

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
William Cotter Federal Building  
135 High Street, Suite 361  
Hartford, CT 06103  
Phone: 860-240-3152 Fax: 860-240-3155



## Citation and Notification of Penalty

**To:**  
Phoenix Products Company  
and its successors  
55 Container Drive  
Terryville, CT 06786

**Inspection Number:** 1077446  
**Inspection Date(s):** 07/20/2015 - 12/03/2015  
**Issuance Date:** 01/19/2016

**Inspection Site:**  
55 Container Drive  
Terryville, CT 06786

*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](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

**Notification of Corrective Action** – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**Employer Discrimination Unlawful** – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

**Notice to Employees** – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/19/2016. The conference will be held by telephone or at the OSHA office located at William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103 on

\_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees

have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1077446**

Company Name: Phoenix Products Company  
Inspection Site: 55 Container Drive, Terryville, CT 06786  
Issuance Date: 01/19/2016

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, William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103**

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

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**Citation and Notification of Penalty**

**Company Name:** Phoenix Products Company  
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**Citation 1 Item 1** Type of Violation: **Serious**

29 CFR 1910.24(h): Standard railings were not provided on the open sides of all exposed stairways and stair platforms:

A. On or about July 20, 2015, Flammable Room: At mixing tank #5, the open sides of fixed industrial stairs were not provided with an intermediate rail.

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/07/2016  
\$3500.00

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**Citation and Notification of Penalty**

**Company Name:** Phoenix Products Company  
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.36(c)(1): Each exit discharge did not lead directly outside or to a street, walkway, refuge area, public way, or open space with access to the outside:

A. On or about July 20, 2015, Tank Fill Area, East side of the building: Since no tank deliveries were being made, the security gates to the tank fill area had been locked. Employees escaping from a hazard within the building would be trapped in the area.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3500.00

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Company Name: Phoenix Products Company  
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**Citation 1 Item 2 b** Type of Violation: **Serious**

29 CFR 1910.37(a)(2): Exit routes were arranged so that employees would have to travel toward a high hazard area:

A. On or about July 20, 2015, East side of building: The exit route from the flammable room led to a high hazard area in that ventilation pipes from acetone and isopropyl alcohol 99% tanks in the flammable room vented to the area.

Date By Which Violation Must be Abated:

07/13/2016

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

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

A. On or about July 20, 2015, Emergency Exit Route from Flammable Room: The 11-riser fire exit stairs provided as part of the exit route were rusted through. Weeds growing from underneath the stairs obscured holes on the bottom steps.

Date By Which Violation Must be Abated:

Corrected During Inspection

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**Citation and Notification of Penalty**

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

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

29 CFR 1910.106(b)(2)(vi)(b): Where vent pipe outlets for tanks storing Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 °F (37.8 °C), are adjacent to buildings or public ways, they were not located so that the vapors are released at a safe point outside of buildings and not less than 12 feet above the adjacent ground level. In order to aid their dispersion, vapors were not discharged upward or horizontally away from closely adjacent walls. Vent outlets were not located so that flammable vapors were not trapped by eaves or other obstructions and shall be at least five feet from building openings:

A. On or about July 20, 2015, east side of building outside flammable room: The vent pipe from acetone tank 5T38 Green was turned 180 degrees and vapors were discharged downward instead of upward or horizontally as required by this section.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/13/2016  
\$3500.00

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

29 CFR 1910.106(b)(4)(iii): Vent piping was not constructed in accordance with paragraph (c) of this section:

A. On or about July 20, 2015, Flammable Area: Vent piping for the tanks of acetone and isopropyl alcohol 99% was not constructed of steel, nodular iron or malleable iron. The vent piping for tanks 5T38 Green and 5T37 Blue was made of PVC, which can distort at 90 degrees C / 194 degrees F.

29 CFR 1910.106(c)(2)(i): "Required materials." Materials for piping, valves, or fittings shall be steel, nodular iron, or malleable iron, except as provided in paragraph (c)(2)(ii), (iii) and (iv) of this section.

