

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215
Phone: 614-469-5582 Fax: 614-469-6791



Citation and Notification of Penalty

To:
Retriev Technologies
and its successors
265 Quarry Road SE
Lancaster, OH 43130

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015

Inspection Site:
265 Quarry Road SE
Lancaster, OH 43130

7012 2210 0001 1866 5194

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/14/2015. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1047109

Company Name: Retrieval Technologies
Inspection Site: 265 QUARRY ROAD SE, Lancaster, OH 43130
Issuance Date: 08/14/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 200 N. High Street, Room 620, Columbus, OH 43215**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.1000(d)(2)(i): Employees were exposed to a mixture of contaminants listed in Subpart Z where the equivalent exposure formulas exceeded the unity of one:

On May 5, 2015 in the Dehusker process area:

- a. An employee performing required duties at the bottom belt "magnet" position was exposed to a mixture of cadmium and lead that exceeded the calculated cumulative exposure limit prescribed by 29 CFR 1910.1000(d). The employee was exposed to 8-hour time weighted averages of 20.08 micrograms lead per cubic meter air and 14.06 micrograms cadmium per cubic meter air during the 366 minutes sampled. Zero exposure was assumed for the 114 minutes not sampled. This exposure represents 3.05 times the cumulative exposure limit for this mixture. Cadmium and Lead, among other hazards, may act in an additive fashion to affect the kidneys.
- b. An employee performing required duties at the bottom belt sorting position was exposed to a mixture of cadmium and lead that exceeded the calculated cumulative exposure limit prescribed by 29 CFR 1910.1000(d). The employee was exposed to 8-hour time weighted averages of 19.21 micrograms lead per cubic meter air and 13.94 micrograms cadmium per cubic meter air during the 366 minutes sampled. Zero exposure was assumed for the 114 minutes not sampled. This employee exposure represents 3.164 times the cumulative exposure limit for this mixture. Cadmium and Lead, among other hazards, may act in an additive fashion to affect the kidneys.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

c. An employee performing required duties at the bottom belt sorting position was exposed to a mixture of cadmium and lead that exceeded the calculated cumulative exposure limit prescribed by 29 CFR 1910.1000(d). The employee was exposed to an 8-hour time weighted average of 20.29 micrograms lead per cubic meter air and 13.16 micrograms cadmium per cubic meter air during the 359 minute sampling period. Zero exposure was assumed for 121 minutes not sampled. This employee exposure level represents approximately 3.08 the cumulative exposure limit for this mixture. Cadmium and Lead, among other hazards, may act in an additive fashion to affect the kidneys.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/17/2015
Proposed Penalty:	\$6930.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

On May 5, 2015 in the Dehusker process area, engineering controls and/or feasible administrative controls were not implemented for the following employee exposures:

- a. An employee performing required duties at the bottom belt "magnet" position was exposed to a mixture of cadmium and lead that exceeded the calculated cumulative exposure limit prescribed by 29 CFR 1910.1000(d) by 3.05 times the limit (see citation 1 item 1a instance a. for employee exposure information.)
- b. An employee performing required duties at the bottom belt sorting position was exposed to a mixture of cadmium and lead that exceeded the calculated cumulative exposure limit prescribed by 29 CFR 1910.1000(d) by 3.164 times the limit (see citation 1 item 1a instance b. for employee exposure information.)
- c. An employee performing required duties at the bottom belt sorting position was exposed to a mixture of cadmium and lead that exceeded the calculated cumulative exposure limit prescribed by 29 CFR 1910.1000(d) by 3.08 times the limit (see citation 1 item 1a instance c. for employee exposure information).

