

Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (316) 269-6644.

U.S. Department of Labor Occupational Safety and Health Administration
100 N. Broadway Suite 470
Wichita, KS 67202
Phone: (316) 269-6644 Fax: (316) 269-6185



April 26, 2016

Dear Bob Snow,

On 10/27/2015, an OSHA compliance officer met with you or your representative as part of an inspection at 413 E. Berg Rd. Salina, KS 67401. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,


Judy Freeman, Area Director

Your Citation Summary
Exide Technologies
Inspection Number: 1101525

Total Amount Due: \$102300.00
Payment Due Date: 15 working days
after receipt of
this letter

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations : 7
Your First Correction Deadline is: 5/18/16

**Step 1 – Choose a Response
Option and
Act within 15 working days**

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (316) 269-6644.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:



1. Call: Ryan Hodge, Assistant Area Director, at (316) 269-6644 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****

 ___ / ___

2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

 ___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**

 ___ / ___

2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

 ___ / ___

Pay Online: Search "OSHA" on www.pay.gov and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days**. Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days**.

Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days**.

 ___ / ___

U.S. Department of Labor
Occupational Safety and Health Administration
100 N. Broadway
Suite 470
Wichita, KS 67202
Phone: 316-269-6644 Fax: 316-269-6185



Citation and Notification of Penalty

To:
Exide Technologies
and its successors
413 E. Berg Rd.
Salina, KS 67401

Inspection Number: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016

Inspection Site:
413 E. Berg Rd.
Salina, KS 67401

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 04/26/2016. The conference will be held by telephone or at the OSHA office located at 100 N. Broadway, Suite 470, Wichita, KS 67202 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1101525

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401
Issuance Date: 04/26/2016

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, 100 N. Broadway, Suite 470, Wichita, KS 67202**

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

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

Inspection Number: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016



Citation and Notification of Penalty

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.22(a)(2): The floor of every work room was not maintained in a clean and, so far as possible, dry condition. Where wet processes were used, drainage was not maintained, and false floors, platforms, mats, or other dry standing places were not provided when practicable:

The employer failed to protect employees working in the formation area and charging rooms. This was most recently documented where employees were exposed to slip, trip and caustic burn hazards. Acid and water had accumulated on the floor in the following locations:

- a) The area near the door way to the charging room had water and sulfuric acid on the floor from the leaking sulfuric acid tank on the initial fill line.
- b) The floor in the charging room had water up to 3 inches deep in the center of the room as a result of the cooling water leaking from the cascade system.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated: 06/09/2016
Proposed Penalty: \$5,500.00

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

Inspection Number: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016



Citation and Notification of Penalty

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.22(a)(3): Every floor, working area, or passageway was not kept free from protruding nails, splinters, holes, or loose boards:

The employer failed to protect employees working in the formation area. This was most recently documented where employees were exposed to slip and trip hazards in that sulfuric acid had corroded the floor and caused the floor to heave. The heaving floor caused the bricks to come loose and resulted in holes in the following locations:

- a) Formation area on the north side of the acid top-off line, to the west of the portable eye wash station.
- b) Formation area on the north side of the acid top-off line, to the east of the portable eye wash station.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated: 06/09/2016
Proposed Penalty: \$4,400.00

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: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points:

The employer failed to protect employees working in the charging room. This was most recently documented where employees were exposed to burns from fires and smoke inhalation hazards in that the temporary supports for the electrical cable trays impeded egress paths for the following locations:

- a) at the end of the 1st line of batteries on charge. Width measured 24 inches wide.
- b) at the end of the second row, from the west wall of the charging room. Width measured 18 inches wide.
- c) between the second and third rows of charging lines, from the west wall of the charging room. Width measured 20 inches wide.
- d) at the north end of the third row of charging lines, from the west wall of the charging room. Width measured 18 inches wide.
- e) between the third and fourth charging lines, from the west wall of the charging room. Width measured 14 inches wide.
- f) between the sixth and seventh charging lines, from the west wall of the charging room. Width measured 16 inches wide.
- g) at the end of the seventh row of charging lines, from the west wall of the charging room. Width measured 22 inches wide.
- h) between the seventh and eighth charging lines, from the west end of the charging room. Width measured 24 inches wide.
- i) between the 10th and eleventh charging lines from the west end of the charging room. Width measured 22 inches wide.

