

U.S. Department of Labor
Occupational Safety and Health Administration
2183 Northlake Parkway
Building 7, Suite 110
Tucker, GA 30084
Phone: 770-493-6644 Fax: 770-493-7725



Citation and Notification of Penalty

To:
Dyke Industries, Inc
and its successors
309 Centers St
Little Rock, AR 72201

Inspection Number: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015

Inspection Site:
6600 Best Friend Road
Norcross, GA 30071

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 09/10/2015. The conference will be held by telephone or at the OSHA office located at 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1046344

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071
Issuance Date: 09/10/2015

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, 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084**

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: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck-by and crushed-by hazards:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross, GA: Employees were exposed to struck-by and crushing hazards due to the pallet rack system supports being visibly damaged:

- a. Interior door two aisle rack ends of the pallet rack system were visibly damaged;
- b. Stair parts aisle ends of the pallet rack system were visibly damaged;
- c. Wood window aisle ends of the pallet rack system were visibly damaged;
- d. Steel door inserts aisle ends of the pallet rack system were visibly damaged; and
- e. On or about 11 March, 2015 at the pair (2) of interior door aisle rack systems: Employees were exposed to struck-by and crushing hazards due to the pallet rack systems not permanently affixed to the floor.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

One feasible means of abatement is to remove and replace/ repair all damaged portions of the pallet rack systems and to permanently affix the pallet rack systems to the floor.

No abatement certification or documentation is required for this item.

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5000.00

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

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

29 CFR 1910.22(b)(2): Permanent aisles and passageways were not appropriately marked:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; employees were exposed to struck-by hazards where foot traffic and powered industrial trucks shared the same walking/ working surfaces. There were no lines identifying employee walking surfaces and powered industrial truck travel lanes.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5000.00

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

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

29 CFR 1910.133(a)(3): The employer did not ensure that each affected employee who wore prescription lenses while engaged in operations that involved eye hazards wore eye protection that incorporated the prescription in its design, or wore eye protection that could be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses.

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross, GA; where employees wearing prescription eyewear were exposed to and not properly protected against flying chips and debris during operations including but not limited to cleaning of wood dust and materials, wood cutting operations, and use of staple guns.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4000.00

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; where employees were observed performing daily cleaning operations of machines including but not limited to the Eagle lines where lockout of the energy sources (electrical and pneumatic) did not occur and employees relied solely on the emergency stop. Specific procedures were not created for each machine for employees to follow.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/28/2015
Proposed Penalty:	\$7000.00

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; where employees did not receive authorized, affected, or other training for the control of hazardous energy during servicing and maintenance operations as it relates to lockout/ tag out, from the company.

Recommended Abatement Action In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.147(c)(8): Lockout or tagout was not performed only by the authorized employees who are performing the servicing or maintenance:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; employees performing weekly cleaning operations rely on the maintenance manager to lock out each line and maintain the key(s). Each employee did not have control of the key(s) for each lock applied to their respective machines.

Recommended Abatement Action In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/28/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

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 7 a Type of Violation: **Serious**

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross, GA; where employees were permitted to fight incipient level fires;

a. at the rear, center of the building; a portable fire extinguisher was observed on the ground where the hook was visibly damaged by a forklift such that where the portable fire extinguisher was unable to be hung. The portable fire extinguisher was damaged at the carrying handle and actuation lever, missing the pin, and dented from being struck-by a forklift.

b. at the loading bay; a desk was blocking the portable fire extinguisher.

c. at the rear, center of the building the portable fire extinguisher station was not identified from all directions.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4000.00

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

Inspection Number: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 7 b Type of Violation: **Serious**

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross, GA; employees were exposed to smoke inhalation and burn hazards where employees were permitted to fight incipient level fires and were not trained on how to do so.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation ingoing nip points and rotating parts:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; where employees are exposed to amputation and struck-by hazards while performing loading operations of eight (8) foot doors into the Line #1, Eagle loader;