ABATEMENT NOTE

Step 1: Abatement due 10/03/2015

Submit to the Area Director a written, detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposure to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for following actions, which must be consistent with the abatement dates required by this citation:

1. Evaluation and listing of engineering control options

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

2. Selection and criteria for selection of optimum control methods and subsequent completion of selected control design
3. Procurement of equipment and materials associated with installation, installation and operation of selected control measures
4. Testing, and acceptance, or modification/supplementation/redesign of controls
5. All proposed control measures shall be approved by a competent industrial hygienist, competent industrial ventilation specialist experienced in complex processes or other technically qualified person

Step 2: Abatement due 12/17/2015

Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible administrative and/or engineering controls could include but the employer is not bound by or limited to, the following:

1. Equip processes with additional local exhaust ventilation such as, but not limited to, downdraft collection tables or collection points, hooded ventilation at designated worker positions and slotted capture ventilation at emission points;
2. Improve existing local exhaust ventilation systems by increasing efficiency of collection with increased air movement by installation of targeted make-up air systems, by modifying existing ductwork and duct systems, by increasing fan motor/collector capacities and/or by modifying Dehusker equipment;
3. Utilizing wet methodology for control of airborne material available for inhalation;
4. Develop work practices incorporated as standard operating procedures to reduce emissions of airborne material available for inhalation.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

NOTE: Continued use and enforcement of the respiratory protective equipment program in place during the time of this inspection is a required part of this abatement action plan.

Engineering Controls12/17/2015
Plan10/03/2015

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/17/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 1 a Type of Violation: **Repeat**

29 CFR 1910.1025(c)(1): Permissible exposure limit (PEL.) The employer shall assure that no employee is exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 ug/m³) averaged over an 8-hour period:

- a. On May 5, 2015, in the Dehusker process area; an employee performing required duties at the top belt/bridge position was exposed to lead in excess of the permissible exposure limit of 50 micrograms lead per cubic meter air. The employee was exposed to an 8-hour time weighted average of 73.0 micrograms lead per cubic meter air during the 367 minute sampling period. Zero exposure was assumed for 113 minutes not sampled. This employee exposure level represents approximately 1.46 times the permissible exposure limit.
- b. On May 5, 2015, in the Dehusker process area; an employee performing required duties including bottom belt sorting, the top belt and the cage position(s) was exposed to lead in excess of the permissible exposure limit of 50 micrograms lead per cubic meter air. The employee was exposed to an 8-hour time weighted average of 139.8 micrograms lead per cubic meter air during the 359 minute sampling period. Zero exposure was assumed for 121 minutes not sampled. This employee exposure level represents approximately 2.80 times the permissible exposure limit.
- c. On May 26, 2015, in the Lead Acid Manual area on the North line; an employee performing required duties including Shear Tender operator, wash plastic and Chop Stack position(s) was exposed to lead in excess of the permissible exposure limit of 50 micrograms lead per cubic meter air. The employee was exposed to an 8-hour time weighted average of 54.9 micrograms lead per cubic meter air during the 371 minute sampling period. Zero exposure was assumed for 109 minutes not sampled. This employee exposure level represents approximately 1.10 times the permissible exposure limit.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

d. On May 26, 2015, in the Lead Acid Manual area on the North line; an employee performing required duties including Shear Tender operator and Chop Stack position(s) was exposed to lead in excess of the permissible exposure limit of 50 micrograms lead per cubic meter air. The employee was exposed to an 8-hour time weighted average of 129.5 micrograms lead per cubic meter air during the 365 minute sampling period. Zero exposure was assumed for 115 minutes not sampled. This employee exposure level represents approximately 2.59 times the permissible exposure limit.

Health hazards associated with exposure to lead include kidney damage, blood system effects and teratogenic effects.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 4a and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/17/2015
Proposed Penalty:	\$13860.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 1 b Type of Violation: **Repeat**

29 CFR 1910.1025(e)(1)(i): Methods of compliance - Engineering and work practice controls. Where any employee is exposed to lead above the permissible exposure limit for more than 30 days per year, the employer shall implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I below, except to the extent that the employer can demonstrate that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest feasible level and shall supplement them by the use of respiratory protection which complies with the requirements of paragraph (f) of this section:

The employer failed to implement engineering and work practice controls to assure employee exposure to lead is below the permissible exposure limit for the following employee exposures:

- a. On May 5, 2015, an employee in the Dehusker process area at the top belt/bridge position (see citation 2, item 1a, instance a, for exposure information).
- b. On May 5, 2015, an employee in the Dehusker process area working at multiple positions including the top belt, the "cage" and bottom belt sorting position(s) (see citation 2, item 1a, instance b, for exposure information).
- c. On May 26, 2015, an employee in the Lead Acid Manual area working on the North line at multiple positions including the Shear Tender operator, "wash" plastic and Chop Stack position(s) (see citation 2, item 1a, instance c, for exposure information).
- d. On May 26, 2015, an employee in the Lead Acid Manual area working on the North line at multiple positions including the Chop Stack and Shear Tender operator position(s) (see citation 2, item 1a, instance d, for exposure information).

