

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1320 W Commerce Dr.  
Suite 800  
Peoria, IL 61615  
Phone: 309-589-7033 Fax: 309-589-7326



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## Citation and Notification of Penalty

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**To:**  
Lyon, LLC  
and its successors  
475 N. Veteran's Parkway  
Watseka, IL 60970

**Inspection Number:** 1078995  
**Inspection Date(s):** 07/21/2015 - 07/21/2015  
**Issuance Date:** 11/30/2015

**Inspection Site:**  
475 N. Veteran's Parkway  
Watseka, IL 60970

*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.*

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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 11/30/2015. The conference will be held by telephone or at the OSHA office located at 1320 W Commerce Dr., Suite 800, Peoria, IL 61615 on \_\_\_\_\_ at \_\_\_\_\_.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1078995

Company Name: Lyon, LLC
Inspection Site: 475 N. Veteran's Parkway, Watseka, IL 60970
Issuance Date: 11/30/2015

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, 1320 W Commerce Dr., Suite 800, Peoria, IL 61615

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

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**Inspection Date(s):** 07/21/2015 - 07/21/2015  
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**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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

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

29 CFR 1910.37(a)(4): Safeguard(s) designed to protect employees during an emergency (e.g., sprinkler systems, alarm systems, fire doors, exit lighting), were not in proper working order at all times:

Employees outside the oven by Paint Booth #2 were exposed to smoke inhalation and burns and the emergency "Exit" illuminated signage was not operational.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| 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.



**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

Employees were exposed to smoke inhalation and burn hazards from:

- a) The exit route between the office and Paint Booth #1 was not marked to indicate the nearest exit discharge.
- b) The exit route between the cafeteria area and Paint Booth #2 was not marked to indicate the nearest exit discharge.
- c) The exit routes to the west and east sides of the Paint Booth #2 room were not marked to indicate the nearest exit discharge.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/24/2015



**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC

**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.9(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

The employer did not administer an effective hearing conservation program that included noise monitoring, required use of suitable hearing protectors, training, and recordkeeping for employees powder coating in Paint Booth #2 and:

- a) Employee one was exposed to continuous noise levels at 129.1-percent of the permissible daily noise exposure, or an equivalent sound level of approximately 91.8 dBA, during the 480 minute sampling period on September 3, 2015; exposure calculations include a zero increment of 2-minutes not sampled.
- b) Employee two was exposed to continuous noise levels at 396.6-percent of the permissible daily noise exposure, or an equivalent sound level of approximately 94.9 dBA, during the 475 minute sampling period on September 3, 2015; exposure calculations include a zero increment of 5-minutes not sampled.
- c) Employee three was exposed to continuous noise levels at 112.7-percent of the permissible daily noise exposure, or an equivalent sound level of approximately 90.9 dBA, during the 483 minute sampling period on September 3, 2015; exposure calculations include a zero increment of 3-minutes not sampled.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/24/2015  
\$5000.00

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**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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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 3 a** Type of Violation: **Serious**

29 CFR 1910.107(b)(5)(i): Visible gauges or audible alarm or pressure activated devices were not installed to indicate or ensure that the required air velocity is maintained. Filters were not inspected to ensure proper replacement of filter media:

Employees were exposed to burn hazards and occupational exposure to total dust above the OSHA Permissible Exposure Limit and gauges or alarms were not used to indicate air velocity was maintained in the following equipment:

- a) Paint Booth #1;
- b) Paint Kitchen for Paint Booth #1;
- c) Paint Booth #2;
- d) Paint Kitchen for Paint Booth #2.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 01/19/2016 |
| Proposed Penalty:                       | \$6000.00  |

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

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**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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

29 CFR 1910.107(d)(2): All spraying areas were not provided with mechanical ventilation adequate to remove flammable vapors, mists, or powders to a safe location and to confine and control combustible residues so that life is not endangered. Mechanical ventilation was not kept in operation at all times while spraying operations are being conducted and for a sufficient time thereafter to allow vapors from drying coated articles and drying finishing material residue to be exhausted.

Employees in Paint Booths #1 and #2 were exposed to burn and smoke inhalation hazards, and exposures to total dust above the OSHA Permissible Exposure Limit, and the exhaust fans were not operating at all times while powder coating metal pieces with Powdura Hybrid Powder Coatings (combustible dusts).

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/24/2015

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**Company Name:** Lyon, LLC

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

29 CFR 1910.107(d)(3): Each spray booth with more than one fan serving one booth, did not have the fans interconnected so that one fan cannot operate without all fans being operated.

