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:
Fraser Shipyards, Inc.
and its successors
1 Clough Avenue
Superior, WI 54880

Inspection Number: 1125468
Inspection Date(s): 02/10/2016 - 07/25/2016
Issuance Date: 07/29/2016

Inspection Site:
1 Clough Avenue
Superior, WI 54880

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.

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 07/29/2016. 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: 1125468

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880
Issuance Date: 07/29/2016

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: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

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

29 CFR 1910.134(d)(1)(i): Selection of appropriate respirators was not based on the respiratory hazard(s) to which the worker was exposed and user factors that affect respirator performance and reliability:

(a) Herbert C. Jackson; The employer did not select appropriate respirators for employees performing demolition, installation, and fabrication tasks aboard the vessel. Employees wearing half mask elastomeric respirators experienced exposures greater than the respirators designated assigned protection factor of 10.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$7000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.134(d)(3)(i)(A): The employer did not select a respirator that meets or exceeds the required level of employee protection:

(a) Herbert C. Jackson; The employer did not select appropriate respirators for employees torching and welding in the tunnel areas. An employee was wearing a half mask elastomeric respirator with an assigned protection factor of 10 and was exposed 20.79 times the permissible exposure limit.

(b) Herbert C. Jackson; The employer did not select appropriate respirators for employees torching and welding in the engine room areas. An employee was wearing a half mask elastomeric respirator with an assigned protection factor of 10 and was exposed 14.21 times the permissible exposure limit.

(c) Herbert C. Jackson; The employer did not select appropriate respirators for employees torching and welding in the ballast tank areas. An employee was wearing a half mask elastomeric respirator with an assigned protection factor of 10 and was exposed 11.66 times the permissible exposure limit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator:

(a) Herbert C. Jackson; Employees utilizing half mask elastomeric respirators for protection against heavy metals, were not fit tested prior to initial use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$7000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face:

(a) Herbert C. Jackson; Employees utilizing half mask elastomeric respirators for protection against heavy metals were not clean shaven.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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 1910.134(h)(1)(i): Respirators issued for the exclusive use of an employee were not cleaned and disinfected as often as necessary to be maintained in a sanitary condition:

(a) Herbert C. Jackson; Half mask elastomeric respirators utilized for protection against heavy metals were not cleaned as often as necessary to prevent employee exposure. Wipe samples collected from the inside of employees respirators indicated exposures to lead, cadmium, and arsenic.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/12/2016
Proposed Penalty:	$7000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 1 Item 3 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, damaging chemicals, and were not stored to prevent deformation of the facepiece and exhalation valve:

(a) Herbert C. Jackson; Half mask elastomeric respirators utilized for protection against heavy metals were not stored properly between use and at the end of the shift, as to prevent contamination. Employees hung their respirators in the locker room and/or inside of the ship where they were exposed to ambient contamination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.134(k)(1): The employer did not provide effective training initially, annually, or as often as necessary to ensure that each employee could demonstrate knowledge of items (i)-(viii) of this section:

(a) Herbert C. Jackson; Employees utilizing half mask elastomeric respirators for protection against heavy metals were not provided effective training prior to use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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 1910.1018(e)(2): Initial monitoring was not performed for each workplace, or work operation covered by 29 CFR 1910.1018 to accurately determine the airborne concentration of inorganic arsenic to which employees may be exposed:

(a) Herbert C. Jackson; Initial monitoring was not performed to quantify employees exposure to arsenic while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$7000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1018(j)(1): Appropriate protective work clothing and equipment were not used by all workers working in regulated areas, or where the possibility of skin or eye irritation existed from exposure to inorganic arsenic:

(a) Herbert C. Jackson; The employer did not provide appropriate protective clothing for employees exposed to arsenic who had the potential for skin or eye irritation while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1018(k)(1): All surfaces were not maintained as free as practicable of accumulations of inorganic arsenic:

(a) Main Lunch Room; Surfaces including, but not limited to, lunch tables and the soda dispensing machine were not maintained as free as practicable of accumulations of arsenic.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1018(m)(1): Clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment, in accordance with 29 CFR 1910.141(e), were not provided for employees working in regulated areas or in areas subject to the possibility of skin or eye irritation from inorganic arsenic:

(a) Herbert C. Jackson; The employer did not provide change rooms for employees who had the potential for skin or eye irritation from arsenic exposure while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1018(m)(2)(i): Employees working in regulated areas, or subject to the possibility of skin or eye irritation from inorganic arsenic were not required to shower at the end of the work shift:

(a) Herbert C. Jackson; The employer did not require employees who had the potential for skin or eye irritation from arsenic exposure while performing demolition, installation, and fabrication tasks aboard the vessel, to shower at the end of their work shift.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1018(o)(1)(i): A training program was not instituted for each employee who is subject to inorganic arsenic exposure above the action level, without regard to respirator use, or for whom there is a possibility of skin or eye irritation from inorganic arsenic:

(a) Herbert C. Jackson; The employer did not institute a training program for employees who had the potential for skin or eye irritation from arsenic exposure while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1018(o)(1)(ii): Training was not provided for employee(s) at the time of initial assignment to an area where employees are subject to inorganic arsenic exposure above the action level, or for whom there is a possibility of skin or eye irritation from inorganic arsenic in regards to sections 1910.1018(o)(1)(ii)(A)-(F):

(a) Herbert C. Jackson; Training on sections 1910.1018(o)(1)(ii)(A)-(F) of the standard was not provided initially for employees who had the potential for skin or eye irritation from arsenic exposure while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1025(j)(1)(i): A medical surveillance program was not instituted for all employee(s) who were, or could be, exposed to lead above the action level for more than thirty days per year:

(a) Herbert C. Jackson; A medical surveillance program was not instituted for employees who were, or could have been, exposed to lead above the action level while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$7000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1025(m)(2)(i): Warning signs bearing the legend: WARNING, LEAD WORK AREA, POISON, NO SMOKING OR EATING, were not posted in each work area where the permissible exposure limit (PEL) was exceeded:

(a) Herbert C. Jackson; The employer did not post warning signs in each work area where employees performing demolition, installation, and fabrication tasks were exposed to lead in excess of the permissible exposure limit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$7000.00

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

Inspection Number: 1125468
Inspection Date(s): 02/10/2016 - 07/25/2016
Issuance Date: 07/29/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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 7 a Type of Violation: **Serious**

29 CFR 1910.1027(d)(1)(i): The employer did not determine whether any employee was exposed to cadmium at or above the action level:

(a) Herbert C. Jackson; Initial monitoring was not performed to quantify employees exposure to cadmium while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$5000.00

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: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1027(i)(1): Where skin or eye irritation was associated with cadmium exposure at any level, the employer did not ensure that employees used appropriate protective work clothing and equipment that prevented contamination of the employee and the employee's garments:

(a) Herbert C. Jackson; The employer did not provide appropriate protective clothing for employees exposed to cadmium while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1027(k)(1): Surfaces were not maintained as free as practicable of accumulations of cadmium:

(a) Main Lunch Room; Surfaces including, but not limited to, employee lunchboxes were not maintained as free as practicable of accumulations of cadmium.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1027(m)(4)(i): The employer did not institute a training program for all employees who were potentially exposed to cadmium, ensure employee participation in the program, and maintain a record of the contents of such program:

(a) Herbert C. Jackson; The employer did not institute a training program for employees potentially exposed to cadmium while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1027(m)(4)(ii): Employee information and training were not provided prior to or at the time of initial assignment to a job involving potential exposure to cadmium and at least annually thereafter:

(a) Herbert C. Jackson; The employer did not initially provide information and training to employees potentially exposed to cadmium while performing demolition, installation, and fabrication tasks aboard the vessel.

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1027(m)(4)(iii): The employer did not ensure that each employee who is potentially exposed to cadmium was informed of sections 1910.1027(A)-(H):

(a) Herbert C. Jackson; Training on sections 1910.1027 (m)(4)(iii)(A)-(H) of the standard was not conducted for employees potentially exposed to cadmium while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1915.73(d): When employees were exposed to unguarded edges of decks, platforms, flats, or similar flat surfaces, more than 5 feet above a solid surface, the edges were not guarded by adequate guardrails meeting the requirements of 29 CFR 1915.71(j)(1) and (2):

(a) Herbert C. Jackson, Engine Room; On February 10, 2016, employees were exposed to fall hazards of approximately 12 feet while working from an unguarded main deck during boiler removal operations.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $7000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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 1915.1000(a)(2):Employee(s) were exposed to airborne concentrations of iron oxide listed in Table Z, in excess of the 8-hour time weighted average (TWA) concentration of 10 milligrams per cubic meter (mg/m3):

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to iron oxide did not exceed 10 milligrams per cubic meter (mg/m3)of air, as an 8-hour time weighted average (TWA). This violation occurred on March 23, 2016 where the employee was welding/torching/grinding in the tunnel entrance installing a door; the employee was exposed to iron oxide at an 8-hour TWA of 22.16 mg/m3 of air, approximately 2.22 times the permissible exposure limit of 10 mg/m3. Sampling was performed for 474 minutes during one shift. Zero exposure was assumed for the 6 minute period not sampled.