Date By Which Violation Must be Abated:

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

29 CFR 1910.106(b)(4)(iv)(h): Tanks inside buildings were not equipped with a device or other means to prevent overflow into the building:

A. On or about July 20, 2015, Flammable Room: Inside storage tanks containing acetone and isopropyl alcohol 99% did not have overflow protection to prevent overflow into the building.

Date By Which Violation Must be Abated:  
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\$3500.00

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Company Name: Phoenix Products Company  
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**Citation 1 Item 5** Type of Violation: **Serious**

29 CFR 1910.106(b)(7)(i): Tanks not marked in accordance with the American Society of Mechanical Engineers (ASME) code stamp, American Petroleum Institute (API) monogram, or the label of the Underwriters' Laboratories, Inc. were not strength tested before being placed in service in accordance with good engineering principles and reference was not made to the sections on testing in the codes listed in subparagraphs (1)(iii)(a), (iv)(b), or (v)(b) of this paragraph:

A. On or about July 20, 2015, Flammable Room: In the absence of tank markings, the employer failed to document that flammable storage tanks had been strength tested prior to being placed into service. The 3,000 gallon tanks stored acetone and isopropyl alcohol 99%.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
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\$4900.00

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**Company Name:** Phoenix Products Company  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.106(f)(3)(i): Tank vehicle and tank car loading or unloading facilities were not separated from aboveground tanks, warehouses, or other plant buildings or nearest line of adjoining property that may be built upon by a distance of 25 feet for Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 degrees F (37.8 degrees C), and 15 feet for Category 3 flammable liquids with a flashpoint at or above 100 degrees F (37.8 degrees C) and Category 4 flammable liquids measured from the nearest position of any fill spout:

A. On or about July 20, 2015, Tank Fill Area: The tank fill nozzle for acetone and isopropyl alcohol 99%, Category 1 flammable liquids was located 12 feet 7 inches horizontally from the flammable room, 13 feet 4 inches diagonally.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/07/2016  
\$4900.00

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

29 CFR 1910.119(d)(2)(i): Process safety information pertaining to the technology of the process did not include the elements specified in 29 CFR 1910.119(d)(2)(i)(A) through (E):

A. On or about July 20, 2015, Establishment: The employer operated processes using 18,609 pounds of acetone and 15,378 pounds of isopropyl alcohol 99%. The employer had not compiled written process safety information including block flow diagrams, maximum intended inventory or consequences of deviation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

29 CFR 1910.119(d)(3)(i): Process safety information pertaining to the equipment in the process did not include the elements specified in 29 CFR 1910.119(d)(3)(i)(A) through (H):

A. On or about July 20, 2015, Establishment: The employer had not compiled information pertaining to equipment in the process, including materials of construction; piping and instrumentation diagrams (P&IDs); electrical classification; ventilation system design; design codes and standards employed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Company Name:** Phoenix Products Company  
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**Citation 1 Item 9** 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 July 20, 2015, Establishment: The employer had not documented that process equipment complied with recognized and generally accepted good engineering practices, in that:

1. The employer could not document that the gaskets in the manways on the tanks were compatible with the contents of the tanks.
2. The Sandpiper SSB1-A double diaphragm ball valve sanitary pump contained nitrile components that were incompatible with the chemicals run in the process.
3. The four 3,000 gallon storage tanks for acetone and isopropyl alcohol 99% used tygon tubing affixed with screw clamps for tank level gauges.

Acceptable recognized and general accepted good engineering practices, among others, would be National Fire Protection Association (NFPA) 30 - 2015, Flammable and Combustible Liquids Code.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

29 CFR 1910.119(e)(1): The employer did not perform an initial process hazard analysis (hazard evaluation) on processes covered by 29 CFR 1910.119:

A. On or about July 20, 2015, Flammable Room: The employer had not performed a process hazard analysis on covered processes using 18,609 pounds of acetone and 15,378 pounds of isopropyl alcohol 99%.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

29 CFR 1910.119(f)(1): 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 and addressing at least steps for each operating phase, safe operating limits, safety and health considerations, and safety systems and their functions as outlined by this paragraph:

A. On or about July 20, 2015, Flammable Room: The employer had not developed written operating procedures for each operating phase including initial startup, normal operations, temporary operations, emergency shutdown, normal shutdown and startup following a turnaround or emergency situation; operating limits, steps required to correct or avoid deviation and safety and health considerations, quality control for raw materials and control of hazardous chemical inventory levels.

