

U.S. Department of Labor
Occupational Safety and Health Administration
1222 Spruce Street
Room 9.104
Saint Louis, MO 63103
Phone: 314-425-4249 Fax: 314-425-4289



Citation and Notification of Penalty

To:
Sharpe Holdings, Inc., dba HCD, SL&CFO, HC,
HGD, HC, CWL, HW&MS, SL&CAS, HA&BS,
SL&CC, OL&S, SLC, NCCS, HT, SS
and its successors
6417 Shelby 150, Suite A
Bethel, MO 63434

Inspection Site:
14014 255th Street
La Belle, MO 63447

Inspection Number: 1095191
Inspection Date(s): 09/29/2015 - 02/23/2016
Issuance Date: 02/23/2016

Reply to the Attn. of: Strategic Team Leader

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 02/23/2016. The conference will be held by telephone or at the OSHA office located at 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1095191

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS,
HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447
Issuance Date: 02/23/2016

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, 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103**

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): _____

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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): _____

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: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to an ejection hazard during vehicle operation:

On and prior to 09-26-2015, employees in a moving vehicle were exposed to an ejection hazard as they were transported in a vehicle with an inoperable rear door latch to secure the rear doors in the closed position. During vehicle operation, an employee was ejected from the 1995 Ford Aerostar cargo van, VIN 1FTDA14U4SZA87305, and suffered fatal blunt force trauma injuries upon impact with the road surface.

Among other methods, one feasible and acceptable abatement method to correct this apparent hazardous condition is to maintain the rear door latch according to vehicle manufacturer's requirements.

DISCLAIMER:

- a) The employer is not limited to the abatement method(s) suggested by OSHA.
- b) The employer is responsible for selecting and implementing an effective abatement method.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/09/2016
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: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to electric shock hazards:

At the time of the inspection the following electrical hazards were found exposing employees to a shock and or an electrocution hazard;

- a) The electrical box in the goat dairy electrical room had several openings that were not covered, exposing employees accessing the panel box to live 240 volt electrical.
- b) The ground sensors in the 20 stall hallway were missing light bulbs and globes, exposing employees in the area to live 110 volt electrical.
- c) The electrical switch on the south wall of the cow dairy compressor room had live wires with wire nuts, exposing employees in the area to live 110 volt electrical.

Among other methods, one feasible and acceptable abatement method to correct this apparent hazardous condition is to install electrical components in compliance with NFPA 70: National Electric Code.

DISCLAIMER:

- a) The employer is not limited to the abatement method(s) suggested by OSHA.
- b) The employer is responsible for selecting and implementing an effective abatement method.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

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Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Proposed Penalty:	\$7000.00

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Inspection Site: 14014 255th Street, La Belle, MO 63447

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to a struck-by hazard during vehicle operation:

a) On and prior to 09-26-2015, employees in a moving vehicle were exposed to struck-by hazards in that the employer modified the 1995 Ford Aerostar cargo van, VIN 1FTDA14U4SZA87305 by the placement of two bench seats in the van to accommodate passengers. The bench seats were not secured to the vehicle.

b) On and prior to 09-26-2015, employees in a moving vehicle were exposed to struck-by hazards in that the employer modified the 1995 Ford Aerostar cargo van, VIN 1FTDA14U4SZA87305 by the placement of two bench seats within the van to accommodate passengers. The seats did not have adequate seat belts available for employee use. The seat belts were not secured to the vehicle, nor was there a sufficient number of seatbelts available for the passengers using the van. The vehicle was equipped with one complete seat belt for the rear facing bench seat. Additionally use of seat belts by passengers was not enforced.

Among other methods, one feasible and acceptable abatement method to correct this apparent hazardous condition is to install passenger seats and restraint devices according to vehicle manufacturer's requirements.