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 4b and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT NOTE

Step 1: Abatement due 10/03/2015

Submit to the Area Director a written, detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposure to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for following actions, which must be consistent with the abatement dates required by this citation:

1. Evaluation and listing of engineering control options
2. Selection and criteria for selection of optimum control methods and subsequent completion of selected control design
3. Procurement of equipment and materials associated with installation, installation and operation of selected control measures
4. Testing, and acceptance, or modification/supplementation/redesign of controls
5. All proposed control measures shall be approved by a competent industrial hygienist, competent industrial ventilation specialist experienced in complex processes or other technically qualified person

Step 2: Abatement due 12/17/2015

Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible administrative and/or engineering controls could include but the employer is not bound by or limited to, the following:

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

1. Equip processes with additional local exhaust ventilation such as, but not limited to, downdraft collection tables or collection points, hooded ventilation at designated worker positions and slotted capture ventilation at emission points
2. Improve existing local exhaust ventilation systems by increasing efficiency of collection with increased air movement by installation of targeted make-up air systems, by modifying existing ductwork and duct systems, by increasing fan motor/collector capacities and/or by modifying Dehusker equipment
3. Utilizing wet methodology for control of airborne material available for inhalation
4. Develop work practices incorporated as standard operating procedures to reduce emissions of airborne material available for inhalation.

NOTE: Continued use and enforcement of the respiratory protective equipment program in place during the time of this inspection is a required part of this abatement action plan.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/17/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 2 a Type of Violation: **Repeat**

29 CFR 1910.1025(d)(1)(ii): Exposure Monitoring - General. With the exception of monitoring under paragraph (d)(3), the employer shall collect full shift (for at least 7 continuous hours) personal samples including at least one sample for each shift for each job classification in each work area:

Retrieval Technologies, Lancaster Ohio facility: For exposure monitoring required by this part, the following employee exposure monitoring (personal sampling) in the Lead Acid area was not full shift;

- a. On or about December 17, 2014, for an employee performing "various tasks and clean up" personal sampling for the purpose of employee exposure monitoring was of 202 minutes duration (Sample 2014-153).
- b. On or about December 17, 2014, for an employee performing "various tasks and clean up" personal sampling for the purpose of employee exposure monitoring was of 300 minutes duration (Sample 2014-154).
- c. On or about December 17, 2014, for an employee performing "various tasks and clean up," personal sampling for the purpose of employee exposure monitoring was of 296 minutes duration (Sample 2014-155).
- d. On or about December 12, 2014, for an employee performing the task "grinding retort bodies in the Torching Chamber," personal sampling for the purpose of employee exposure monitoring was of 114 minutes duration (Sample 2014-148).
- e. On or about for December 10, 2014, an employee performing tasks associated with "New Shear operations" and "stacking Absolyte batteries," personal sampling for the purpose of employee exposure monitoring was of 313 minutes duration (Sample 2014-144).

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

- f. On or about September 11, 2014, for an employee performing "Prepping" duties, personal sampling for the purpose of employee exposure monitoring was of 324 minutes duration (Sample 2014-120).
- g. On or about September 11, 2014, for an employee performing "Pulling & Stacking" duties on the process line, personal sampling for the purpose of employee exposure monitoring was of 206 minutes duration (Sample 2014-123).
- h. On or about September 11, 2014, for an employee performing "Chopping & Stacking" duties on the process line, personal sampling for the purpose of employee exposure monitoring was of 151 minutes duration (Sample 2014-124).
- i. On or about January 23, 2015, for an employee performing "Shear Tender" duties on the south line, personal sampling for the purpose of employee exposure monitoring was of 246 minutes duration (Sample 2015-020).
- j. On or about January 23, 2015, for an employee performing "Shear Tender" duties on the north line, personal sampling for the purpose of employee exposure monitoring was of 232 minutes duration (Sample 2015-019).
- k. On or about January 23, 2015, for an employee performing "Shear end of line" duties on the south line, personal sampling for the purpose of employee exposure monitoring was of 224 minutes duration (Sample 2015-018).
- l. On or about January 23, 2015, for an employee performing "Shear end of line" duties on the north line, personal sampling for the purpose of employee exposure monitoring was of 232 minutes duration (Sample 2015-017).
- m. On or about February 9, 2015, for an employee performing "Shear Tender" duties on the south line, personal sampling for the purpose of employee exposure monitoring was of 156 minutes duration (Sample 2015-030).

