

U.S. Department of Labor
Occupational Safety and Health Administration
2300 Main Street
Suite 168
Kansas City, MO 64108
Phone: 816-483-9531 Fax: 816-483-9724



Citation and Notification of Penalty

To:
BUSKE LOGISTICS, dba BUSKE LINES, INC
1904 N LE COMPTE RD
#14
Springfield, MO 65801

Inspection Number: 1074197
Inspection Date(s): 06/29/2015 - 12/11/2015
Issuance Date: 12/14/2015

Inspection Site:
1904 N LE COMPTE RD
#14
Springfield, MO 65801

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.

7015 0640 0005 0005 9112

<p>PS Form 3800, April 2015 PSN 7530-02-000-9047</p> <p>City, State, ZIP+4®</p> <p>Street and Apt. No., or PO Box No.</p> <p>Sent To</p> <p>Total Postage and Fees</p> <p>Postage</p> <p>Adult Signature Restricted Delivery</p>	<p style="text-align: center;">OFFICIAL USE</p> <p style="text-align: center;">Postmark Here</p>
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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/14/2015. The conference will be held by telephone or at the OSHA office located at 2300 Main Street, Suite 168, Kansas City, MO 64108 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1074197

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801
Issuance Date: 12/14/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 2300 Main Street, Suite 168, Kansas City, MO 64108**

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

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

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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: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.36(b)(1): At least two exits routes were not available to permit prompt evacuation of employees during an emergency:

(a) Buske Logistics, Inc. is failing to protect employees by not providing at least two exit routes to permit prompt evacuation of employees during an emergency.

This was most recently documented in the following instances:

(1) On or about July 8, 2015 Buske Logistics, Inc. had only one usable exit from Aisle A and the aisle was more than 100 feet in length.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

01/16/2016
\$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: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

(a) Buske Logistics, Inc. is failing to protect employees by not keeping exit routes free and unobstructed.

This was most recently documented in the following instances:

(1) On or about July 8, 2015 Buske Logistics, Inc. had placed stacks of pallets of liquid drinks in the emergency exit aisle between Aisle A and Aisle B blocking the exit route.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

Citation 1 Item 3 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:

(a) Buske Logistics, Inc. is failing to protect employees by not posting signs along exit access indicating the direction of travel to the nearest exit discharge when the direction of travel to the exit was not immediately apparent.

This was most recently documented in the following instances:

(1) On or about July 8, 2015 Buske Logistics, Inc. did not have exit routes and locations of exits clearly marked when viewed from aisles A and B.

(2) On or about July 8, 2015 Buske Logistics, Inc. did not have the exit routes outside of the emergency exit door clearly marked as to which one of the three paths from that door was the exit route.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

(a) Buske Logistics, Inc. is failing to protect employees by providing suitable facilities for quick drenching or flushing of the eyes and body in the work area for immediate emergency use where employees were exposed to battery acid, a corrosive material.

This was most recently documented in the following incidents:

(1) On or about June 29, 2015 employees were exposed to battery acid in the fork lift charging area in Building #1 and were not provided a quick drenching facility for immediate emergency use to flush their body to remove battery acid.

(2) On or about June 29, 2015 employees were exposed to battery acid in the fork lift charging area in Building #14 and were not provided a quick drenching facility for immediate emergency use to flush their body to remove battery acid.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

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Citation and Notification of Penalty

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.176(a) Aisles and passageways were not kept clear and in good repair, with no obstruction across or in aisles that could create a hazard; permanent aisles and passageways were not appropriately marked:

(a) Buske Logistics, Inc. is failing to protect employees by not keeping aisles and passageways clear, with no obstructions across or in aisles and permanent aisles and passageways were not appropriately marked.

This was most recently documented in the following instances:

(1) On or about June 8, 2015 Buske Logistics, Inc. did not have a separation between mechanical handling equipment and pedestrian walkways, and aisles were not clearly permanently marked.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.178(l)(4)(i): Refresher training, including an evaluation of the effectiveness of that training, was not conducted as required by paragraph (l)(4)(ii) to ensure that the operator had the knowledge and skills needed to operate the powered industrial truck safely.

