

U.S. Department of Labor Occupational Safety and Health Administration
950 22nd. Street North,
Suite 1050
Birmingham, AL 35203
Phone: 205-731-1534 Fax: 205-731-0504



03/15/2016

Ultratec Special Effects, Inc.
148 Moon Drive
Owens Cross Roads, AL 35763

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

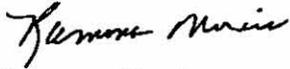
As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,

A handwritten signature in cursive script that reads "Ramona Morris".

Ramona Morris
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
950 22nd. Street North
Suite 1050
Birmingham, AL 35203
Phone: 205-731-1534 Fax: 205-731-0504



Citation and Notification of Penalty

To:
Ultratec Special Effects, Inc.
and its successors
148 Moon Drive
Owens Cross Roads, AL 35763

Inspection Number: 1095917
Inspection Date(s): 10/06/2015 - 03/14/2016
Issuance Date: 03/15/2016

Inspection Site:
148 Moon Drive
Owens Cross Roads, AL 35763

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 03/15/2016. The conference will be held by telephone or at the OSHA office located at 950 22nd. Street North, Suite 1050, Birmingham, AL 35203 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1095917

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763
Issuance Date: 03/15/2016

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, 950 22nd. Street North, Suite 1050, Birmingham, AL 35203**

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

Typed or Printed Name

Date

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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 1910.119(d)(3)(i)(D): The employer did not include, in the process safety information compilation, the relief system design and the design basis:

(a) On or about 10/06/15 - at West Side Building A14, the employer did not include process safety information on the relief system design and design basis for the Styrofoam walls with aluminum sheathing and release latches.

(b) On or about 10/06/15 - at West Side Building A4, the employer did not include process safety information on the relief system design and design basis for the Styrofoam walls with aluminum sheathing and release latches.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/08/2016
Proposed Penalty:	\$5390.00

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(d)(3)(i)(H): Process safety information pertaining to the equipment in the process did not include the safety systems (e.g., interlocks, detection or suppression systems):

(a) On or about 10/23/15 - at West Side Building A14 B room, the employer did not include process safety information for safety system equipment used in the process such as the humidity monitor for the building and the emergency stop switches and interlocked machine guards on the Hobart mixer.

(b) On or about 10/23/15 - at West Side Building A14 A room, the employer did not include process safety information for safety system equipment used in the process such as the emergency stop switches and interlocked machine guards on the Hobart chopper.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/08/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices:

(a) On or about 10/06/2015 - at West Side Building A14 B side, the employer failed to document compliance with recognized and generally accepted good engineering practices (RAGAGEP) to protect employees exposed to explosion and fire hazards. One method of demonstrating RAGAGEP is compliance with standards as specified in National Fire Protection Association (NFPA) 70 National Electric Code and NFPA 1124 Code for the Manufacture, Transportation and Storage of Fireworks and Pyrotechnic Articles for modifications to the Hobart mixer.

(b) On or about 10/06/2015 - at West Side Building A14 A side, the employer failed to document compliance with recognized and generally accepted good engineering practices (RAGAGEP) to protect employees exposed to explosion and fire hazards. One method of demonstrating RAGAGEP is compliance with standards as specified in National Fire Protection Association (NFPA) 70 National Electric Code and NFPA 1124 Code for the Manufacture, Transportation and Storage of Fireworks and Pyrotechnic Articles for modifications to the Hobart chopper.

(c) On or about 10/06/2015 - at West Side Building A6, the employer failed to document compliance with recognized and generally accepted good engineering practices (RAGAGEP) to protect employees exposed to explosion and fire hazards. One method of demonstrating RAGAGEP is compliance with standards as specified in National Fire Protection Association (NFPA) 1124 Code for the Manufacture, Transportation, Storage, Retail Sales of Fireworks and Pyrotechnic Articles for posting the maximum weight of pyrotechnic and explosive composition permitted in each process building in that the posted limit on the outside of building A6 in two locations was "150LBS" and the "Maximum Allowable Energetic Weights" Memorandum for Record dated August 19, 2015 states the maximum limit is fifty (50) pounds.

