



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

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

- (a) On or about December 7, 2015, employees entered the jet zone to the Extruder and were not informed of the entanglement and asphyxiation hazards by the posting of signs identifying the area to be a confined space.
- (b) On or about November 30, 2015, employees entered the Surge Bin and were not informed of the entanglement and burn hazards by the posting of signs identifying the area to be a confined space.
- (c) On or about November 24, 2015, employees entered the jet zone to the Extruder and were not informed of the entanglement and asphyxiation hazards by the posting of signs identifying the area to be a confined space.

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

Certification, with date and method of abatement required.

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/06/2016
\$5500.00



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

29 CFR 1910.146(c)(5)(ii)(C): Employees entered into permit spaces that met the conditions set forth in 29 CFR 1910.146(c)(5)(i) but before an employee entered the space, the internal atmosphere was not tested with a calibrated direct-reading instrument:

(a) On or about December 7, 2015, the employer did not ensure that employees utilized a direct reading air monitoring instrument for oxygen, flammable vapors, flammable gases, and potential toxic air contaminants; prior to entry into the jet zone of the Extruder Line. This exposed employees to suffocation hazards which could result in death.

(b) On or about November 30, 2015, the employer did not ensure that employees utilized a direct reading air monitoring instrument for oxygen, flammable vapors, flammable gases, and potential toxic air contaminants; prior to entry into the Surge Bin of the Extruder Line. This exposed employees to suffocation hazards which could result in death.

(c) On or about November 24, 2015, the employer did not ensure that employees utilized a direct reading air monitoring instrument for oxygen, flammable vapors, flammable gases, and potential toxic air contaminants; prior to entry into the jet zone of the Extruder Line. This exposed employees to suffocation hazards which could result in death.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/06/2016
\$7000.00

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

Inspection Number: 1107988
Inspection Date(s): 11/24/2015 - 11/24/2015
Issuance Date: 05/17/2016



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

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

(a) On or about November 24, 2015, employees entered the Jet Zone and the employer did not develop and implement procedures to summon rescue and emergency services in the event an employee needed to be retrieved from a confined space. Authorized employees were not provided with equipment and training to rescue employees from confined spaces. This exposed employees to suffocation, entanglement and other hazards which could result in death.

Certification, with date and method of abatement required.

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated: 06/06/2016
Proposed Penalty: \$5500.00

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: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

(a) On or about November 24, 2015, employees entered the Jet Zone (confined space) and the employer did not ensure that all employees which enter confined spaces were provided with adequate training on their duties to perform confined space entry and/or attendant duties; such as but not limited to: testing of air quality, control of hazardous energy sources, and rescue procedures and/or technique. This exposed employees to suffocation, entanglement and other hazards which could result in death.

Certification, with date and method of abatement required.

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/06/2016
\$5500.00

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

Inspection Number: 1107988
Inspection Date(s): 11/24/2015 - 11/24/2015
Issuance Date: 05/17/2016



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

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

(a) On or about November 24, 2015, the employer did not ensure that procedures were documented and utilized when employees conducted cleaning operations of the airlocks, on the Wolverine Proctor extruder. This exposed employees to amputation hazards from the rotating blades while the airlock continued to rotate (kinetic energy) after the electrical power was de-energized.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/06/2016
\$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: 1107988
Inspection Date(s): 11/24/2015 - 11/24/2015
Issuance Date: 05/17/2016



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

- (a) The employer did not conduct an inspection of the energy control procedures and authorized employees, at least annually, to ensure compliance with the procedures while servicing and cleaning of machinery was performed. This exposed employees to amputation hazards when failing to conduct lock-out/tag-out.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/06/2016
\$7000.00

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



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

(a) On or about December 15, 2015, the employer did not ensure that a fire extinguisher near the extruder line was readily accessible. This exposed employees to fire and smoke hazards.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$3300.00

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

(a) On or about November 24, 2015, the employer failed to ensure that the airlock, on the southeast portion of the extruder line, was properly guarded to prevent employees from accessing the rotating blades. This exposed employees to amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated: 05/23/2016
Proposed Penalty: \$7000.00



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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 1910.303(b) (7) (i): Unused opening in electrical cabinets were not effectively closed to provide substantially equivalent protection to the equipment:

- (a) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on energized junction boxes were properly closed to prevent accumulation of contaminants and prevent employees from accessing the energized parts, on the northeast side of the extruder line. This exposed employees to electrical shock and fire hazards.
- (b) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on energized junction boxes were properly closed to prevent accumulation of contaminants and prevent employees from accessing the energized parts, on the northwest side of the extruder line. This exposed employees to electrical shock and fire hazards.
- (c) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on energized junction boxes were properly closed to prevent accumulation of contaminants and prevent employees from accessing the energized parts, on the southeast side of the extruder line. This exposed employees to electrical shock and fire hazards.