Employees in Paint Booths #1 and #2 were exposed to burn and smoke inhalation hazards and the employer did not interconnect the exhaust fans to ensure one fan could not operate without all fans being operational.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

01/19/2016

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

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Occupational Safety and Health Administration

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**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
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Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.107(b)(10): Illumination panels did not effectively isolate the spraying area from the area in which the lighting unit is located, and were not protected to ensure breakage was unlikely.

Employees were exposed to burn hazards and smoke inhalation when powder coating Powdura Hybrid Powder Coatings (combustible dusts) and the:

- a) Lens covers in Paint Booth #1 that projected into the walking/working surfaces were broken.
- b) Lens cover for an overhead light in Paint Booth #1 was missing.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| Proposed Penalty:                       | \$6000.00  |

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**Company Name:** Lyon, LLC  
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**Citation 1 Item 5** Type of Violation: **Serious**

29 CFR 1910.107(c)(9)(i): All metal parts of spray booths, exhaust ducts, and piping systems conveying flammable liquids or liquids with a flashpoint greater than 199.4 &deg;F (93 &deg;C) or aerated solids were not properly electrically grounded in an effective and permanent manner:

Employees were exposed to burn hazards and smoke inhalation when the hoppers of Powdura Hybrid Powder Coating were connected to the piping distribution for the powder coating guns and the hoppers were not electrically grounded.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| 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

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**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
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Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.107(g)(4): Spray finishing employees' clothing was left on the premises overnight and not kept in metal lockers:

The employer did not provide lockers to the painters and the employees stored their personal protective equipment immediately outside the booths and within the powder coating areas overnight.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| 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.

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Occupational Safety and Health Administration

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**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
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**Citation 1 Item 7** Type of Violation: **Serious**

29 CFR 1910.107(h)(6): A suitable sign was not conspicuously posted near the assembly indicating the safe distance required between goods being painted and electrodes, or electrostatic atomizing heads or conductors, of at least twice the sparking distance.

Employees were exposed to electrical shock and spark hazards when applying Powdura Hybrid Powder Coatings and the employer did not post a suitable sign indicating the safe target distance required between the suspended metal piece on the conveyor lines and the atomizing powder coat paint gun.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| 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.



**Citation and Notification of Penalty**

Company Name: Lyon, LLC  
Inspection Site: 475 N. Veteran's Parkway, Watseka, IL 60970

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

29 CFR 1910.107(h)(12): All areas used for spraying, including the interior of the booth, were not protected by an automatic sprinklers or other approved automatic extinguishing equipment.

Employees were exposed to burn hazards and smoke inhalation and the employer did not provide automatic sprinklers or other automatic extinguishing equipment upstream and downstream of the powder coating process in the following areas:

- a) Paint Booth #1.
- b) Paint Booth #2.
- c) Kitchen for Paint Booth #1.
- d) Kitchen for Paint Booth #2.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 01/19/2016  
Proposed Penalty: \$6000.00

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

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**Citation and Notification of Penalty**

Company Name: Lyon, LLC  
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Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.107(i)(7): Objects being painted or coated were not maintained in metallic contact with the conveyor or other grounded support. Hooks were not regularly cleaned to insure this contact and areas of contact did not have sharp points or knife edges where possible. Points of support of the object were not concealed from random spray where feasible and where the objects being sprayed are supported from a conveyor, the point of attachment to the conveyor was not located as to not collect spray material during normal operation.

Employees were exposed to total dusts over the OSHA Permissible Exposure Limit when powder coating Powdura Hybrid Powder Coatings and the employer did not ensure the supporting hooks used to hang the metal pieces from the conveyor were free of paint.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| Proposed Penalty:                       | \$6000.00  |

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:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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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 10 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.

The employer did not keep horizontal surfaces free of accumulated combustible Powdura Hybrid Powder Coatings in the following areas:

- a) Floor outside Paint Booths #1 and #2.
- b) Interior floor near the exhaust filters and partitions of Paint Booths #1 and #2.
- c) Suspended pipes, hoses, and wiring in the surrounding area of Paint Booths #1 and #2.
- d) Floor outside the Paint Booth Kitchen #2.
- e) Top of metal enclosure of Paint Booth #2 kitchen near the exhaust motor.
- f) Work tables and supply cabinet between Paint Booth #2 and the Paint Booth #2 Kitchen.
- g) Tool cabinet on east side of Paint Booth #2.
- h) Shelf on south side of Paint Booth #2.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 01/19/2016  
Proposed Penalty: \$6000.00

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:** Lyon, LLC  
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Citation 1 Item 10 b      Type of Violation: **Serious**

29 CFR 1910.107(l)(4)(ii): Surfaces were not cleaned in such a manner as to avoid scattering dust to other places or creating dust clouds:

Employees were exposed to burn and smoke inhalation hazards, and exposure to total dust over the OSHA Permissible Exposure Limit, and the employees created dust clouds of Powdura Hybrid Powder Coatings when they used compressed air and dry sweeping methods to clean surfaces and equipment in the following:

- a) Paint Booth #1 and surrounding area.
- b) Paint Booth #2 and surrounding area.
- c) Paint Booth #1 Kitchen and surrounding area.
- d) Paint Booth #2 Kitchen and surrounding area.