(d) On or about 10/06/2015 - at West Side Building A14, the employer failed to document compliance with recognized and generally accepted good engineering practices (RAGAGEP) to protect employees exposed to explosion and fire hazards. One method of demonstrating RAGAGEP is compliance with standards as specified in National Fire Protection Association (NFPA) 1124 Code for the Manufacture,

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

Transportation, Storage, Retails Sales of Fireworks and Pyrotechnic Articles for posting the maximum weight of pyrotechnic and explosive composition permitted in each process building in that a limit was not posted and the "Maximum Allowable Energetic Weights" Memorandum for Record dated August 19, 2015 states the maximum limit is two hundred (210) pounds for 14a and sixty (60) pounds for 14b.

(c) On or about 10/06/2015 - at East Side Building B9, the employer failed to document compliance with recognized and generally accepted good engineering practices (RAGAGEP) to protect employees exposed to explosion and fire hazards. One method of demonstrating RAGAGEP is compliance with standards as specified in National Fire Protection Association (NFPA) 1124 Code for the Manufacture, Transportation, Storage, Retails Sales of Fireworks and Pyrotechnic Articles for posting the maximum weight of pyrotechnic and explosive composition permitted in each process building in that a limit was not posted and the "Maximum Allowable Energetic Weights" Memorandum for Record dated August 19, 2015 does not identify a maximum limit for this building.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/08/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

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

29 CFR 1910.119(e)(3)(v): The process hazard analysis did not address the hazards related to facility siting:

(a) On or about 10/06/2015 - at 148 Moon Drive, Owens Cross Roads, AL, the initial process hazards analysis documented for processes, such as but not limited to Base Mix, did not address facility siting, such as but not limited to, explosive limits for each process building or area, distances between process buildings or areas, the consequences of a process failure on employees in other buildings or areas and employees traveling between buildings.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/29/2016
Proposed Penalty: \$5390.00

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

Inspection Number: 1095917
Inspection Date(s): 10/06/2015 - 03/14/2016
Issuance Date: 03/15/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(e)(3)(vi): The process hazard analysis did not address human factors:

(a) On or about 10/06/2015 - at 148 Moon Drive, Owens Cross Roads, AL, the initial process hazards analysis documented for processes, such as but not limited to Base Mix, did not address human factors, such as but not limited to, what would be the consequences and possible correcting methods for using incorrect ingredients, weighing ingredients incorrectly, and not following procedures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/29/2016

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(i)(1): The employer did not perform a pre-startup safety review for new facilities and for modified facilities when the modification was significant enough to require a change in the process safety information:

- (a) On or about 10/06/2015 - at West Side Building A14, the employer did not perform a pre-startup safety review for the modified facility when electrical processing equipment was moved to the building, the relief system/blow-out walls were redesigned, and processes such as mixing base mix, nitrocellulose based nitrate composition, nitrocellulose based ammonium perchlorate composition and black powder based composition were relocated to the building.
- (b) On or about 10/06/2015 - at West Side Building A4, the employer did not perform a pre-startup safety review for the new building when the Tracer and Strobe composition processes were relocated to the building.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/08/2016
Proposed Penalty: \$5390.00

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

Inspection Number: 1095917
Inspection Date(s): 10/06/2015 - 03/14/2016
Issuance Date: 03/15/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(j)(2): The employer did not establish written procedures to maintain the on-going integrity of process equipment:

(a) On or about 10/06/2015 - At West Side Buildings A2, A4, A5, A6, A7, A8, A11, A12, and A14, the employer failed to establish written procedures to maintain the mechanical integrity of relief system equipment in the process area such as ventilation system fans, weak wall relief panels, and humidity monitors.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/29/2016
Proposed Penalty:	\$5390.00