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: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016



Citation and Notification of Penalty

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/09/2016
\$5,500.00

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: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016



Citation and Notification of Penalty

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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 1910.303(b)(1)(vi): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees. Arcing effects was not taken into consideration in determining the safety of the equipment:

The employer is failing to protect employees working on the main line in the formations department. This was most recently documented where employees were exposed to electrical shock and fire hazards in that a 120 volt power strip was used to power a radio and computer equipment had experienced arcing and had been damaged.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:	05/18/2016
Proposed Penalty:	\$4,400.00

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: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016



Citation and Notification of Penalty

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.305(a)(2)(i): Temporary electrical power and lighting installations rated 600 volts, nominal, or less were used for purposes other than those permitted in subparagraphs (A), (B) and (C) of this paragraph:

The employer is failing to protect employees working on the main line in the formations department. This was most recently documented where employees were exposed to electrical shock and fire hazards in that 120 volt AC power strip was used with an extension cord to power fixed equipment.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:

05/18/2016

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: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.303(b)(6): Conductors or equipment were located in damp or wet locations; where exposed to gases, fumes, vapors, liquids, or other agents that had a deteriorating effect on the conductors or equipment; or where exposed to excessive temperatures and were not identified for use in the operating environment:

The employer is failing to protect employees working in the formation and battery charging rooms. This was most recently documented where employees were exposed to electrical shock and burn hazards in that electrical equipment was not installed for use in areas where sulfuric acids were present for the following pieces of equipment:

- a) 240 volt AC Formation Filler Pump Motor Controller located in the center of the main formation line near the eye wash.
- b) 240 volt AC Formation Filler Pump Main control box and disconnect located in the center of the main formation line near the eye wash adjacent (to the east) of the AC Formation Filler Pump Motor Controller
- c) 240 volt AC Motor Control Panel for Lake Warren located just to the north side of the Lake Warren pit.
- d) 480 volt AC Breaker Panel W mounted on the wall between Lake Warren and the Charging Room.
- e) 208 volt AC breaker panel WW mounted on the wall between Lake Warren and the Charging Room.
- f) 208 volt AC breaker panel ZZ mounted on the wall between Lake Warren and the Charging Room.
- g) 480 volt AC motor control panel MCC #1 and corresponding 10 motor controller/disconnect switches of MCC #1 mounted on the wall between Lake Warren and the Charging Room.
- h) 120 volt AC electrical outlets mounted on the wall between Lake Warren and the Charging Room just to the west of MCC #1.

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: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

- i) 480 volt AC PH Control box motor controller mounted on the wall between the east and west charging rooms near the water treatment pit.
- j) 480 volt AC disconnect box between the PH Control Box motor controller and the 240 volt AC breaker panel DDD mounted on the wall between the east and west charging rooms near the water treatment pit.
- k) 240 volt AC breaker panel DDD mounted on the wall between the east and west charging rooms near the water treatment pit.
- l) 480/240 volt electrical box above the 240 volt AC breaker panel DDD mounted on the wall between the east and west charging rooms near the water treatment pit.
- m) 480 volt disconnect for the Northwest Pump mounted on the wall between the east and west charging rooms near the water treatment pit.
- n) 480 volt AC panel P-2 mounted on the wall between the east and west charging rooms near the water treatment pit.
- o) 480 volt AC disconnect for the south pump disconnect mounted on the wall between the east and west charging rooms near the water treatment pit.
- p) 480 volt AC disconnect for the east pump mounted on the wall between the east and west charging rooms near the water treatment pit.
- q) 480 volt AC disconnect for the main cooling tower mounted on the wall between the east and west charging rooms near the water treatment pit.
- r) 480 volt AC disconnect for the cooling fan #4 mounted on the wall between the east and west charging rooms near the water treatment pit.
- s) 480 volt AC disconnect for the cooling fan #3 mounted on the wall between the east and west charging rooms near the water treatment pit.

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: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

charging rooms near the water treatment pit.

