

**State of California**

Department of Industrial Relations  
 Division of Occupational Safety and Health  
 Modesto District Office  
 4206 Technology Drive, Suite 3  
 Modesto, CA 95356  
 Phone: (209) 545-7310 Fax: (209) 545-7313

**Inspection #:** 1505382  
**Inspection Dates:** 12/08/2020 - 06/08/2021  
**Issuance Date:** 06/08/2021  
**CSHO ID:** Z7104  
**Optional Report #:** 025-21

**Citation and Notification of Penalty**

**Company Name:** Central Valley Post Acute- Modesto  
**Establishment DBA:** Valley Skilled Nursing Center  
 and its successors  
**Inspection Site:** 515 East Orangeburg Avenue  
 Modesto, CA 95350

Citation 1 Item 1 Type of Violation: **General**

Title 8 CCR 5144(c)(1): Respiratory Protection

(c) Respiratory protection program. This subsection requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator. The Small Entity Compliance Guide contains criteria for the selection of a program administrator and a sample program that meets the requirements of this subsection. Copies of the Small Entity Compliance Guide will be available from the Occupational Safety and Health Administration's Office of Publications, Room N 3101, 200 Constitution Avenue, NW, Washington, DC, 20210 (202-219-4667).

(1) 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.

Prior to and during the course of the inspection, including but not limited to 09/30/2020, Central Valley Post Acute- Modesto (dba: Valley Skilled Nursing Center), failed to establish and implement a written respiratory protection program which is specific to its work place or operation, where respirators are necessary to protect the health of the employee as employees were caring patients with suspected Covid-19 symptoms or positive which is an AirlD (Airborne infectious disease) at multiple rooms in Covid unit, located at 515 East Orangeburg Avenue, Modesto, Ca 95350

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$750.00**

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and its successors  
**Inspection Site:** 515 East Orangeburg Avenue  
Modesto, CA 95350

Citation 1 Item 2 Type of Violation: **General**

5194(e)(1):

Title 8 CCR 5194(e) (1): Hazard Communication

(e) Written Hazard Communication Program.

(1) Employers shall develop, implement, and maintain at the workplace a written hazard communication program for their employees which at least describes how the criteria specified in sections 5194(f), (g), and (h) for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following:

- (A) A list of the hazardous chemicals known to be present using a product identifier that is referenced on the appropriate safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and
- (B) The methods the employer will use to inform employees of the hazards of non-routine tasks (for example, the cleaning of reactor vessels), and the hazards associated with chemicals contained in unlabeled pipes in their work areas.

Prior to and during the course of the inspection, including but not limited to 12/08/2020, Central Valley Post Acute- Modesto (dba: Valley Skilled Nursing Center), failed to develop, implement, and maintain at the workplace a written hazard communication program for their employees which is specific to its work place or operation, where employees are working with multiple hazardous chemicals and/or materials including but not limited to Microtech Destainer (containing 12.5% Sodium hypochlorite), Oasis 146 Multi-quat sanitizer etc. located at 515 East Orangeburg Avenue, Modesto, Ca 95350

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$750.00</b>

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Modesto, CA 95350

Citation 1 Item 3 Type of Violation: **General**

Title 8 CCR 5199(d)(1): Aerosol Transmissible Diseases  
(d) Aerosol Transmissible Diseases Exposure Control Plan.  
(1) The employer shall establish, implement, and maintain an effective, written ATD Exposure Control Plan which is specific to the work place or operation(s), and which contains all of the elements in subsection (d)(2).  
EXCEPTION to subsection (d)(1): Employers with laboratory operations in which employees do not have direct patient contact may establish, implement and maintain an effective, written Biosafety Plan meeting the requirements of subsection (f) in lieu of an Exposure Control Plan for those operations.

Prior to and during the course of the inspection, including but not limited to 09/30/2020, Central Valley Post Acute- Modesto (dba: Valley Skilled Nursing Center), failed to establish, implement, and maintain an effective, written ATD Exposure Control Plan which is specific to its work place or operation, and which contains all of the elements in subsection (d)(2) of CCR 5199 , where employees were caring patients with suspected Covid-19 symptoms or positive which is an AirID (Airborne infectious disease) at multiple rooms in Covid unit, located at 515 East Orangeburg Avenue, Modesto, Ca 95350

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$935.00**

Eddie Miranda  
Compliance Officer / District Manager