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

n. On or about February 9, 2015, for an employee performing "Shear end of line" duties on the south line, personal sampling for the purpose of employee exposure monitoring was of 158 minutes duration (Sample 2015-031).

o. On or about March 29, 2015, the employer had failed to perform employee exposure monitoring for lead on second shift activities with anticipated lead exposure. Second shift activities with anticipated lead exposure include, but are not limited to, the Shear Tender operator and Shear table position(s).

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 5a and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/17/2015
Proposed Penalty:	\$9900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 2 b Type of Violation: **Repeat**

29 CFR 1910.1025(d)(6)(ii): If the initial determination or subsequent monitoring reveals employee exposure to be at or above the action level but below the permissible exposure limit the employer shall repeat monitoring in accordance with this paragraph at least every six months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least 7 days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in paragraph (d)(7) of this section:

a. On or about March 19, 2015, the employer had not performed employee exposure monitoring for torching of steel cases by lead acid employees in the lead acid torching chamber. Lead fume is emitted by the heating of the battery components during the torch use as part of disassembly process. Prior to this date, monitoring had not been performed in 2013, 2014 and 2015 for this routine task.

Retrieval Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 5b and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/17/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 2 c Type of Violation: Repeat

29 CFR 1910.1025(d)(6)(iii): If the initial monitoring reveals that employee exposure is above the permissible exposure limit the employer shall repeat monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in paragraph (d)(6)(ii), except as otherwise provided in paragraph (d)(7) of this section:

a. As of and prior to April 8, 2015, the employer had not monitored Dehusker process operations employees for employee exposure to airborne lead at the quarterly frequency required for employees with exposure above the permissible exposure limit when running "NiCd" battery pack materials. For sampling performed January 7, 2015, five Dehusker process operations employees were exposed above the permissible exposure limit for lead with eight-hour time weighted average exposures ranging from 78.3 to 264.9 micrograms lead per cubic meter air while running "NiCd" battery pack materials.

Retrieval Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 5c and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

Date By Which Violation Must be Abated:

Corrected During Inspection

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 3 a Type of Violation: **Repeat**

29 CFR 1910.1025(e)(3)(ii)(B): Methods of compliance. Compliance program. Written plans for these compliance programs shall include at least the following: A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to lead:

a. As of and prior to March 19, 2015, the employer's written compliance programs for lead do not address the engineering plans and studies used for selecting control measures for controlling exposure to lead, including but not limited to the Lead Acid Shear Tender process engineering plan and studies that includes the dust collection system providing capture ventilation for the shear operations.

Retrieval Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 7b and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/03/2015
Proposed Penalty:	\$9900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 3 b Type of Violation: **Repeat**

29 CFR 1910.1025(e)(3)(ii)(C): Methods of compliance. Compliance program. Written plans for these compliance programs shall include at least the following: A report of the technology considered in meeting the permissible exposure limit:

a. As of and prior to March 19, 2015, the employer's written compliance programs for lead do not address the technologies considered for controlling exposure to lead and meeting the permissible exposure limit including changes to the existing ventilation systems and implementation of new ventilations equipment for the Shear Tender process.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 7c and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/03/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 3 c Type of Violation: **Repeat**

29 CFR 1910.1025(e)(3)(ii)(H): Methods of compliance. Compliance program. Written plans for these compliance programs shall include at least the following: Other relevant information:

a. As of and prior to March 19, 2015 the employer's written compliance program for lead did not include all relevant information pertaining to controlling employee exposure levels to below the permissible exposure limit. Ventilation system and/or engineering control design information such as, applicable air flow rates based on the ventilation system design for effective capture rates and a description of the location for ventilation measurements for comparison with required testing was not part of compliance programs, written standard operating procedures, safety and health programs or other compliance program attachments.