DISCLAIMER:

- a) The employer is not limited to the abatement method(s) suggested by OSHA.
- b) The employer is responsible for selecting and implementing an effective abatement method.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

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Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/09/2016
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Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447

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

29 CFR 1910.215(a)(2): Abrasive wheels used on grinding machinery were not provided with safety guards which covered the spindle end, nut, flange projections:

At the time of the inspection, the following abrasive wheel grinders were used without the spindle guards:

- a) The Delta ShopMaster pedestal grinder in the Heartland Machine shop.
- b) The Craftsman Professional bench grinder in the Heartland Machine shop.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/09/2016
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Inspection Site: 14014 255th Street, La Belle, MO 63447

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 5 a Type of Violation: **Serious**

29 CFR 1910.215(a)(4): Grinding machinery was not used with work rest(s) to support offhand grinding work:

At the time of the inspection the following grinders were operated without tool rests;

- a) The Delta ShopMaster pedestal grinder in the Heartland Machine shop.
- b) The Craftsman Professional bench grinder in the Heartland Machine shop.
- c) The Power Bench grinder in the Heartland Welding shop.
- d) The Baldor Pedestal grinder in the Heartland Welding shop.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/09/2016
Proposed Penalty:	\$7000.00

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Citation and Notification of Penalty

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Inspection Site: 14014 255th Street, La Belle, MO 63447

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

29 CFR 1910.215(b)(9): Guard for abrasive wheel machine where the operator stands in front of the machine was not constructed so that the peripheral protecting member could be adjusted to the constantly decreasing diameter of the wheel:

At the time of the inspection, the following abrasive wheel grinders were not equipped with a tongue guard;

- a) The Delta ShopMaster pedestal grinder in the Heartland Machine shop.
- b) The Craftsman Professional bench grinder in the Heartland Machine shop.
- c) The Power Bench grinder in the Heartland Welding shop.
- d) The Baldor Pedestal grinder in the Heartland Welding shop.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/09/2016



Citation and Notification of Penalty

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Inspection Site: 14014 255th Street, La Belle, MO 63447

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

29 CFR 1928.57(b)(1)(i): All power take-off shafts, including rear, mid- or side-mounted shafts, shall be guarded either by a master shield, as provided in paragraph (b)(1)(ii) of this section, or by other protective guarding.

At the time of the inspection, the following equipment was operated with a defective power take-off guard;

- a) The hay grinder and tractor in the feed floor area.
- b) The Kinze Model AW grain wagon and tractor on the Bud Moore farm.
- c) The Kinze 1040 Row Crop grain wagon and tractor on the Bud Moore farm.
- d) The Bush Hog Model 2815 mower parked near the feed floor on the cow dairy.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/09/2016
Proposed Penalty:	\$7000.00

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Citation and Notification of Penalty

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Inspection Site: 14014 255th Street, La Belle, MO 63447

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

29 CFR 1928.57(b)(4)(i): Guards, shields, and access doors shall be in place when the equipment is in operation.

At the time of the inspection, the Mueller compressor in the 60 stall cow dairy mechanical room was operated with the fan guard housing removed exposing employees to the rotating fan blades and a caught-in hazard. Maintenance employees were exposed to the fan during an unexpected start-up of the unit.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/09/2016
\$7000.00

A handwritten signature in black ink that reads "William McDonald".

William McDonald
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
1222 Spruce Street
Room 9.104
Saint Louis, MO 63103
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INVOICE / DEBT COLLECTION NOTICE

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 14014 255th Street, La Belle, MO 63447
Issuance Date: 02/23/2016

Summary of Penalties for Inspection Number	1095191
Citation 1, Serious	\$49000.00
TOTAL PROPOSED PENALTIES	\$49000.00

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.

