

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:
International Technical Coatings Inc., dba ITC
Manufacturing
and its successors
110 S 41st Ave
Phoenix, AZ 85009

Inspection Number: 1075666
Inspection Date(s): 07/07/2015 - 12/09/2015
Issuance Date: 12/09/2015

Inspection Site:
845 Markison Avenue
Columbus, OH 43207

7012 2210 0001 2080 3416

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 12/09/2015. 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: 1075666

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207
Issuance Date: 12/09/2015

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: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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

29 CFR 1910.95(c)(1): The employer shall administer a continuing, effective hearing conservation program, as described in paragraphs (c) through (o) of this section, whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels measured on the A scale (slow response) or, equivalently, a dose of fifty percent:

a. At the work site, the employer had not established and implemented an effective hearing conservation program per the requirements of 1910.95 for employees with noise exposures that exceeded the OSHA Action Level of an 8-hour time-weighted average sound level (TWA) of 85 dBA or, equivalently, a noise dose of fifty percent.

a. In the Draw Line area, an employee who operated a Tares wire processor was exposed to continuous noise levels above the OSHA Action Level of 85 decibels (dBA) and greater than 50% of the daily noise dose allowed under the standards. The sampling was performed for 477 minutes during one shift on July 21, 2015. Zero exposure was assumed for the unsampled period of time, three minutes. The employee's noise dose was 106.1% with an equivalent dBA of approximately 90.4 dBA.

b. In the Roll Form area, an employee who worked as a Team Lead was exposed to continuous noise levels above the OSHA Action Level of 85 decibels (dBA) and greater than 50% of the daily noise dose allowed under the standards. The sampling was performed for 479 minutes during one shift on July 21, 2015. Zero exposure was assumed for the unsampled period of time, one minute. The employee's noise dose was 104.3% with an equivalent dBA of approximately 90.3 dBA.

c. In the Wire Room area, an employee who operated the GCR welder was exposed to continuous noise levels above the OSHA Action Level of 85 decibels (dBA) and greater than 50% of the daily noise dose allowed under the standards. The sampling was performed for 480 minutes during one shift on July 21, 2015. The employee's noise dose was 98.3% with an equivalent dBA of approximately 89.9 dBA.

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: International Technical Coatings Inc., dba ITC Manufacturing
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d. In the FSO area, an employee who operated a FSO Mesh Welder was exposed to continuous noise levels above the OSHA Action Level of 85 decibels (dBA) and greater than 50% of the daily noise dose allowed under the standards. The sampling was performed for 478 minutes during one shift on July 21, 2015. Zero exposure was assumed for the unsampled period of time, two minutes. The employee's noise dose was 111.2% with an equivalent dBA of approximately 90.7 dBA.

e. In the Ideal Welder area, an employee who operated the Ideal 10 Welder was exposed to continuous noise levels above the OSHA Action Level of 85 decibels (dBA) and greater than 50% of the daily noise dose allowed under the standards. The sampling was performed for 475 minutes during one shift on July 21, 2015. Zero exposure was assumed for the unsampled period of time, five minutes. The employee's noise dose was 77.7% with an equivalent dBA of approximately 88.1 dBA.

f. In the Accurshear area, an employee who operated the Accurshear was exposed to continuous noise levels above the OSHA Action Level of 85 decibels (dBA) and greater than 50% of the daily noise dose allowed under the standards. The sampling was performed for 479 minutes during one shift on July 21, 2015. Zero exposure was assumed for the unsampled period of time, one minute. The employee's noise dose was 70.6% with an equivalent dBA of approximately 87.4 dBA.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/13/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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 2 a Type of Violation: **Serious**

29 CFR 1910.107(l)(4)(i): All areas shall be kept free of the accumulation of powder coating dusts, particularly such horizontal surfaces as ledges, beams, pipes, hoods, booths, and floors:

a. The employer did not ensure that the combustible fugitive dust was not allowed to accumulate in the Nordson automated powder coating booth area at the work site. The Nordson powder coat booth operator swept the floor around the booth with a broom several times per shift to remove fugitive, combustible dust from the floors. Accumulated fugitive dust was also observed on pipes, walls, floors, berms, handrails, edges, beams, booths, oven, conveyor and stored materials in the powder coating booth area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/24/2015
Proposed Penalty:	\$5000.00



Citation and Notification of Penalty

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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

29 CFR 1910.107(l)(4)(ii): Surfaces shall be cleaned in such manner as to avoid scattering dust to other places or creating dust clouds:

- a. At the work site, the Nordson powder coat booth operator swept the floor around the booth with a broom several times per shift. The employer did not provide employees with an alternative method of cleaning up the combustible dust so that it did not scatter powder or create dust clouds such as (but not limited to) the use of a Class II-rated industrial vacuum.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/24/2015



Citation and Notification of Penalty

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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

29 CFR 1910.133(a)(3): The employer shall ensure that each affected employee who wears prescription lenses while engaged in operations that involve eye hazards wears eye protection that incorporates the prescription in its design, or wears eye protection that can be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses.

a. At the work site, employees wearing prescription eyewear were not provided with safety glasses to be worn over their prescription eyewear nor prescription safety glasses. These employees were exposed to flying metal pieces and sparks during the cutting and welding of metal wire.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/24/2015
\$5000.00



Citation and Notification of Penalty

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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 4 a Type of Violation: **Serious**

29 CFR 1910.134(a)(2): A respirator shall be provided to each employee when such equipment is necessary to protect the health of such employee. The employer shall provide the respirators which are applicable and suitable for the purpose intended. The employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements outlined in paragraph (c) of this section. The program shall cover each employee required by this section to use a respirator:

a. At the work site, employees provided with respirators for voluntary use were exposed to respirable dust above the Permissible Exposure Limit (PEL) while operating a Nordson Electrostatic Powder Coating System, Model No. N524 Serial No C96-362-0. The employer failed to develop and implement a written respiratory protection program and to ensure the use of respiratory protection when employees were exposed to hazardous levels of air contaminants.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/13/2016
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: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of Total Dust listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration of 15 mg/m³:

a. At the work site, on July 21, 2015, an employee operating a Nordson Excel 2000 (Model No. N524) electrostatic powder coating spray booth was exposed to airborne powder coating dust at an 8-hour time-weighted average (TWA) of 27.0 mg/m³, approximately 1.8 times the permissible exposure limit (PEL) for particulates not otherwise regulated (PNOR), total dust fraction of 15 mg/m³. The exposure was derived from samples collected over a 464 minute period. Zero exposure was assumed for the unsampled period of 16 minutes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/13/2016



Citation and Notification of Penalty

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

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

29 CFR 1910.1000(e): To achieve compliance with paragraphs (a) through (d) of this section, administrative or engineering controls must first be determined and implemented whenever feasible. When such controls are not feasible to achieve full compliance, protective equipment or any other protective measures shall be used to keep the exposure of employees to air contaminants within the limits prescribed in this section. Any equipment and/or technical measures used for this purpose must be approved for each particular use by a competent industrial hygienist or other technically qualified person:

a. At the work site, the employer failed to implement engineering and/or administrative controls to reduce exposures to below the OSHA PEL for employees who operated a Nordson Excel 2000 electrostatic powder coat booth. On July 21, 2015, an employee operating a Nordson Excel 2000 (Model No. N524) electrostatic powder coating spray booth was exposed to airborne powder coat dust at an 8-hour time-weighted average (TWA) of 27.0 mg/m³, approximately 1.8 times the permissible exposure limit (PEL) for particulates not otherwise regulated (PNOR), total dust fraction of 15 mg/m³.

Within 45 days: Implement feasible engineering and/or administrative controls to reduce employee exposures below the OSHA PEL. Options for feasible engineering and administrative controls may include (but are not limited to): use of a class II-rated vacuum instead of a broom, ensure the sifter/hopper lid is closed when not being used to load powder coat material, replacing cartridges and filters in the powder coat booth as recommended by the manufacturer, development and use of a regularly scheduled maintenance evaluation of the booth, preventive maintenance and repair schedule for the booth, use of local ventilation when loading the sifter/hopper, and prohibiting employees from using compressed air to blow dust off of surfaces and clothing in the booth area. Other engineering/administrative controls should include provisions for interim employee protection, development of an abatement plan, and verification that the engineering/administrative controls are effective.

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: 1075666
Inspection Date(s): 07/07/2015 - 12/09/2015
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Citation and Notification of Penalty

Company Name: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/28/2016



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: International Technical Coatings Inc., dba ITC Manufacturing
Inspection Site: 845 Markison Avenue, Columbus, OH 43207
Issuance Date: 12/09/2015

Summary of Penalties for Inspection Number	1075666
Citation 1, Serious	\$24000.00
TOTAL PROPOSED PENALTIES	\$24000.00

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.

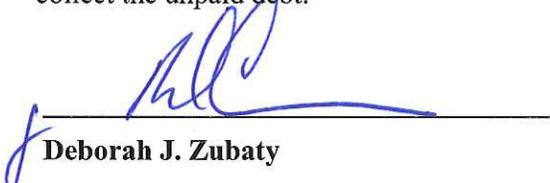
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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