators were necessary at the workplace at Golden Gate Fields as part of the GGF COVID-19 safety & prevention program to protect the health of employees. The employer did not establish and implement a written respiratory protection program which included the provisions in subsections (A) through (I) of section 5144(c)(1) for its employees working at Golden Gate Fields.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$450.00

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Citation 1 Item 5 Type of Violation: General

Title 8 Section 5144. Respiratory Protection.

(f) Fit testing. This subsection requires that, before an employee may be required to use any respirator with a negative or positive pressure tight-fitting facepiece, the employee must be fit tested with the same make, model, style, and size of respirator that will be used. This subsection specifies the kinds of fit tests allowed, the procedures for conducting them, and how the results of the fit tests must be used.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on January 22, 2021, respirators were necessary at the workplace at Golden Gate Fields as part of the GGF COVID-19 safety & prevention program to protect the health of all employees. The employer failed to ensure employees required to use a tight-fitting face piece respirator were fit-tested prior to their initial use of the respirator while working at Golden Gate Fields

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$450.00**

Michael Chrisman / Wendy Hogle-Lui
Compliance Officer / District Manager