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(l)(4): Process safety information required by paragraph (d) of this section was not updated when a change covered by this paragraph resulted in a change in the process safety information:

- (a) On or about 10/06/2015 - at West Side Building A14, Management of Change (MOC) identified as "Facility Addition A14 " dated June 2015 addressed refurbishing and putting into operation process building A14 and process safety information was not updated and available for the Hobart chopper, ventilation fan, scales, humidity/temperature gauge, interlocks, electrostatic discharge system (ESD), and relief system (blow-out walls and clamps).
- (b) On or about 10/06/2015 - at West Side Building A6, MOC identified as "3" (inch) Comet press installed in A6" dated Sept 18, 2015 addressed movement and installation of 3" press in A6 and process safety information was not updated and available for the Comet Press, Comet ejector tool, and ESD.
- (c) On or about 10/06/2015 - at West Side Building A4, MOC identified as "Process Change" dated May 2015 addressed Tracer Process Redesign and process safety information was not updated and available for the Tracer plates, Tracer ejector tool, ventilation fan and ESD.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/29/2016
Proposed Penalty:	\$5390.00

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

Inspection Number: 1095917
Inspection Date(s): 10/06/2015 - 03/14/2016
Issuance Date: 03/15/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

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

(a) On or about 10/06/2015 - at West Side Building A7, a procedure was not developed to control potentially hazardous energy, such as but not limited to hydraulics and pneumatics, when employees were changing the tooling in the 1-inch Comet Press exposing employees to caught-between and electrical hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/08/2016
Proposed Penalty:	\$2618.00

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices:

(a) On or about 10/06/15 - at West Side Building A14 A Side, the employer failed to document and ensure compliance with recognized and generally accepted good engineering practices to protect employees exposed to explosion and fire hazards when manually screening Blue with Tail 3-inch nitrate pyrotechnic composition. One method of demonstrating RAGAGEP is compliance with standards the company previously relied on such as the Army Safety Manual and NFPA 1124.

(b) On or about 2/6/15 - at West Side Building A14 A Side, the employer failed to document and ensure compliance with recognized and generally accepted good engineering practices to protect employees exposed to explosion and fire hazards in that employees were using metal screens with a wooden frame when manually screening Blue with Tail 3-inch nitrate pyrotechnic composition. The wooden frame could not be grounded. One method of demonstrating RAGAGEP is compliance with NFPA 77 on bonding and grounding for static protection.

Ultratec Special Effects, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 1031388, citation number 1, item number 4 and was affirmed as a final order on 08/31/2015 with respect to a workplace located at 148 Moon Drive, Owens Cross Roads, AL 35763.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/21/2016
Proposed Penalty: \$10780.00

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(c)(6): The employer did not update and revalidate by a team meeting the requirements in paragraph (c)(4) of this section, to assure that the process hazard analysis is consistent with the current process, at least every five (5) years after the completion of the initial process hazard analysis:

(a) On or about 10/06/15 - at the West Side Building A14 A Side, the process hazard analysis for a PSM covered pyrotechnic process used to manufacture Base Mix was not updated and revalidated at least every five (5) years. Since the initial process hazard analysis was validated on 02/09/10, the process has been relocated to building A14 and the equipment modified.

Ultratec Special Effects, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 1031388, citation number 1, item number 6 and was affirmed as a final order on 08/31/2015 with respect to a workplace located at 148 Moon Drive, Owens Cross Roads, AL 35763.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/08/2016
Proposed Penalty:	\$10780.00



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

Citation 2 Item 3 Type of Violation: **Repeat**

29 CFR 1910.119(f)(1)(i): The employer did not develop and implement written operating procedures that provided clear instructions for safely conducting activities involved in each covered process consistent with the process safety information that addressed steps for each operating phase:

(a) On or about 10/06/2015 - At West Side Building A14, a procedure was not developed to provided clear steps, safe operating limits, safety and health considerations, and identify safety systems and their functions for employees manufacturing the pyrotechnic composition "Blue with Tail Nitrate Mix".