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

29 CFR 1910.119(g)(3): The employer did not prepare a record which contained the identity of the employee, the date of training, and the means used to verify that the employee understood the training:

A. On or about July 20, 2015, Flammable Room: The employer had not documented that employees operating equipment in a covered process had been trained and that they understood the training.

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**Citation 1 Item 13** 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 July 20, 2015, Flammable Room: Specific written procedures had not been developed or implemented to address regular inspections and preventive maintenance of equipment in covered processes. Equipment used in the processing of isopropyl alcohol 99% and acetone included tanks, pumps, piping, valves, controls for emergency shut down.

NOTE: An effective mechanical integrity program would ensure proper design, fabrication and installation, recognize equipment deficiencies and perform inspections, tests and perform preventive maintenance.

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

29 CFR 1910.119(j)(4)(i): The employer did not perform inspection and tests on process equipment

A. On or about July 20, 2015, Flammable Room: The employer had not performed inspections and tests on process equipment, including, but not limited to: Storage tanks; mixing tanks; valves; pipes; a pneumatic pump; manifold system and agitators used in processes where isopropyl alcohol 99% and acetone were used.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

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

29 CFR 1910.119(n): The employer did not establish an emergency plan for the entire plant in accordance with the provisions of 29 CFR 1910.38(a):

A. On or about July 20, 2015, Establishment: The employer failed to develop and implement an emergency action plan which complied with the provisions of 29 CFR 1910.38(a) for employees who work with highly hazardous chemicals, including but not limited to isopropyl alcohol 99% and acetone, to help them escape from a catastrophic event. The company had not documented that all employees in the facility had been trained in the employee emergency plan and fire prevention plan. There had been no evacuation drills conducted. The employer had not defined what constituted a major or minor spill. The name and job title of every employee who may be contacted by employees who need more information about the plan or an explanation of their duties was not clear in that there were several lists of employees to contact in case of emergency, some of whom were no longer employed by the company.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/13/2016  
\$4900.00

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: 1077446  
Inspection Date(s): 07/20/2015 - 12/03/2015  
Issuance Date: 01/19/2016



**Citation and Notification of Penalty**

**Company Name:** Phoenix Products Company  
**Inspection Site:** 55 Container Drive, Terryville, CT 06786

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

29 CFR 1910.120(q)(1): An employer who will evacuate their employees from the danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, had not provided an emergency action plan in accordance with 29 CFR 1910.38:

A. On or about July 20, 2015, Flammable Room: The company had not documented that all employees in the facility had been trained in the employee emergency plan and fire prevention plan. There had been no evacuation drills conducted. The employer had not defined what constituted a major or minor spill. The name and job title of every employee who may be contacted by employees who need more information about the plan or an explanation of their duties was not clear in that there were several lists of employees to contact in case of emergency, some of whom were no longer employed by the company.

Date By Which Violation Must be Abated:

07/13/2016

A handwritten signature in black ink, appearing to read "Warren G. Simpson", written over a horizontal line.

Warren G. Simpson  
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  
William Cotter Federal Building  
135 High Street, Suite 361  
Hartford, CT 06103  
Phone: 860-240-3152 Fax: 860-240-3155



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Phoenix Products Company  
**Inspection Site:** 55 Container Drive, Terryville, CT 06786  
**Issuance Date:** 01/19/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1077446</b>
<b>Citation 1, Serious</b>	<b>\$61600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$61600.00</b>

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

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

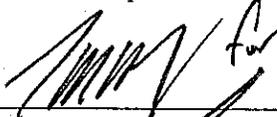
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

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

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

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

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



Warren G. Simpson  
Area Director

1/19/2016  
Date