Retriev Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard or its equivalent which was contained in OSHA inspection number 190589, citation number 1, item number 7b and citation number 1, item number 7c that was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/03/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 4 a Type of Violation: **Repeat**

29 CFR 1910.1027(c): "Permissible Exposure Limit (PEL)." The employer shall assure that no employee is exposed to an airborne concentration of cadmium in excess of five micrograms per cubic meter of air (5 ug/m³), calculated as an eight-hour time-weighted average exposure (TWA):

a. On April 27, 2015, in the Muffin Monster area; an employee performing required duties while operating the Muffin Monster was exposed to cadmium in excess of the permissible exposure limit of 5 micrograms cadmium per cubic meter air. The employee was exposed to an eight-hour time weighted average of 176.3 micrograms lead per cubic meter air during the 407 minute sampling period. Zero exposure was assumed for 73 minutes not sampled. This employee exposure level represents approximately 11.7 times the separate engineering control air limit and 35.2 times the permissible exposure limit for cadmium.

b. On May 5, 2015, in the Dehusker area; an employee performing required duties including the top belt position, the "cage" position and the bottom belt sorting position was exposed to cadmium in excess of the permissible exposure limit of 5 micrograms cadmium per cubic meter air. The employee was exposed to an eight-hour time weighted average of 17.9 micrograms lead per cubic meter air during the 359 minute sampling period. Zero exposure was assumed for 121 minutes not sampled. This employee exposure level represents approximately 1.2 times the separate engineering control air limit and 3.5 times the permissible exposure limit for cadmium.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 12a and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/17/2015
Proposed Penalty:	\$13860.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retrieval Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 4 b Type of Violation: **Repeat**

29 CFR 1910.1027(f)(1)(ii): Methods of Compliance. Compliance hierarchy. In industries where a separate engineering control air limit (SECAL) had been specified for particular processes, the employer shall implement engineering and work practice controls to reduce and maintain employee exposure to or below the SECAL:

a. On or about April 27, 2015, engineering controls and work practices had not been implemented to reduce employee exposure to levels below the SECAL for the Muffin Monster operation. On this date, in the Muffin Monster area; an employee performing required duties while operating the Muffin Monster was exposed to cadmium in excess of the separate engineering control air limit of 15 micrograms cadmium per cubic meter air for the nickel cadmium battery industry "all other processes" designation from Table 1 in 1910.1027(f)(1)(ii) - (see citation 2 item 4a instance a. for exposure information.)

b. On or about May 5, 2015, engineering controls and work practices had not been implemented to reduce employee exposure to levels below the SECAL for the Dehusker operation. On this date, in the Dehusker area; an employee performing required duties including the top belt position, the "cage" position and the bottom belt sorting position was exposed to cadmium in excess of the separate engineering control air limit of 15 micrograms cadmium per cubic meter air for the nickel cadmium battery industry "all other processes" designation from Table 1 in 1910.1027(f)(1)(ii) - (see citation 2 item 4a instance b. for exposure information.)

Due to these workplace conditions, employees have exposure to inhalation hazards associated with airborne cadmium which include cancer risk, lung and kidney disease.

Retrieval Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 12b and was affirmed as a final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

ABATEMENT NOTE

Step 1: Abatement due 10/03/2015

Submit to the Area Director a written, detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposure to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for following actions, which must be consistent with the abatement dates required by this citation:

1. Evaluation and listing of engineering control options
2. Selection and criteria for selection of optimum control methods and subsequent completion of selected control design
3. Procurement of equipment and materials associated with installation, installation and operation of selected control measures
4. Testing, and acceptance, or modification/supplementation/redesign of controls
5. All proposed control measures shall be approved by a competent industrial hygienist, competent industrial ventilation specialist experienced in complex processes or other technically qualified person

Step 2: Abatement due 12/17/2015

Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible administrative and/or engineering controls could include but the employer is not bound by or limited to, the following:

1. Equip processes with additional local exhaust ventilation such as, but not limited to, downdraft collection tables or collection points, hooded ventilation at designated worker positions and slotted capture ventilation at emission points;

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

2. Improve existing local exhaust ventilation systems by increasing efficiency of collection with increased air movement by installation of targeted make-up air systems, by modifying existing ductwork and duct systems, by increasing fan motor/collector capacities and/or by modifying Dehusker equipment;
3. Utilizing wet methodology for control of airborne material available for inhalation;
4. Develop work practices incorporated as standard operating procedures to reduce emissions of airborne material available for inhalation.