(a) Buske Logistics, Inc. is failing to protect employees by allowing fork truck operators to operate fork trucks without refresher training being given when operators were operating vehicles in an unsafe manner.

This was most recently documented in the following instances:

- (1) On or about July 1, 2015 an employee had his foot run over by a fork truck operator.
- (2) On or about July 8, 2015 employees who operated fork trucks in an unsafe manner by driving fast and not yielding to pedestrians were not retrained.
- (3) On or about July 8, 2015 employees who continued to operate vehicles in an unsafe manner by not removing vehicles with defective brakes from service were not retrained.
- (4) On or about July 8, 2015 employees who operated fork trucks had not been evaluated on the effectiveness of the training they had received.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

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

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Citation and Notification of Penalty

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

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\$4900.00

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Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.178(n)(8): Under all travel conditions the truck was not operated at a speed that would permit it to be brought to a stop in a safe manner:

(a) Buske Logistics, Inc. is failing to protect employees by allowing trucks to be operated at speeds that would not permit them from being brought to a stop in a safe manner.

This was most recently documented in the following instance:

(1) On or about July 8, 2015 fork trucks were driven at speeds and in such a manner that would not permit it to be brought to a safe stop forcing workers walking in the area to move out of the way or be in danger of being hit.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Citation and Notification of Penalty

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.178(q)(1): Any power-operated industrial truck not in safe operating condition was not taken out of service, and/or repairs were not made by authorized personnel:

(a) Buske Logistics, Inc. is failing to protect employees by allowing fork trucks to operate that were not in safe operating condition. Fork trucks were not being taken out of service when repairs were needed.

This was most recently documented in the following instance:

(1) On or about July 8, 2015 fork trucks having brakes that did not stop and hold the vehicle were not removed from service.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Citation and Notification of Penalty

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.303(b)(1): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees:

(a) Buske Logistics, Inc. is failing to protect employees by having electrical equipment that was not free from recognized hazards that were likely to cause death or serious physical harm.

This was most recently documented in the following instance:

(1) On or about July 8, 2015 Buske Logistics, Inc. had a duplex electrical outlet and box that had been physically damaged being used with wiring exposed and the box was hanging by the wiring. The outlet box and cover were not suitable for the location and use.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/16/2016
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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: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

(a) Buske Logistics, Inc. is failing to protect employees by legibly marking breakers and disconnects to indicate their purpose.

This was most recently documented in the following instances:

(1) On or about July 8, 2015 had breakers in electrical panels that were not marked to indicate the purpose of the disconnecting means which could prevent the correct breaker being located and the correct circuit isolated. In Breaker Panel H1 the following breakers were switched to the on position and were not identified as to the purpose of the disconnecting means:

1. Breaker #13 not identified
2. Breaker #14 not identified
3. Breaker #15 not identified
4. Breaker #16 not identified
5. Breaker #17 not identified
6. Breaker #18 not identified
7. Breaker #19 not identified
8. Breaker #20 not identified
9. Breaker #21 not identified
10. Breaker #22 not identified
11. Breaker #23 not identified
12. Breaker #24 not identified
13. Breaker #25 not identified
14. Breaker #26 not identified
15. Breaker #27 not identified
16. Breaker #28 not identified
17. Breaker #29 not identified
18. Breaker #30 not identified

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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Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
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In Breaker Panel identified as the Repack Panel the following breakers were switched to the on position and were not identified as to the purpose of the disconnecting means:

19. Breaker #9 not identified
20. Breaker #10 not identified
21. Breaker #11 not identified
22. Breaker #12 not identified
23. Breaker #13 not identified
24. Breaker #14 not identified
25. Breaker #15 not identified
26. Breaker #16 not identified
27. Breaker #17 not identified
28. Breaker #18 not identified
29. Breaker #19 not identified
30. Breaker #22 not identified
31. Breaker #23 not identified
32. Breaker #24 not identified
33. Breaker #25 not identified
34. Breaker #26 not identified

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

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Citation and Notification of Penalty

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

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

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse:

(a) Buske Logistics, Inc. is failing to protect employees from bottles and cans of liquid stored in tiers that were not secured against sliding and collapsing.