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If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

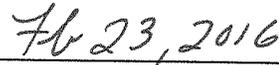
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



William McDonald

Area Director



Date

U.S. Department of Labor
Occupational Safety and Health Administration
1222 Spruce Street
Room 9.104
Saint Louis, MO 63103
Phone: 314-425-4249 Fax: 314-425-4289



Citation and Notification of Penalty

To:

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6417 Shelby 150, Suite A
Bethel, MO 63434

Inspection Site:

6417 Shelby 150, Suite A
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Inspection Number: 1108624
Inspection Date(s): 10/20/2015 -
Issuance Date: 02/23/2016

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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 02/23/2016. The conference will be held by telephone or at the OSHA office located at 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1108624

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS

Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

Issuance Date: 02/23/2016

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, 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103**

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: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

a. At the time of the inspection, employee in the Heartland Auto & Body Shop was required to wear an SAS 1/2 mask, organic cartridge respirator and the employer had not developed a written respirator program to cover the following sections;

b. At the time of the inspection, employee at the Sharpe Land & Cattle Concrete plant was required to wear a single use, disposable respirator and the employer had not developed a written respirator program to cover the following sections;

- 1910.134(c)(1)(i)-Procedures for selecting respirators for use in the workplace;
- (ii)-Medical evaluations of employees required to use respirators;
- (iii)-Fit testing procedures for tight-fitting respirators;
- (iv)-Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations;
- (v)-Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;
- (vii)-Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations;
- (viii)-Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and
- (ix)-Procedures for regularly evaluating the effectiveness of the program.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or

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: 1108624
Inspection Date(s): 10/20/2015 -
Issuance Date: 02/23/2016



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/12/2016
\$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: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

- a. At the time of the inspection, employee in the Heartland Auto & Body Shop was required to wear an SAS 1/2 mask, organic cartridge respirator was not provided a medical evaluation before use of the respirator.
- b. At the time of the inspection, employee at the Sharpe Land & Cattle Concrete plant was required to wear a single use, disposable respirator was not provided a medical evaluation before use of the respirator.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/12/2016



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator and at least annually thereafter:

a. At the time of the inspection, an employee in the Heartland Auto & Body Shop who was required to wear an SAS 1/2 mask, organic cartridge respirator was not fit tested before use of the respirator.

b. At the time of the inspection, an employee at the Sharpe Land & Cattle Concrete plant who was required to wear a single use, disposable respirator was not fit tested before use of the respirator.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/12/2016



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

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

At the time of the inspection, the employer had not identified confined spaces in the Sharpe Land & Cattle Concrete plant. The main material hopper on the batch plant and the multiple concrete delivery trucks were not identified as confined spaces.

NOTE: A sign reading DANGER-PERMIT-REQUIRED CONFINED SPACE, DO NOT ENTER or using other similar language would satisfy the requirement for a sign.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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 1910.146(d)(2): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not identify and evaluate the hazards of permit spaces before employees entered:

At the time of the inspection, the employer had not identified and evaluated the hazards of the concrete mixer permit required confined space prior to entry to include, but not limited to, drum rotation and falling materials. An employee entered the concrete mixer at the batch plant to jackhammer solidified concrete from the sides of the mixer.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
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: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS

Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.146(d)(3): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations:

At the time of the inspection, an employee entered and conducted work inside a concrete truck mixer at the batch plant prior to the development and implementation of safe work practices.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/12/2016



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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 1910.146(d)(4)(viii): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not ensure that employees properly used rescue and emergency equipment needed to comply with 29 CFR 1910.146(d)(9):

At the time of the inspection, it was determined that employees entered permit-required confined space concrete truck mixers at the batch plant without emergency rescue equipment.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.146(d)(9): The employer did not develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces, for providing necessary emergency services to rescued employees, and/or for preventing unauthorized entry.