NOTE: Continued use and enforcement of the respiratory protective equipment program in place during the time of this inspection is a required part of this abatement action plan.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/17/2015



Citation and Notification of Penalty

Company Name: Retriev Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 5 a Type of Violation: **Repeat**

29 CFR 1910.1027(d)(1)(iii): Eight-hour TWA exposures shall be determined for each employee on the basis of one or more personal breathing zone air samples reflecting full shift exposure on each shift, for each job classification, in each work area. Where several employees perform the same job tasks, in the same job classification, on the same shift, in the same work area, and the length, duration, and level of cadmium exposures are similar, an employer may sample a representative fraction of the employees instead of all employees in order to meet this requirement. In representative sampling, the employer shall sample the employee(s) expected to have the highest cadmium exposures:

Retriev Technologies, Lancaster Ohio facility: For exposure monitoring required by this part, the following employee exposure monitoring (personal sampling) in cadmium regulated areas was not representative of full shift exposure durations:

- a. On or about September 15, 2014, for an employee performing condenser clean out duties in the Retort area involving use of the "ventilation cart," personal sampling for the purpose of employee exposure monitoring was of 52 minutes duration (Sample 2014-129).
- b. On or about August 15, 2014, for an employee performing condenser clean out duties in the Retort area involving use of the "ventilation cart," personal sampling for the purpose of employee exposure monitoring was of 47 minutes duration (Sample 2014-115).
- c. On or about February 26, 2015, for an employee performing condenser clean out duties in the Retort area involving use of the "ventilation cart," personal sampling for the purpose of employee exposure monitoring was of 38 minutes duration (Sample 2014-115).
- d. On or about February 2, 2015, for an employee performing repackaging of condenser oxide duties in the Retort, involving use of the new collection system, personal sampling for the purpose of employee exposure monitoring was of 147 minutes duration (Sample 2015-022).

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

e. On or about February 3, 2015, for an employee performing repackaging of condenser oxide duties in the Retort; involving use of the new collection system, personal sampling for the purpose of employee exposure monitoring was of 147 minutes duration (Sample 2015-026).

f. On or about January 7, 2015, for an employee performing forklift operations related to the Dehusker, personal sampling for the purpose of employee exposure monitoring was of 295 minutes duration (Sample 2015-007).

g. On or about February 19, 2015, for an employee rotated between two positions in the Dehusker area (between the bridge and conveyor, and sorting-lower conveyor), personal sampling for the purpose of employee exposure monitoring was of 168 minutes sampled (Sample 2015-035).

h. On or about March 3, 2015, for an employee sweating ingots in the Retort area, personal sampling for the purpose of employee exposure monitoring was of 101 minutes duration (Sample 2015-044).

i. On or about March 19, 2015, the employer had failed to perform employee exposure monitoring for lead on second shift and third shift activities with anticipated cadmium exposures. Off shift activities with anticipated cadmium exposure include, but are not limited to the Muffin Monster operation, Dehusker bottom belt position and Retort oven operator.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard, or its equivalent standard, which was contained in OSHA inspection number 190589, citation number 1, item number 5a and citation number 1 item number 5e were affirmed as final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/03/2015
\$9900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 5 b Type of Violation: **Repeat**

29 CFR 1910.1027(d)(3)(i): If the initial monitoring or periodic monitoring reveals employee exposures to be at or above the action level, the employer shall monitor at a frequency and pattern needed to represent the levels of exposure of employees and where exposures are above the PEL to assure the adequacy of respiratory selection and the effectiveness of engineering and work practice controls. However, such exposure monitoring shall be performed at least every six months. The employer, at a minimum, shall continue these semi-annual measurements unless and until the conditions set out in paragraph (d)(3)(ii) are met:

- a. As of and prior to March 19, 2015, the employer had not performed required periodic monitoring for employee exposure to airborne cadmium during Muffin Monster operations; such monitoring had not been performed since February 2013. During the February 2013 employee exposure monitoring for this task; exposure levels were documented that exceed the permissible exposure level and specific engineering control air limit for cadmium.
- b. As of and prior to June 13, 2105, the employer had not performed required periodic monitoring for employee exposure to airborne cadmium during Retort body grinding operations in the Lead Acid torching chamber; During December 12, 2014 employee exposure monitoring for this task; exposure levels were documented that exceed the permissible exposure limit for cadmium.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 5e were affirmed as final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/03/2015

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 6 a Type of Violation: **Repeat**

29 CFR 1910.1027(f)(2)(ii)(B): Methods of compliance. Compliance program. Written compliance programs shall include at least the following: A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to cadmium, as well as, where necessary, the use of appropriate respiratory protection to achieve the PEL:

a. As of and prior to March 19, 2015, the employer's written compliance programs for cadmium do not address the engineering plans and studies used for selecting control measures for controlling exposure to cadmium, including, but not limited to, the shared ventilation/dust collection system and related engineering control components for the Dehusker and Muffin Monster operations.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 13b were affirmed as final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/18/2015

Proposed Penalty:

\$9900.00

See pages I through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 6 b Type of Violation: **Repeat**

29 CFR 1910.1027(f)(2)(ii)(C): Methods of compliance. Compliance program. Written compliance programs shall include at least the following: A report of the technology considered in meeting the PEL:

- a. On or about March 19, 2015, the employer's written compliance programs did not include information or reports on the technology considered in reducing employee exposures to airborne cadmium in the Retort, Dehusker and Muffin Monster process related areas of the facility.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 190589, citation number 1, item number 13c were affirmed as final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/03/2015

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 6 c Type of Violation: Repeat

29 CFR 1910.1027(f)(2)(ii)(E): Methods of compliance. Compliance program. Written compliance programs shall include at least the following: A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.:

a. As of and prior to March 19, 2015, the employer's written compliance programs did not include information regarding implementation of the program regarding multiple engineering control and work practice projects. The written programs did not include information involving vacuum system work practices in the Retort area, multiple engineering control projects in the Retort area, plans for equipment changes on the Dehusker process and dust collection system modifications/plans for the Muffin Monster/Dehusker shared system in that process area of the facility.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard, or its equivalent, which was contained in OSHA inspection number 190589, citation number 1, item number 13b and citation number 1, item number 13c were affirmed as final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/03/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1047109
Inspection Date(s): 03/19/2015 - 07/17/2015
Issuance Date: 08/14/2015



Citation and Notification of Penalty

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130

Citation 2 Item 6 d Type of Violation: **Repeat**

29 CFR 1910.1027(f)(2)(ii)(H): Methods of compliance. Compliance program. Written compliance programs shall include at least the following: Other relevant information:

a. As of and prior to March 19, 2015 the employer's written compliance program for cadmium did not include all relevant information pertaining to controlling employee exposure levels to below the permissible exposure limit. Ventilation system and/or engineering control design information such as, applicable air flow rates based on the ventilation system design for effective capture rates and a description of the location for ventilation measurements for comparison with required testing was not part of compliance programs, written standard operating procedures, safety and health programs or other cadmium compliance program attachments.

Retrieiv Technologies, previously known as TOXCO, Inc. was cited for a violation of this occupational safety and health standard, or its equivalent, which was contained in OSHA inspection number 190589, citation number 1, item number 13b and citation number 1, item number 13c were affirmed as final order on July 29, 2012, with respect to a workplace located at 265 Quarry Road SE, Lancaster, Ohio 43130.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/03/2015

A handwritten signature in black ink, appearing to read "D. Zubaty", written over a horizontal line.

Deborah J. Zubaty
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215
Phone: 614-469-5582 Fax: 614-469-6791



INVOICE / DEBT COLLECTION NOTICE

Company Name: Retrieiv Technologies
Inspection Site: 265 Quarry Road SE, Lancaster, OH 43130
Issuance Date: 08/14/2015

Summary of Penalties for Inspection Number	1047109
Citation 1, Serious	\$6930.00
Citation 2, Repeat	\$67320.00
TOTAL PROPOSED PENALTIES	\$74250.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Deborah J. Zubaty
Area Director