- a. The light curtain guarding is inadequate in that employees can physically enter the operating Line #1 Eagle loader by bypassing the two (2) eye light curtain by stepping between them, over the bottom eye and ducking under the upper eye. The curtain is in place to stop the machine in case an employee enters the area.
- b. employees can physically enter the operating Line #1 Eagle loader beneath the emergency stops on both sides of the loading point where no guards are in place to keep employees making contact with the moving parts of the machine. Located beyond the plane of the light curtain.
- c. an employee performing banding operations was observed placing his entire torso through the point of operation to adjust tension of the banding material; the actuating foot pedal was not protected against accidental actuation with a guard at the line #1 StraPack bander.
- d. an employee performing banding operations was observed placing his hand through the point of operation to clean the table; the actuating foot pedal was not protected against accidental actuation with a guard at the line #2 StraPack bander.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/29/2015
Proposed Penalty: \$4000.00

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.242(a): Hand and portable powered tools or equipment were not kept in safe condition:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; where employees were observed to struck-by hazards while performing pneumatic stapling operations of door casings with pneumatic staple guns that were in-use with safety devices that were defeated.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4000.00

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: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 P.S.I.:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; employees were observed using compressed air for cleaning purposes, the measurement at the tip was over 100 P.S.I. exposing them and employees nearby to struck-by related injuries and embolism, at locations including but not limited to:

- a. an employee cleaning himself at the router table with a male end (air nozzle) without the ability to control output,
- b. an employee performing cleaning operations of the Eagle Line #1 with an extended reach (10" male end air nozzle) without the ability to control output..

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$7000.00

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: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

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 11 a Type of Violation: **Serious**

29 CFR 1910.303(b)(1)(iv): Safety of equipment was not determined using considerations for electrical insulation

- a. On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; employees were exposed to burn hazards where the DeWalt chop saw used for cutting door jamb heads was powered by a 110/120 V electrical outlet that was located where the arcing effects of the outlet could ignite a localized accumulation of combustible dust possibly resulting in a large fire.
- b. employees were exposed to burn hazards, by the router station where the 110/120 V electrical duplex outlet powering the Jet dust accumulator was located where the arcing effects of the outlet could ignite a localized accumulation of combustible dust possibly resulting in a large fire.
- c. employees were exposed to burn hazards, by the router station where the 110/120V electrical box powering a table saw was located where the arcing effects of the outlet could ignite a localized accumulation of combustible dust possibly resulting in a large fire.
- d. employees were exposed to burn hazards, by the router station where the 110/120 V electrical duplex outlet used to power equipment as needed was located where the arcing effects of the outlet could ignite a localized accumulation of combustible dust possibly resulting in a large fire.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$4000.00

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

Inspection Number: 1046344
Inspection Date(s): 03/11/2015 - 06/05/2015
Issuance Date: 09/10/2015



Citation and Notification of Penalty

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(c)(2)(i): Respirator users were not provided with the information contained in Appendix D to 29 CFR 1910.134 when the employer determined that any voluntary respirator use was permissible:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; employees working in fine wood dust areas are exposed to inhalation related injuries where the employer provides N95 masks for voluntary use; the employer failed to provide a copy of Appendix D to employees.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation. (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/22/2015
Proposed Penalty:	\$0.00

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: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

On or about 11 March, 2015 at 6600 Best Friend Road, Norcross GA; employees were exposed to electrical hazards where 110/120 V electrical cables did not have effective strain relief, exposing the insulated conductors:

- a. Line #1 StraPack bander power cord,
- b. Line #2 StraPack bander power cord, &
- c. 110/120 V cord to electrical box powering the DeWalt Chop Saw.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00


for **William C. Fulcher**
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2183 Northlake Parkway
Building 7, Suite 110
Tucker, GA 30084
Phone: 770-493-6644 Fax: 770-493-7725



INVOICE / DEBT COLLECTION NOTICE

Company Name: Dyke Industries, Inc
Inspection Site: 6600 Best Friend Road, Norcross, GA 30071
Issuance Date: 09/10/2015

Summary of Penalties for Inspection Number	1046344
Citation 1, Serious	\$58000.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$58000.00

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

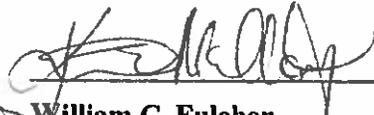
account, the bank will attempt to make the transfer up to 2 times.

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.



William C. Fulcher
Area Director

09/10/2015

Date