

Este documento es muy importante. Si ud. No habla inglés,  
busque un traductor o llame al (608) 441-5388.

U.S. Department of Labor

Occupational Safety and Health Administration  
4802 E. Broadway  
Madison, WI 53716  
Phone: (608) 441-5388 Fax: (608) 441-5400



October 29, 2015

Dear Mr. Marciniak,

On 05/27/2015, an OSHA compliance officer met with you or your representative as part of an inspection at 1126 Harvey Street Beloit, WI 53511. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

Ann Grevenkamp, Area Director

### Your Citation Summary

IPMF, LLC

Inspection Number: 1066447

**Total Amount Due: \$103600.00**

**Payment Due Date: 15 working days  
after receipt of  
this letter**

*You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.*

**Total Number of Violations : 18**

**Your First Correction Deadline is:  
November 6, 2015**

### Step 1 – Choose a Response Option and Act within 15 working days

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

#### Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

#### Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

#### Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

#### Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (608) 441-5388.

## Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

### Option #1 – Discuss with OSHA

I will complete by:



1. Call: Ann Grevenkamp, Area Director, at (608) 441-5388 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. **\*\*This meeting does NOT extend your 15 working day deadline to contest the citation.\*\***

 \_\_\_ / \_\_\_

2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

 \_\_\_ / \_\_\_

### Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**

 \_\_\_ / \_\_\_

2. Pay the **Total Penalty** by using one of the following methods:  
**\*\*Include your Inspection Number (see first page) on the payment.\*\***

 \_\_\_ / \_\_\_

*Pay Online:* Search "OSHA" on [www.pay.gov](http://www.pay.gov) and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days**. Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

*Pay by Check:* Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days**.

### Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days**.

 \_\_\_ / \_\_\_

## U.S. Department of Labor

Occupational Safety and Health Administration  
4802 E. Broadway  
Madison, WI 53716  
Phone: 608-441-5388 Fax: 608-441-5400



## Citation and Notification of Penalty

**To:**  
IPMF, LLC, dba IPM Foods  
and its successors  
1126 Harvey Street  
Beloit, WI 53511

**Inspection Number:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015

**Inspection Site:**  
1126 Harvey Street  
Beloit, WI 53511

*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](http://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](http://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 10/29/2015. The conference will be held by telephone or at the OSHA office located at 4802 E. Broadway, Madison, WI 53716 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1066447**

Company Name: IPMF, LLC, dba IPM Foods  
Inspection Site: 1126 Harvey Street, Beloit, WI 53511  
Issuance Date: 10/29/2015

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, 4802 E. Broadway, Madison, WI 53716**

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

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

**Inspection Number:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

During the period between May 1, 2015 and October 2, 2015: The employer had not evaluated the workplace to determine if spaces were permit-required confined spaces. The facility contained permit-required confined spaces such as, but not limited to, the retorts, the liquefiers, the kettles, the elevator pit, and the sewer lift station.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/06/2015  
\$4900.00

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: 1066447  
Inspection Date(s): 05/27/2015 - 05/27/2015  
Issuance Date: 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.146(c)(2): Where the workplace contained permit spaces, the employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

During the period between May 1, 2015 and October 2, 2015: The employer had not informed employees of the existence and location of and the danger posed by multiple permit required confined spaces through the posting of danger signs or other equally effective means. The facility contained permit-required confined spaces such as, but not limited to, the retorts, the liquefiers, the kettles, the elevator pit, and the sewer lift station.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/06/2015  
\$4900.00

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:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.146(c)(4): When the employer decided that its employees would enter permit spaces, the employer did not develop and implement a written permit space program that complied with this section:

During the period between May 1, 2015 and October 2, 2015: The employer failed to develop and implement a written permit-required confined space program for employees entering confined spaces. In late May 2015, multiple employees entered Retort #4 to perform servicing and maintenance activities.

Permit-required confined space elements not developed and implemented for entries into spaces, including the Retort #4, included, but are not limited to:

- a. Measures to prevent unauthorized entry as required by 1910.146(d)(1)
- b. Hazard identification and evaluation as required by 1910.146(d)(2)
- c. Means, procedures, and practices for safe permit entry operations including the specification of acceptable entry conditions; provisions for authorized entrants or their authorized representative to observe any monitoring or testing; isolation of the space; purging, inerting, flushing, or ventilating as necessary to eliminate or control atmospheric hazards, and verifying that conditions in the permit space are acceptable for entry throughout the duration of an authorized entry as required by 1910.146(d)(3).
- d. Necessary equipment as required by 1910.146(d)(4)
- e. Evaluation of permit space conditions as required by 1910.146(d)(5)
- f. Providing attendant(s) as required by 1910.146(d)(6)
- g. Designation of active roles (authorized entrants, attendants, entry supervisors) in entry operations as required by 1910.146(d)(8)
- h. Procedures for summoning rescue and emergency services; for rescuing entrants from permit spaces; for providing necessary emergency services to rescued employees; and for preventing unauthorized personnel from attempting a rescue as required by 1910.146(d)(9)
- i. A system for the preparation, issuance, use, and cancellation of entry permits as required by 1910.146(d)(10)
- j. Procedures necessary for concluding the entry as required by 1910.146(d)(12)
- k. Review of entry operations and the permit space program as required by 1910.146(d)(13) and (d)(14)