At the time of the inspection, the employer had not implemented rescue and emergency procedures for employees who accessed permit-required confined spaces such as the concrete mixer drums.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/12/2016



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.146(d)(6): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not provide at least one attendant outside the permit space into which entry was authorized for the duration of entry operations:

At the time of the inspection, it was determined that entry had been made into permit-required confined spaces without an attendant present. On 8-24-15 an employee entered a concrete truck mixer drum at the batch plant to remove concrete with a jackhammer.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.146(h)(1): The employer did not ensure that all authorized entrants knew the hazards that could be faced during entry, including information on the mode, sign or symptoms, and consequences of the exposure:

At the time of the inspection, it was determined that employees that entered the permit-required confined space concrete truck mixer drums had not been trained on the hazards of rotation of the drum, requirement to have an attendant, and the need to wear retrieval harness.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.146(j)(1): The employer did not ensure that each entry supervisor knew the hazards that could be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure:

At the time of the inspection, the entry supervisor for the employee entering the permit-required concrete truck mixer drum was not made aware of the hazards including, but not limited to, struck-by hazard created by not securing the drum from rotating and falling debris.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

Citation 1 Item 8 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;

At the time of the inspection, production employees in the Heartland Creamery were exposed to corrosive cleaners such as "Solodigm", "Vortexx", "AC-103 and "XY-12" when sanitizing and no eye wash facilities were readily available.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.169(b)(3)(iv): Safety valve(s) on compressed air receiver(s) were not tested at frequently regular intervals to determine if they were in good operating condition:

At the time of the inspection, the following air receivers were in service and had not had the safety relief valves tested;

- a) In the Creamery, the Quincy compressor and Manchester receiver #1232720.
- b) In the Concrete plant, the 120 gallon air receiver and second air tank.
- c) In the Land & Cattle Auto Shop, the air compressor receiver.
- d) In the Cleansing Waters Laundry, the air compressor receiver.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
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: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

At the time of the inspection, the following equipment was operated with a cord and plug without a grounding pin:

1. In the Heartland Auto & Body Shop, an 6 inch bench grinder was used monthly to grind metal parts.
2. In the Heartland Auto & Body Shop, a Schumacher Model SE-2352 battery charger was used approximately monthly.
3. In the Heartland Auto & Body Shop, an extension cord was used monthly with a bench grinder.
4. In the Heartland Welding & Machine Shop, a Baldor pedestal grinder was used approximately bi-monthly to grind parts.
5. In the Heartland Welding & Machine Shop, a Schumacher Model SE-3612 battery charger was used approximately quarterly.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or video which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434

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

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

At the time of the inspection, the following instances of employee exposure to hazardous energy were found;

- a) Heartland Creamery: the employer did not develop control procedures regarding the maintenance and repair of the creamery boiler. Employees were exposed to multiple energy sources, to include but not limited to, electrical, thermal, and natural gas when the maintained and repaired the boiler.
- b) One employee in the Sharpe Land & Cattle Concrete plant was exposed to hazardous energy such as rotating parts, caught in and struck by hazards when working inside concrete mixer trucks.

The Sharpe Holdings Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.147(c)(4)(ii), which was contained in OSHA inspection number #955729 , citation number 1, item number 2a and was affirmed as a final order on 2/15/2014, with respect to a workplace located at 14014 255th St., LaBelle, MO 63447.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/12/2016
Proposed Penalty: \$70000.00

A handwritten signature in black ink, appearing to read "William D. McDonald".

William D. McDonald, CSP
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
1222 Spruce Street
Room 9.104
Saint Louis, MO 63103
Phone: 314-425-4249 Fax: 314-425-4289



INVOICE / DEBT COLLECTION NOTICE

Company Name: Sharpe Holdings, Inc., dba HCD, SL&CFO, HC, HGD, HC, CWL, HW&MS, SL&CAS, HA&BS, SL&CC, OL&S, SLC, NCCS, HT, SS
Inspection Site: 6417 Shelby 150, Suite A, Bethel, MO 63434
Issuance Date: 02/23/2016

Summary of Penalties for Inspection Number	1108624
Citation 1, Serious	\$70000.00
Citation 2, Repeat	\$70000.00
TOTAL PROPOSED PENALTIES	\$140000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your

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

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



William D. McDonald, CSP

Area Director

2-23-16

Date