- t) 480 volt electrical box above the disconnect for the cooling fan #4 mounted on the wall between the east and west charging rooms near the water treatment pit.
- u) 480 volt electrical box above the disconnect for the cooling fan #3 mounted on the wall between the east and west charging rooms near the water treatment pit.
- v) 480 volt electrical disconnect to the right of the cooling fan #3 disconnect mounted on the wall between the east and west charging rooms near the water treatment pit.
- w) 480 volt electrical disconnect under the electrical box labeled #4 mounted on the wall between the east and west charging rooms near the water treatment pit.
- x) 480 volt electrical disconnect D4A mounted on the wall between the east and west charging rooms near the water treatment pit.
- y) 480 volt electrical disconnect D4B mounted on the wall between the east and west charging rooms near the water treatment pit.
- z) 480 volt electrical disconnect cooling tower fans mounted on the wall between the east and west charging rooms near the water treatment pit.
- aa) 480 volt motor control panel cascade pit mounted on the wall between the east and west charging rooms near the water treatment pit.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/09/2016
\$7,000.00

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: 1101525
Inspection Date(s): 10/27/2015 - 01/28/2016
Issuance Date: 04/26/2016



Citation and Notification of Penalty

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

The employer is failing to protect employees working in the formation area. This was most recently documented where employees were exposed to electrical shock hazards in that there was an unused opening in the door of the EN-3, 240 volt AC motor control cabinet.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/18/2016
\$5,500.00

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: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

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

29 CFR 1910.303(b)(6): Conductors or equipment were located in damp or wet locations; where exposed to gases, fumes, vapors, liquids, or other agents that had a deteriorating effect on the conductors or equipment; or where exposed to excessive temperatures and were not identified for use in the operating environment:

The employer is failing to protect employees working in the formation and battery charging rooms. This was most recently documented where employees were exposed to struck-by and electrical shock hazards in that electrical equipment was not installed for use in areas where sulfuric acids were present for the following pieces of equipment:

- a) Battery Charging cable tray located along the north wall of the charging room on the first row of battery charge stations from the west wall of the charging room.
- b) Battery Charging cable tray located along the north wall of the charging room on the second row of battery charge stations from the west wall of the charging room.
- c) Battery Charging cable tray located along the north wall of the charging room between the second and third rows of battery charge stations from the west wall of the charging room.
- d) Battery Charging cable tray located along the north wall of the charging room on the third row of battery charge stations from the west wall of the charging room.
- e) Battery Charging cable tray located along the north wall of the charging room between the third and fourth rows of battery charge stations from the west wall of the charging room.
- f) Battery Charging cable tray located on the fifth row of battery charging stations from the west wall of the charging at charging stations RR09-12 and RR13-16.
- g) Battery Charging cable tray located along the north wall of the charging room between the fourth and fifth rows of battery charge stations from the west wall of the charging room.

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: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401

- h) Battery Charging cable tray located on the fifth row of battery charging stations from the west wall of the charging at charging station QQ01-04.
- i) Battery Charging cable tray located along the north wall of the charging room between the sixth and seventh rows of battery charge stations from the west wall of the charging room.
- j) Battery Charging cable tray located along the north wall of the charging room between the seventh and eighth rows of battery charge stations from the west wall of the charging room near charging station E29-32.
- k) Battery Charging cable tray located along the north wall of the charging room between the seventh and eighth rows of battery charge stations from the west wall of the charging room.
- l) Battery Charging cable tray located along the north wall of the charging room between the ninth and tenth rows of battery charge stations from the west wall of the charging room.
- m) Battery Charging cable tray located along the north wall of the charging room between the tenth and eleventh rows of battery charge stations from the west wall of the charging room near charging station T29-32.
- n) Battery Charging cable tray located along the north wall of the east charging room between the first and second rows of battery charge stations from the west wall of the east charging room.

29 CFR 1903.19(d)(1): Requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/09/2016
\$70,000.00


Judy Freeman
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
100 N. Broadway
Suite 470
Wichita, KS 67202
Phone: 316-269-6644 Fax: 316-269-6185



INVOICE / DEBT COLLECTION NOTICE

Company Name: Exide Technologies
Inspection Site: 413 E. Berg Rd., Salina, KS 67401
Issuance Date: 04/26/2016

Summary of Penalties for Inspection Number	1101525
Citation 1, Serious	\$32300.00
Citation 2, Willful	\$70000.00
TOTAL PROPOSED PENALTIES	\$102300.00

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.


Judy Freeman
Area Director

04.26.2016
Date