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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- l. Training as required by 1910.146(g)
- m. Non-entry rescue retrieval methods or systems as required by 1910.146(k)(3)
- n. Employee participation as required by 1910.146(l)

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/06/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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**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 the activities covered by this section:

During the period between May 1, 2015 and October 2, 2015: Machine specific hazardous energy control procedures had not been developed for servicing and maintenance of machinery and equipment such as, but not limited to, the Tetra Pak R2 former/filler/sealers, the Tetra Cardboard Packer 70s, the Jorgenson Unloaders, the Jorgenson Unloaders, Kettles, and the Retorts. Servicing and maintenance activities performed by employees included tasks such as, but not limited to, repairs, adjustments, set-ups, greasing, unjamming, cleaning, and sanitizing.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/20/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

During the period between May 1, 2015 and October 2, 2015: Employees performing servicing and maintenance on machinery and equipment such as, but not limited to, the Tetra Pak R2 former/filler/sealers, the Tetra Cardboard Packer 70s, the Jorgenson Unloaders, the Jorgenson Loaders, and the Retorts, had not received authorized employee level training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and measures necessary for energy isolation and control. Servicing and maintenance activities performed by employees included tasks such as, but not limited to, repairs, adjustments, set-ups, greasing, unjamming, cleaning, and sanitizing.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/30/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator was competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

During the period between May 1, 2015 and October 2, 2015: Multiple employees operating the CAT BBi #N3151 forklift and/or the Raynor/Nissan powered pallet jack had not been provided with powered industrial truck operator training.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/21/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding were 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, rotating parts, flying chips and sparks:

During the period between May 1, 2015 and October 2, 2015: The Loader and Unloader machines were missing several guards/gates intended for guarding moving parts.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/13/2015  
\$2800.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasion, and openings through which conductors enter were not effectively closed:

On or about June 4, 2015: Two junction boxes on the wall behind equipment in the Retort area had conduit that was separated from the junction box, exposing the wiring.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

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

11/30/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.305(j)(2)(iv): Receptacles installed in wet or damp locations were not suitable for the location:

During the period between May 1, 2015 and October 2, 2015: Multiple receptacles in the Kettle Room were exposed to water/moisture during sanitation procedures and were not rated for damp/wet locations.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/21/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 1910.331 through 1910.335 that pertained to their respective job assignments:

During the period between May 1, 2015 and October 2, 2015: Employees performing electrical tasks on or near electrical circuits had not been provided electrical safety-related work practices training. When needed, maintenance employees replaced electrical equipment and fixtures such as, but not limited to, motors, fuses, light fixtures and receptacles. On or about May 6, 2015 a maintenance employee replaced multiple light fixtures and outlets in the basement of the facility.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/13/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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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 1910.333(a)(1): Live parts to which an employee was exposed were not deenergized before the employee worked on or near them:

On or about May 6, 2015, a maintenance employee replaced multiple light fixtures and outlets in the basement of the facility. During the replacement of a light fixture, the employee received a shock from the energized 110v wiring. The employer did not ensure that the electrical wiring was deenergized as a part of the work assignment.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/13/2015  
\$4900.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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**Citation 1 Item 11 b Type of Violation: **Serious****

29 CFR 1910.333(b)(2): While employees were exposed to contact with parts of fixed electric equipment or circuits which have been deenergized, the circuits energizing the parts were not locked out or tagged or both in accordance with the requirements of this paragraph:

On or about May 6, 2015, a maintenance employee was replacing multiple light fixtures and outlets in the basement of the facility. During the replacement of a light fixture, the employee received a shock from the energized 110v wiring. The employer did not require/ensure that the electrical wiring was deenergized and locked out as part of the work assignment.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:

11/06/2015

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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**Citation 1 Item 11 c Type of Violation: **Serious****

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with, and did not use, electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed:

During the period between May 1, 2015 and October 2, 2015: The employer did not provide or require the use of electrical protective equipment such as, but not limited to, insulated gloves, protective eyewear, and hardhats for employees performing work on electrical circuits to include replacement of motors, fuses, light fixtures, and receptacles.