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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 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, the date(s) of the hazard assessment, and, which identifies the document as a certification of hazard assessment:

The employer did not evaluate, develop and document a suitable personal protective equipment hazard assessment for the painting tasks, nor did they complete a written certification that included the name of the person who certified that the evaluation had been performed and the date that the hazard assessment was completed.

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

29 CFR 1910.133(a)(1): Protective eye equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment:

Employees powder coating Powdura Hybrid Powder Coatings were not provided suitable protective equipment for the face and tight fitting eye protection to protect their eyes.

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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 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant's chemical state and physical form:

The employer did not evaluate the respiratory hazards and have a reasonable estimate of employee exposure to respiratory hazards nor identify chemical contaminants (state and form) for the employees powder coating metal parts.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| Proposed Penalty:                       | \$6000.00  |

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

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function:

Employees exposed to hazardous paints wore a tight-fitting respirator equipped with particulate cartridges and the employer did not prohibit employees with facial hair that interfered with the seal of the respirator from using a tight fitting respirator.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/24/2015

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:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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

29 CFR 1910.134(k)(1): The employer did not provide effective training that covered the required elements in 1910.134(k)(1)(i) through 1910.134(k)(1)(vii):

The employer required the painters to wear 3M tight-fitting half and full face piece respirator(s) with P100 filtration, supplied air hood(s), and supply air helmet(s), and the employer did not ensure employees were trained on the following at least annually:

- a. Why respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator;
- b. What the limitations and capabilities of the respirator are;
- c. How to use the respirator effectively in emergency situations, including situations in which the respirator malfunctions;
- d. How to inspect, put on and remove, use, and check the seals of the respirator;
- e. What the procedures are for maintenance and storage of the respirator;
- f. How to recognize the medical signs and symptoms that may limit or prevent the effective use of respirators; and
- g. The general requirements of this section.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/24/2015





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

**Inspection Number:** 1078995  
**Inspection Date(s):** 07/21/2015 - 07/21/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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**Citation 1 Item 13 Type of Violation: **Serious****

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

Outside Paint Booth #1, employees were exposed to electrical shock and burn hazards and used a fan with a flexible cord plugged into a non-secured metal outlet box.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| 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: 1078995  
Inspection Date(s): 07/21/2015 - 07/21/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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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 14 a      Type of Violation: **Serious**

29 CFR 1910.333(a)(2): Where exposed live parts were not deenergized, other safety related work practices were not used to protect employees who could be exposed to the electrical hazards involved:

The employer did not have safety related work practices to protect employees exposed to 460-volt, 6-amp arc flash hazards when resetting the Nordson Econo Coat Series II, Model EC3400, S/N 4002042-1, Paint Booth #2 exhaust because the unit deenergized approximate once per minute.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 12/24/2015 |
| 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:** 1078995  
**Inspection Date(s):** 07/21/2015 - 07/21/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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Citation 1 Item 14 b      Type of Violation: **Serious**

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

The employer did not provide electrical protective equipment to protect employees exposed to 460-volt, 6-amp arc flash hazards when resetting the Nordson Econo Coat Series II, Model EC3400, S/N 4002042-1, Paint Booth #2 exhaust because the unit deenergized approximate once per minute.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/24/2015

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:** Lyon, LLC

**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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 15 a      Type of Violation: **Serious**

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of copper dust and total dust listed in Table Z-1 in in excess of the eight-hour time-weighted average concentration for that substance in the table:

- a) On September 24, 2015, employee one was powder coating metal pieces in Paint Booth #1 and was exposed to Particulates Not Otherwise Regulated at an eight-hour time-weighted average level of 91.8 mg/m<sup>3</sup>, approximately 6.12 times the limit of 15.0 mg/m<sup>3</sup>. This limit has been established to prevent lung disease and other illnesses. The exposure is derived from two samples collected over a 365 minute period. Zero exposure is assumed for the remaining 115-minutes.
- b). On September 24, 2015, employee two was powder coating metal pieces in Paint Booth #1 and was exposed to Particulates Not Otherwise Regulated at an eight-hour time-weighted average level of 48.3 mg/m<sup>3</sup>, approximately 3.22 times the limit of 15.0 mg/m<sup>3</sup>. This limit has been established to prevent lung disease and other illnesses. The exposure is derived from two samples collected over a 452 minute period. Zero exposure is assumed for the remaining 28-minutes.
- c) On September 24, 2015, employee three was powder coating metal pieces in Paint Booth #1 and was exposed to Particulates Not Otherwise Regulated at an eight-hour time-weighted average level of 69.5 mg/m<sup>3</sup>, approximately 4.63 times the limit of 15.0 mg/m<sup>3</sup>. This limit has been established to prevent lung disease and other illnesses. The exposure is derived from two samples collected over a 448 minute period. Zero exposure is assumed for the remaining 32-minutes.
- d) On September 24, 2015, employee four was powder coating metal pieces in Paint Booth #2 and was exposed to Particulates Not Otherwise Regulated at an eight-hour time-weighted average level of 30.4 mg/m<sup>3</sup>, approximately 2.03 times the limit of 15.0 mg/m<sup>3</sup>. This limit has been established to prevent lung disease and other illnesses. The exposure is derived from two samples collected over a 456 minute period. Zero exposure is assumed for the remaining 24-minutes.

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:** 1078995  
**Inspection Date(s):** 07/21/2015 - 07/21/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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e) On September 24, 2015, employee five was powder coating metal pieces in Paint Booth #2 and was exposed to Particulates Not Otherwise Regulated at an eight-hour time-weighted average level of 90.4 mg/m<sup>3</sup>, approximately 6.03 times the limit of 15.0 mg/m<sup>3</sup>. This limit has been established to prevent lung disease and other illnesses. The exposure is derived from two samples collected over a 468 minute period. Zero exposure is assumed for the remaining 12-minutes.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |            |
|---|------------|
| Date By Which Violation Must be Abated: | 01/19/2016 |
| 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:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

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Citation 1 Item 15 b      Type of Violation: **Serious**

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

Employees engaged in powder coating were exposed to total dust (particulates not otherwise specified) in excess of the permissible exposure limits and feasible administrative and/or engineering controls were not implemented.

General methods of control applicable in these circumstances include, but are not limited to, the following:

- a) Automate the powder coating process, or consider implementing an automatic and manual means of painting.
- b) Ensure the items are properly earthed prior to painting from the pot to the metal piece hung from the metal hooks.
- c) Test and balance the ventilation system to ensure optimal exhaust performance and ensure doors and openings are closed during painting to ensure adequate exchange of air.
- d) Calculate ventilation requirements for the paint booths and kitchen booths based upon the volume of finish material being applied and consider confinement of the powder coating and cleaning processes, including isolation and confinement of the painting stations with dedicated exhaust systems.
- e) Include vacuum dust collection and wet dust suppression to capture airborne dust inside and outside of the booths.
- f) Eliminate or minimize the use of compressed air and broom sweeping within the paint booth during color change and end-of-day housekeeping.
- g) Perform routine housekeeping in the booth when the booth is not occupied.

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:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970

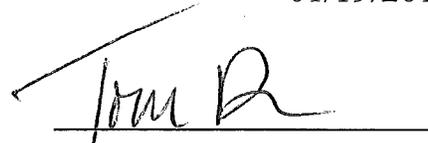
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- h) Include a maintenance and inspection program for the ventilation system to ensure the filters are intact, ductwork is properly sealed, cracks are detected and corrected, and proper flow of supply and exhaust air prior to operating the booths.
- i) Eliminated or stagger the employees powder coating across from each other.
- j) Eliminate broom sweeping in the areas outside of the paint booth and use a high efficiency vacuum to capture the settled particles.
- k) Adjust the gun settings and train employees on powder coating technique to minimize overspray and improve transfer efficiency.

**ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

01/19/2016

  
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**Thomas Bielema**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1320 W Commerce Dr.  
Suite 800  
Peoria, IL 61615  
Phone: 309-589-7033 Fax: 309-589-7326



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Lyon, LLC  
**Inspection Site:** 475 N. Veteran's Parkway, Watseka, IL 60970  
**Issuance Date:** 11/30/2015

|   |                   |
|---|-------------------|
| <b>Summary of Penalties for Inspection Number</b> | <b>1078995</b>    |
| <b>Citation 1, Serious</b>                        | <b>\$76000.00</b> |
| <b>TOTAL PROPOSED PENALTIES</b>                   | <b>\$76000.00</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.

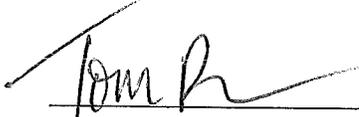
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Thomas Bielema  
Area Director

30-Nov-2015

Date