

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
San Diego District Office  
7575 Metropolitan Drive, Suite 207  
San Diego, CA 92108  
Phone: (619) 767-2280 Fax: (619) 767-2299

**Inspection #:** 1491456  
**Inspection Dates:** 09/05/2020 - 06/07/2021  
**Issuance Date:** 06/07/2021  
**CSHO ID:** X9931  
**Optional Report #:** 10-21

**Citation and Notification of Penalty**

**Company Name:** Challenger Car wash  
**Establishment DBA:** and its successors  
**Inspection Site:** 3540 El Cajon Blvd  
San Diego, CA 92104

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

**California Code of Regulations Title 8. 3203(a). Injury and Illness Prevention Program.**

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

- (1) Identify the person or persons with authority and responsibility for implementing the Program.
- (2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.
- (3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.
- (4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards.
  - (A) When the Program is first established;
  - (B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and
  - (C) Whenever the employer is made aware of a new or previously unrecognized hazard.
- (5) Include a procedure to investigate occupational injury or occupational illness.
- (6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:
  - (A) When observed or discovered; and,
  - (B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary

to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

(7) Provide training and instruction:

(A) When the program is first established;

(B) To all new employees;

(C) To all employees given new job assignments for which training has not previously been received;

(D) Whenever new substances, processes, procedures or equipment are introduced to the

workplace and represent a new hazard;

(E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,

(F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

**Prior to and during the course of the inspection including, but not limited to September 5, 2020 the employer failed to establish, implement and maintain an effective written Injury and Illness Prevention Program in that the employer's written program failed to meet the following minimum requirements:**

**Instance 1: The employer failed to effectively identify or evaluate workplace hazards related to COVID-19 including, but not limited to, the following hazards:**

**a) The lack of face coverings by employees to prevent the release of infectious or potentially infectious particles into the air when breathing, speaking, coughing, or sneezing. [3203(a)(4)]**

**Instance 2: The employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices related to COVID-19, including but not limited to:**

**a) The lack of face coverings by employees to prevent the release of infectious or potentially infectious particles into the air when breathing, speaking, coughing, or sneezing. [3203(a)(6)]**

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

**July 01, 2021**

**Proposed Penalty:**

**\$9000.00**

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**Company Name:** Challenger Car wash  
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Citation 2 Item 1 Type of Violation: **Serious**

**California Code of Regulation Title 8. 3203(a) Injury and Illness Prevention Program.**

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:  
(7) Provide training and instruction:  
(A) When the program is first established;  
Exception: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.  
(B) To all new employees;  
(C) To all employees given new job assignments for which training has not previously been received;  
(D) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;  
(E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,  
(F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

**Prior to and during the course of the inspection the employer failed to effectively train employees on COVID-19 information, including but not limited to prevention, symptoms, reporting and the employer's procedures to control and prevent transmission for employees.[3203 (a)(7)]**

**Date By Which Violation Must be Abated:** July 01, 2021  
**Proposed Penalty:** \$9000.00

Kathy Derham  
Compliance Officer / District Manager