This was most recently documented in the following instances:

(1) On or about June 23, 2015 stacks of bottles on pallets next to the area where pallets of bottles had fallen on workers were braced and held back by a fork lift while the injured workers were rescued. Some of those pallets collapsed after the fork truck was moved to a safe area.

(2) On or about June 23, 2015 workers were directed to clean up broken and damaged glass bottles that contained or had contained liquid that had been damaged in an earlier collapse. As they were cleaning up the area more bottles stacked in tiers next to where they were working collapsed on the workers. Three workers were hospitalized and treated for serious injuries sustained in the collapse.

(3) On or about June 23, 2015 pallets of bottles containing liquid which had been stacked in unstable and unsecured tiers stacked in Building #14 collapsed resulting in bottles being broken and liquid spilled.

(4) On or about June 8, 2015 stacks of bottles containing liquid which had been stacked in unstable and unsecured tiers collapsed in Building #14.

(5) On or about June 1, 2015 stacks of bottles containing liquid which had been stacked in unstable and unsecured tiers collapsed in Building #1.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

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U.S. Department of Labor
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Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
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Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

- (a) Buske Logistics on or about June 23, 2015 failed to report the injury and subsequent hospitalization of a worker who had his leg/foot injured after being trapped.
- (b) Buske Logistics on or about June 23, 2015 failed to report the injury and subsequent hospitalization of a worker who had received multiple injuries from a traumatic struck by/crushing incident.
- (c) Buske Logistics on or about June 23, 2015 failed to report the injury of a worker who was struck in the head during the collapse, believed to have lost consciousness, and was taken to the hospital and held overnight and until the next morning.
- (d) Buske Logistics on or about July 2, 2015 failed to report the injury of a worker who's foot was crushed and was hospitalized following a fork lift incident.

Abatement certification is required for this item; use the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET for this purpose.

NOTE: IN ADDITION TO ABATEMENT CERTIFICATION, THE EMPLOYER IS REQUIRED TO SUBMIT ABATEMENT DOCUMENTATION FOR THIS ITEM. FAILURE TO COMPLY WILL RESULT IN AN ADDITIONAL PENALTY OF \$1,000.00 IN ACCORDANCE WITH 29 CFR 1903.19.

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

Inspection Number: 1074197
Inspection Date(s): 06/29/2015 - 12/11/2015
Issuance Date: 12/14/2015



Citation and Notification of Penalty

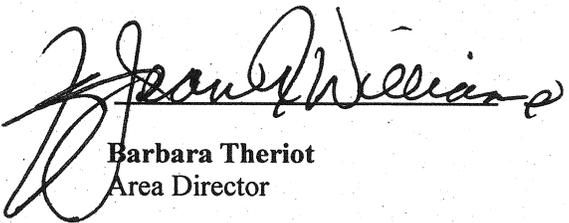
Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801

Corrected During Inspection

Date By Which Violation Must be Abated:

Proposed Penalty:

\$3500.00


Barbara Theriot
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
2300 Main Street
Suite 168
Kansas City, MO 64108
Phone: 816-483-9531 Fax: 816-483-9724



INVOICE / DEBT COLLECTION NOTICE

Company Name: BUSKE LOGISTICS, dba BUSKE LINES, INC
Inspection Site: 1904 N LE COMPTE RD, #14, Springfield, MO 65801
Issuance Date: 12/14/2015

Summary of Penalties for Inspection Number	1074197
Citation 1, Serious	\$49000.00
Citation 2, Willful	\$49000.00
Citation 3, Other-than-Serious	\$3500.00
TOTAL PROPOSED PENALTIES	\$101500.00

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

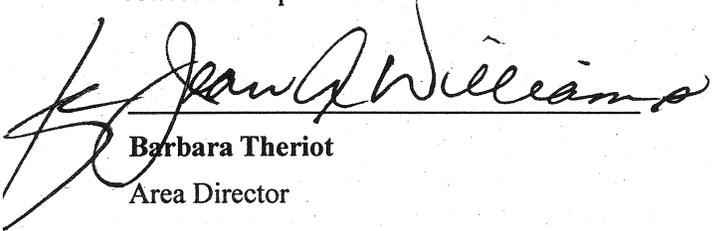
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Barbara Theriot
Area Director

12-14-2015
Date