

U.S. Department of Labor
Occupational Safety and Health Administration
1310 W. Clairemont Avenue
Eau Claire, WI 54701
Phone: 715-832-9019 Fax: 715-832-1147



Citation and Notification of Penalty

To:
Winter Woods, Inc.
and its successors
PO Box 111
Glidden, WI 54527

Inspection Number: 1098530
Inspection Date(s): 10/14/2015 - 10/20/2015
Issuance Date: 03/21/2016

Inspection Site:
701 Winter Woods Drive
Glidden, WI 54527

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 03/21/2016. The conference will be held by telephone or at the OSHA office located at 1310 W.

Clairemont Avenue, Eau Claire, WI 54701 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1098530

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527
Issuance Date: 03/21/2016

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, 1310 W. Clairemont Avenue, Eau Claire, WI 54701**

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: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

OSH ACT of 1970 Section (5)(a)(1): 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 are exposed to injuries from utilizing damaged racking systems:

(a) Throughout the facility; Pallet rack systems with unanchored, out-of-plumb, and out-of-straight columns were used to store items such as but not limited to wood, boxes for shipment and various other parts and supplies.

Recommended Abatement Action:

Among other methods, one feasible and acceptable means of abatement would be to follow ANSI MH16.1-2012 Specification for the Design, Testing and Utilization of Industrial Steel Storage Racks. See ANSI MH16.1-2012, Sections 1.4.1 (inspections), 1.4.7 (column anchorage), 1.4.9 (rack damage), 1.4.11.2 (out-of-plumb limit), and 1.4.11.2 (out-of-straight limit).

Specifically, (1) inspect racks for damage, and take damaged racks out of service until they are repaired or replaced; (2) ensure that rack columns are anchored to the ground; (3) maintain rack components within the allowable out-of-plumb and out-of-straight allowances per ANSI MH16.1-2012.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/09/2016
Proposed Penalty: \$7000.00

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

Inspection Number: 1098530
Inspection Date(s): 10/14/2015 - 10/20/2015
Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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 1910.106(d)(4)(i): Inside storage rooms were not constructed to meet the required fire-resistive rating for their use:

(a) Concepts Building; The employer did not utilize an inside storage room that was in accordance with the requirements for storage of category 2 flammable liquids.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/09/2016
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.

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

Inspection Number: 1098530
Inspection Date(s): 10/14/2015 - 10/20/2015
Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.106(d)(4)(iii): Electrical wiring and equipment located in inside storage rooms used for Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 °F (37.8 °C), was not approved under subpart S of this part for Class I, Division 2 Hazardous Locations; for Category 3 flammable liquids with a flashpoint at or above 100 °F (37.8 °C) and Category 4 flammable liquids, was not approved for general use:

(a) Concepts building; The employer did not ensure that category 2 flammable liquids, with a flash point below 100 degrees, were stored in a room with intrinsically safe electrical wiring and equipment approved under subpart S of the 29 CFR 1910.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/09/2016

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

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Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.106(e)(5)(i): Portable fire extinguishment and control equipment was not provided in such quantities and types as were needed for special hazards of operation and storage:

(a) Concepts building; The employer was storing category 2 flammable liquids with a flash point below 100 degrees in a work area that had multiple possible sources of ignition without means of extinguishment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/09/2016

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Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

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

(a) Throughout the facility; The employer did not identify and evaluate employees' exposure to respiratory hazards including, but not limited to: toluene, ethylbenzene, xylene, and hexane when employees were dipping branches and cones and spraying bark.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
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: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

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

29 CFR 1910.134(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) Throughout the facility; Tight fitting half-mask respirators were required to be worn when employees were working with various chemicals including, but not limited to: toluene, ethylbenzene, and xylene; medical evaluations were not provided to determine employees' ability to wear half-mask respirators prior to use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/09/2016
Proposed Penalty:	\$7000.00

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

Inspection Number: 1098530
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Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

Citation 1 Item 4 b 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:

(a) Throughout the facility; Tight-fitting half-mask respirators were required to be worn when employees were working with various chemicals including, but not limited to: toluene, ethylbenzene, and xylene; fit tests were not provided before use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/18/2016

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: 1098530
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Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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 1910.134(h)(1): Respirators were not cleaned and disinfected using the procedures in Appendix B-2 of 29 CFR 1910.134 or equivalent procedures recommended by the respirator manufacturer:

(a) Throughout the facility; The employer did not ensure that respirators provided to employees were properly cleaned and disinfected prior to use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/09/2016
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.