(b) On or about 10/06/2015 - At West Side Building A14, a procedure was not developed to provided clear steps, safe operating limits, safety and health considerations, and identify safety systems and their functions for employees manufacturing the pyrotechnic composition "White w/ Silver Strobe 3-inch".

(c) On or about 10/06/2015 - At West Side Building A14, a procedure was not developed to provided clear steps, safe operating limits, safety and health considerations, and identify safety systems and their functions for employees manufacturing the pyrotechnic composition "Green Plain 3/16-inch AP".

(d) On or about 10/06/2015 - At West Side Building A14 and A2, the Base Mix Mixing Procedure SOP.M.081.15 dated 10/2015 was not clear for determining the assay value.

Ultratec Special Effects, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 1031388, citation number 1, item number 7 and was affirmed as a final order on 08/31/2015 with respect to a workplace located at 148 Moon Drive, Owens Cross Roads, AL 35763.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/08/2016
Proposed Penalty:	\$10780.00

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

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

Inspection Number: 1095917
Inspection Date(s): 10/06/2015 - 03/14/2016
Issuance Date: 03/15/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.119(l)(1): The employer did not implement procedures to manage changes to process chemicals, technology, equipment, and procedures, and changes to facilities that affect a covered process:

(a) On or about 10/06/2015 - at West side, a management of change was not implemented when the processing area identified as Zone 3 (Buildings A2 and A4 to A12) was changed to Zone 3A (Buildings A4-A12) and Zone 3B (Building A2/Drying Room) which increased the total energetic limits for Buildings A2 and A4 to A12.

(b) On or about 10/06/2015 - at East side, a management of change was not implemented when the Airburst process was moved from Building C12 to C2.

Ultratec Special Effects, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 1031388, citation number 1, item number 8 and was affirmed as a final order on 08/31/2015 with respect to a workplace located at 148 Moon Drive, Owens Cross Roads, AL 35763.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/08/2016
Proposed Penalty: \$10780.00

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

Inspection Number: 1095917
Inspection Date(s): 10/06/2015 - 03/14/2016
Issuance Date: 03/15/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.119(m)(4): An incident report was not prepared at the conclusion of the investigation that included at a minimum, the date of the incident, date the investigation began, a description of the incident, and any recommendations resulting from the investigation:

(a) On or about 10/06/2015 - at West Side Building A10, an incident report was not documented for the investigation of the February 2015 incident.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/29/2016
\$0.00

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: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

Citation 3 Item 2 a Type of Violation: **Other-than-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) On or about 10/06/2015 - at West Side Building A2 southwest room, the employer did not have a written respiratory protection program for employees who are required to wear a disposable particulate respirator while operating the Hammer Mill to process Parlon (Chlorinated Rubber).

Date By Which Violation Must be Abated: 04/08/2016
Proposed Penalty: \$0.00



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

Citation 3 Item 2 b Type of Violation: **Other-than-Serious**

29 CFR 1910.134(c)(2)(ii): The employer did not establish and implement those elements of a written program necessary to ensure that any employee using a respirator voluntarily was medically able to use that respirator, and that the respirator was cleaned, stored, and maintained so that its use does not present a health hazard to the user:

(a) On or about 10/06/2015 - at West Side Building A4, the employer did not establish and implement the written program elements required for employees voluntarily using a half mask respirator with 3M 6001 cartridges when working with toluene.

(b) On or about 10/06/2015 - at West Side Building A6, the employer did not establish and implement the written program elements required for employees voluntarily using a half mask respirator with 3M 6001 cartridges when working with toluene.