\*Abatement note: Electrical personal protective equipment is still required to be worn when verifying the deenergized condition of electrical circuits as part of the electrical safety-related work practices outlined in 29 CFR 1910.333.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:

11/13/2015

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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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 12 a Type of Violation: **Serious****

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and maintain at each workplace, a written hazard communication program:

During the period between May 1, 2015 and October 2, 2015: The employer had not developed and implemented a written hazard communication program. Production employees utilized sanitation chemicals to clean machinery and equipment. Maintenance employees utilized oil and lubricants for routine and preventative servicing and maintenance activities.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/13/2015  
\$2100.00

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:** 1066447  
**Inspection Date(s):** 05/27/2015 - 05/27/2015  
**Issuance Date:** 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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**Citation 1 Item 12 b** Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area:

During the period between May 1, 2015 and October 2, 2015: Maintenance employees utilizing oils and lubricants for routine and preventative servicing and maintenance activities had not been provided with hazard communication training.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:

11/13/2015

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:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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 1a** Type of Violation: **Willful**

29 CFR 1910.147(d)(3): All energy isolating devices that were needed to control the energy to the machine or equipment were not physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s):

During the period between May 1, 2015 and October 2, 2015: The employer did not ensure that employees performing servicing and maintenance activities such as, but not limited to repairs, adjustments, set-ups, greasing, unjamming, cleaning, and sanitizing on machines and equipment such as, but not limited to, the Tetra Pak R2 former/filler/sealers, the Tetra Cardboard Packers 70s, the Jorgenson Unloaders, the Joregnson Loaders, and the Retorts, isolated the machines or equipment from energy sources as part of a hazardous energy control procedure (LOTO) prior to performing assigned servicing and maintenance.

\*Abatement note: The Retorts are permit-required confined spaces covered by 29 CFR 1910.146, permit-required confined spaces. OSHA's permit-required confined spaces standard required permit-spaces to be isolated (removed from service and completely protected against the release of energy and material into the space such as: blanking or blinding; mis-aligning or removing sections of lines, pipes, or ducts; a double-block bleed system; lockout or tagout of all sources of energy; or blocking or disconnecting all mechanical linkages). 29 CFR 1910.146 does not, however, allow lockout for flowable material isolation as compliance with 29 CFR 1910.147 does not, in all cases, adequately isolate hazards created by materials such as steam, flammable gases, flammable and combustible liquids.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/13/2015  
\$49000.00

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:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

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

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees:

During the period between May 1, 2015 and October 2, 2015: The employer did not ensure that employees performing servicing and maintenance activities such as, but not limited to repairs, adjustments, set-ups, greasing, unjamming, cleaning, and sanitizing on machines and equipment such as, but not limited to, the Tetra Pak R2 former/filler/sealers, the Tetra Cardboard Packers 70s, the Jorgenson Unloaders, the Joregnson Loaders, and the Retorts, affixed lockout devices to energy isolation devices as part of a hazardous energy control procedure (LOTO) prior to performing assigned servicing and maintenance.

\*Abatement note: The Retorts are permit-required confined spaces covered by 29 CFR 1910.146, permit-required confined spaces. OSHA's permit-required confined spaces standard required permit-spaces to be isolated (removed from service and completely protected against the release of energy and material into the space such as: blanking or blinding; mis-aligning or removing sections of lines, pipes, or ducts; a double-block bleed system; lockout or tagout of all sources of energy; or blocking or disconnecting all mechanical linkages). 29 CFR 1910.146 does not, however, allow lockout for flowable material isolation as compliance with 29 CFR 1910.147 does not, in all cases, adequately isolate hazards created by materials such as steam, flammable gases, flammable and combustible liquids.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:

11/13/2015

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

Inspection Number: 1066447  
Inspection Date(s): 05/27/2015 - 05/27/2015  
Issuance Date: 10/29/2015



**Citation and Notification of Penalty**

**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511

**Citation 3 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1904.4(a): The employer did not keep records of each fatality, injury, and illness by recording each fatality, injury and illness that meet the requirements listed in 1904.4(a)(1)-(3):

During the period between May 1, 2015 and October 2, 2015: The employer did not record the following work-related injury on the OSHA form 300, OSHA form 301, or their equivalents for the calendar year 2015:

In May of 2015, a maintenance employee received an injury to his knee after falling in the back of the building and subsequently re-aggravated his injuries while working in Retort #4 shortly thereafter. The injury met the recording criteria listed in 1904.4a and was not recorded.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/06/2015  
\$700.00

A handwritten signature in cursive script, reading "Ann Grevenkamp", written over a horizontal line.

**Ann Grevenkamp**  
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  
4802 E. Broadway  
Madison, WI 53716  
Phone: 608-441-5388 Fax: 608-441-5400



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** IPMF, LLC, dba IPM Foods  
**Inspection Site:** 1126 Harvey Street, Beloit, WI 53511  
**Issuance Date:** 10/29/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1066447</b>
<b>Citation 1, Serious</b>	<b>\$53900.00</b>
<b>Citation 2, Willful</b>	<b>\$49000.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$700.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$103600.00</b>

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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](http://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.

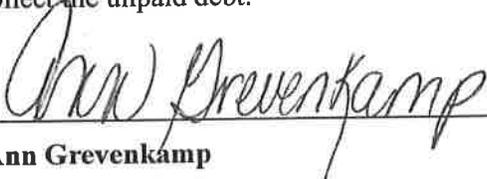
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Ann Grevenkamp

Area Director

10.29.15  
Date