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

Inspection Number: 1107988
Inspection Date(s): 11/24/2015 - 11/24/2015
Issuance Date: 05/17/2016



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

(d) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on energized junction boxes were properly closed to prevent accumulation of contaminants and prevent employees from accessing the energized parts, on the southwest side of the extruder line. This exposed employees to electrical shock and fire hazards.

Certification, with date and method of abatement required.

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/06/2016
\$3300.00

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: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

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

- (a) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on the energized junction box on the northeast side of the extruder line was properly closed to prevent accumulation of grain dust which could create a fire/deflagration hazard.
- (b) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on the energized junction box on the northwest side of the extruder line was properly closed to prevent accumulation of grain dust which could create a fire/deflagration hazard.
- (c) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on the energized junction box on the southeast side of the extruder line was properly closed to prevent accumulation of grain dust which could create a fire/deflagration hazard.
- (d) On or about November 24, 2015, the employer did not ensure that the plugs/knockouts on the energized junction box on the southwest side of the extruder line was properly closed to prevent accumulation of grain dust which could create a fire/deflagration hazard.

Ensure all electrical installations are dust tight in accordance with NFPA 86-2015, section A.8.3.1.4.

Certification, with date and method of abatement required.

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:

07/05/2016



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

29 CFR 1910.147(d): The established procedure for the application of energy control (the lockout or tagout procedures) did not cover the actions listed in and was not done in sequence as required by 29 CFR 1910.147(d)(1)-(6):

(a) On or about November 24, 2015, employees were exposed to machine hazards associated with moving blades when they engaged in cleaning activities on the Wolverine Proctor Extruder. The employer did not ensure that employees implemented energy control application steps prior to allowing them to clean the discharge chutes. As a result, the remaining applicable energy control elements involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from amputation hazards.

The Nature's Path USA II LLC, was previously cited for a violation of this occupational safety and health standard or its equivalent standard (29 CFR 1910.147(d)), which was contained in OSHA inspection number 644558, citation number 1, item number 3 and was affirmed as a final order on November 21, 2012, with respect to a workplace located at W227 N6088 Sussex Road, Sussex, WI 53089.

The Nature's Path USA II LLC, was previously cited for a violation of this occupational safety and health standard or its equivalent standard (29 CFR 1910.147(d)(4)(i)), which was contained in OSHA inspection number 882223, citation number 1, item number 1 and was affirmed as a final order on October 30, 2013, with respect to a workplace located at W227 N6088 Sussex Road, Sussex, WI 53089.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:

06/06/2016

Proposed Penalty:

\$38500.00

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: 1107988
Inspection Date(s): 11/24/2015 - 11/24/2015
Issuance Date: 05/17/2016



Citation and Notification of Penalty

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089

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

29 CFR 1904.29(b)(1): A Log of all recordable work-related injuries and illnesses (OSHA Form 300 or equivalent) was not completed in the detail as required by the regulation:

- (a) The employer did not complete the OSHA Form 300 as required; in that column F of the 2015 Log did not contain the object/substance which directly injured or made the employee ill, and standard threshold shifts were not recorded on the log within 7 calendar days.

Certification, with date and method of abatement required.

Certification of abatement is required by 29 CFR Part 1903 and is to be submitted within (10) calendar days after the abatement date.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/20/2016
\$1000.00


for Christine Zortman
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
310 W. Wisconsin Avenue
Room 1180
Milwaukee, WI 53203
Phone: 414-297-3315 Fax: 414-297-4299



INVOICE / DEBT COLLECTION NOTICE

Company Name: Nature's Path USA II LLC
Inspection Site: W227N6088 Sussex Road, Sussex, WI 53089
Issuance Date: 05/17/2016

Summary of Penalties for Inspection Number	1107988
Citation 1, Serious	\$51100.00
Citation 2, Repeat	\$38500.00
Citation 3, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$90600.00

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

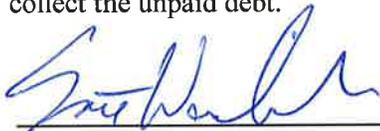
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

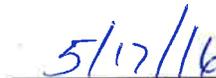
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



for Christine Zortman
Area Director



Date