Date By Which Violation Must be Abated:

04/08/2016



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasion; punctures; chemical burns; thermal burns; and harmful temperature extremes:

(a) On or about 10/06/2015 - at West Side Building A6 and A14, employees mixing and processing various pyrotechnic compositions by hand were not required to wear gloves when working with chemicals, such as but not limited to, Nitrocellulose Wet with Water, Barium Carbonate, Copper Carbonate Basic, Strontium Carbonate, Potassium Perchlorate, Basic Copper Nitrate, Potassium Nitrate, Strontium Nitrate, Magnesium Aluminum Alloy, Nitroguanidine wetted (with not less than 20% water), and Iron (III) Oxide. The material safety data sheets identified skin irritant as a hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/08/2016
\$0.00



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

Citation 3 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(f)(6)(ii): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(l)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

(a) On or about 10/6/2015 - at West Side Building A2 Screening Room, the label's hazard statement on a bucket of Titanium Powder incorrectly stated "H225 - Highly flammable liquid and vapor".

Date By Which Violation Must be Abated:
Proposed Penalty:

04/08/2016
\$0.00



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

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

Citation 3 Item 5 a Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(g)(1): Chemical manufacturers and importers did not obtain or develop a safety data sheet for each hazardous chemical and for each chemical that posed a hazard not otherwise classified that they produce or import:

(a) On or about 10/06/2015 - at 148 Moon Drive, Owens Cross Roads, AL, the employer did not develop safety data sheets for the intermediate pyrotechnic compositions, such as but not limited to, nitrocellulose based ammonium perchlorate, nitrocellulose based nitrate, nitrocellulose base mix, potassium perchlorate, gerb, specialty, tracer, mortar hit A/B, match, A/B powders, flame gel, prime, fuse and final pyrotechnic products, such as but not limited to, ammonia perchlorate based comets and stars, nitrate based comets and stars, mixed A/B powders, tracers, strobe, fuses and matches as required by the standard.

(b) On or about 10/06/2015 - at 148 Moon Drive, Owens Cross Roads, AL, the employer did not develop safety data sheets for the final pyrotechnic products, such as but not limited to, ammonia perchlorate based comets and stars, nitrate based comets and stars, mixed A/B powders, tracers, strobe, fuses and matches as required by the standard.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/29/2016
\$0.00



Citation and Notification of Penalty

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763

Citation 3 Item 5 b Type of Violation: **Other-than-Serious**

29 CFR 1910.119(d)(1): The employer did not complete a compilation of the information pertaining to the hazards of the highly hazardous chemicals in the process. This information shall consist of at least the following as specified in (i to vii):

(a) On or about 10/06/2015 - at 148 Moon Drive, Owens Cross Roads, AL, the employer did not compile process safety information or safety data sheets for reactivity data of the intermediate pyrotechnic compositions, such as but not limited to, nitrocellulose based ammonium perchlorate, nitrocellulose based nitrate, nitrocellulose base mix, potassium perchlorate, gerb, specialty, tracer, mortar hit A/B, match, A/B powders, flame gel, prime, and fuse.

(b) On or about 10/06/2015 - at 148 Moon Drive, Owens Cross Roads, AL, the employer did not compile process safety information or safety data sheets for the reactivity data of the final pyrotechnic products, such as but not limited to, ammonia perchlorate based comets and stars, nitrate based comets and stars, mixed A/B powders, tracers, strobe, fuses and matches.

Date By Which Violation Must be Abated:

04/29/2016

A handwritten signature in cursive script, appearing to read "Ramona Morris".

Ramona Morris
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
950 22nd. Street North
Suite 1050
Birmingham, AL 35203
Phone: 205-731-1534 Fax: 205-731-0504



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ultratec Special Effects, Inc.
Inspection Site: 148 Moon Drive, Owens Cross Roads, AL 35763
Issuance Date: 03/15/2016

Summary of Penalties for Inspection Number	1095917
Citation 1, Serious	\$29568.00
Citation 2, Repeat	\$43120.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$72688.00

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.

Ramona Morris

Ramona Morris
Area Director

03/15/2016

Date