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

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Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve:

(a) Throughout the facility; The employer did not ensure that respirators were stored properly to ensure they were maintained in a sanitary condition to prevent damage to the respirator and its components.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/09/2016

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

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

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Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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 6 a Type of Violation: **Serious**

29 CFR 1910.134(l)(1): Evaluations of the workplace were not conducted to ensure the written respiratory protection program was being effectively implemented:

(a) Throughout the facility; The employer did not provide oversight of the written respiratory protection program to ensure the effectiveness and proper implementation of the program.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/09/2016
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.

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

Inspection Number: 1098530
Inspection Date(s): 10/14/2015 - 10/20/2015
Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.134(1)(2): The employer did not regularly consult employees required to use respirators to assess the employees' views on program effectiveness and to identify any problems:

(a) Throughout the facility; The employees were not consulted to ensure their understanding, opinions and any complications with the selected respirators were addressed and any modifications necessary to the respiratory protection program were implemented.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/09/2016

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

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

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Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.134(k): The employer did not provide comprehensive, understandable training annually and/or more often if necessary:

(a) Throughout the facility; The employees were not given training at least annually on the employer's respiratory protection program.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/09/2016
\$7000.00

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: 1098530
Inspection Date(s): 10/14/2015 - 10/20/2015
Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous locations were not intrinsically safe, approved for the hazardous location, or safe for the hazardous location:

(a) Throughout the facility; Employees were performing color dipping of pine cones and various other wood décor using category 2 flammable liquids, such as but not limited to: toluene, metallic cone dips and paint thinner in an area where the electrical wiring and installations were not intrinsically safe and using equipment that was not intrinsically safe for use in the area of category 2 chemicals.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/09/2016
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: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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 9 a Type of Violation: **Serious**

29 CFR 1910.1000(a)(1): Employee(s) were exposed to an airborne concentration of toluene listed in Table Z-1 in excess of the ceiling concentration of 300 parts per million (ppm):

- (a) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to toluene does not exceed the ceiling concentration of 300 ppm during any part of their working exposure. This violation occurred on November 4, 2015, where the employee was dipping branches into paint containing toluene; the employee was exposed to toluene at 329.37 ppm of air over 450 minutes, approximately 1.10 times the ceiling limit of 300 ppm.
- (b) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to toluene does not exceed the ceiling concentration of 300 ppm during any part of their working exposure. This violation occurred on November 4, 2015, where the employee was dipping branches into paint containing toluene; the employee was exposed to toluene at 318.48 ppm of air over 10 minutes, approximately 1.06 times the ceiling limit of 300 ppm.
- (c) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to toluene does not exceed the ceiling concentration of 300 ppm during any part of their working exposure. This violation occurred on November 4, 2015, where the employee was dipping cones into paint containing toluene; the employee was exposed to toluene at 388.55 ppm of air over 10 minutes, approximately 1.29 times the ceiling limit of 300 ppm.

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: 1098530
Inspection Date(s): 10/14/2015 - 10/20/2015
Issuance Date: 03/21/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

(d) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to toluene does not exceed the ceiling concentration of 300 ppm during any part of their working exposure. This violation occurred on November 4, 2015, where the employee was dipping cones into paint containing toluene; the employee was exposed to toluene at 430.20 ppm of air over 10 minutes, approximately 1.43 times the ceiling limit of 300 ppm.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/18/2016
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: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to airborne concentrations of toluene and xylene listed in Table Z-1, in excess of the 8-hour time weighted average concentration of 200 parts per million (ppm) and 100 ppm, respectively:

(a) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to toluene does not exceed 200 parts per million (ppm) of air, as an 8-hour time weighted average (TWA). This violation occurred on November 4, 2015, where the employee was dipping branches into paint containing toluene; the employee was exposed to toluene at an 8-hour TWA of 308.79 ppm of air, approximately 1.54 times the permissible exposure limit of 200 ppm. Sampling was performed for 450 minutes during one shift. Zero exposure was assumed for the 30 minute period not sampled.

(b) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to xylene does not exceed 100 parts per million (ppm) of air, as an 8-hour time weighted average (TWA). This violation occurred on November 4, 2015, where the employee was dipping branches into paint containing xylene; the employee was exposed to xylene at an 8-hour TWA of 117.32 ppm of air, approximately 1.17 times the permissible exposure limit of 100 ppm. Sampling was performed for 450 minutes during one shift. Zero exposure was assumed for the 30 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/18/2016



Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.1000(d): When determined by the computational formula specified in 29 CFR 1910.1000(d)(2)(i), employees were exposed to concentrations of more than one substance for which 8-hour time weighted averages are listed in Subparts Z of 29 CFR part 1910 in excess of the permissible exposure for the mixture:

(a) 22171 Highway 13 Glidden, WI; The employer did not ensure that employee(s)' exposure to concentrations of more than one substance does not exceed the permissible exposure for the mixture of toluene, xylene, and ethylbenzene. The mixture has additive toxic effects on the central nervous system and respiratory system. This violation occurred on November 4, 2015, where the employee was dipping branches into paint containing toluene, xylene, and ethylbenzene. The employee was exposed to toluene at an 8-hour time weighted average (TWA) of 308.79 parts per million (ppm) of air, approximately 1.54 times the permissible exposure limit (PEL) of 200 ppm; ethylbenzene at an 8-hour TWA of 24.99 ppm of air, approximately 0.25 times the PEL of 100 ppm; and xylene at an 8-hour TWA of 117.32 ppm of air, approximately 1.17 times the PEL of 100 ppm. The exposure concentration was approximately 2.97 times the permissible 8-hour TWA concentration for the mixture. Sampling was performed for 450 minutes. Zero exposure was assumed for the 30 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/18/2016

U.S. Department of Labor
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Inspection Number: 1098530
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Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

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

(a) 22171 Highway 13 Glidden, WI; The employer did not implement feasible administrative or engineering controls to achieve compliance with the permissible exposure limit (PEL) for toluene, xylene, and the PEL for the mixture of toluene, ethylbenzene, and xylene during dipping operations. This violation occurred on November 4, 2015, where the employee(s) were dipping branches and cones into a paint containing toluene, ethylbenzene, xylene, and various other solvents.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/09/2016

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U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

(a) Throughout the facility; The employees were not given training on the hazardous chemicals in their work area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/09/2016
\$7000.00

A handwritten signature in black ink, appearing to read "Mark Hysell", written over a horizontal line.

Mark Hysell
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
1310 W. Clairemont Avenue
Eau Claire, WI 54701
Phone: 715-832-9019 Fax: 715-832-1147



INVOICE / DEBT COLLECTION NOTICE

Company Name: Winter Woods, Inc.
Inspection Site: 701 Winter Woods Drive, Glidden, WI 54527
Issuance Date: 03/21/2016

Summary of Penalties for Inspection Number	1098530
Citation 1, Serious	\$70000.00
TOTAL PROPOSED PENALTIES	\$70000.00

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.

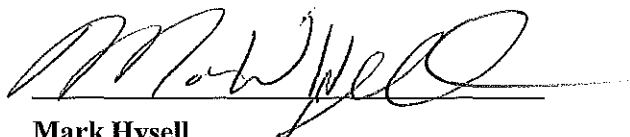
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Mark Hysell
Area Director

03/21/2016
Date