(b) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to iron oxide did not exceed 10 milligrams per cubic meter (mg/m3)of air, as an 8-hour time weighted average (TWA). This violation occurred on February 10, 2016 where the employee was welding in ballast tank #5; the employee was exposed to iron oxide at an 8-hour TWA of 13.75 mg/m3 of air, approximately 1.38 times the permissible exposure limit of 10 mg/m3. Sampling was performed for 329 minutes during one shift. Zero exposure was assumed for the 151 minute period not sampled.

(c) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to iron oxide did not exceed 10 milligrams per cubic meter (mg/m3)of air, as an 8-hour time weighted average (TWA). This violation occurred on February 11, 2016 where the employee was welding in ballast tank #5; the employee was exposed to iron oxide at an 8-hour TWA of 12.56 mg/m3 of air, approximately 1.26 times the permissible exposure limit of 10 mg/m3. Sampling was performed for 466 minutes during one shift. Zero exposure was assumed for the 14 minute period not sampled.

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$6000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1915.1000(d)(1)(i): When determined by the computational formula specified in 29 CFR 1915.1000(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) Herbert C. Jackson; The employer did not ensure that employee exposure to concentrations of more than one substance does not exceed the permissible exposure for the mixture of heavy metals to include iron oxide fume, copper fume, and inorganic lead. The mixture has additive toxic effects on the central nervous system, respiratory system, and the eyes. This violation occurred on February 10, 2016 where the employee was welding in the Engine Room. The employee was exposed to iron oxide fume at an 8-hour time weighted average (TWA) of 1.7864 milligrams per cubic meter (mg/m3) of air, approximately 0.18 times the permissible exposure limit (PEL) of 10 mg/m3; copper fume at an 8-hour TWA of 0.0055 mg/m3 of air, approximately 0.055 times the PEL of 0.1 mg/m3; and lead at an 8-hour TWA of 0.0476 mg/m3 of air, approximately 0.95 times the PEL of 0.05 mg/m3. The exposure concentration was approximately 1.19 times the permissible 8-hour TWA concentration for the mixture. Sampling was performed for 293 minutes. Zero exposure was assumed for the 187 minute period not sampled.

(b) Herbert C. Jackson; The employer did not ensure that employee exposure to concentrations of more than one substance does not exceed the permissible exposure for the mixture of heavy metals to include iron oxide fume, copper fume, inorganic lead, and zinc oxide fume. The mixture has additive toxic effects on the central nervous system, respiratory system, and the eyes. This violation occurred on February 10, 2016 where the employee was welding in the conveyor tunnel. The employee was exposed to iron oxide fume at an 8-hour time weighted average (TWA) of 6.2531 milligrams per cubic meter (mg/m3) of air, approximately 0.63 times the permissible exposure limit (PEL) of 10 mg/m3; copper fume at an 8-hour TWA of 0.0104 mg/m3 of air, approximately 0.10 times the PEL of 0.1 mg/m3; lead at an 8-hour TWA of 0.0176 mg/m3 of air, approximately 0.35 times the PEL of 0.05 mg/m3, and zinc oxide fume at an 8-hour TWA of 0.0299 mg/m3 of air, approximately 0.006 times the PEL of 5.0 mg/m3.The exposure concentration was approximately 1.09 times the permissible 8-hour TWA

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

concentration for the mixture. Sampling was performed for 324 minutes. Zero exposure was assumed for the 156 minute period not sampled.

(c) Herbert C. Jackson; The employer did not ensure that employee exposure to concentrations of more than one substance does not exceed the permissible exposure for the mixture of heavy metals to include iron oxide fume, copper fume, inorganic lead, and zinc oxide fume. The mixture has additive toxic effects on the central nervous system, respiratory system, and the eyes. This violation occurred on February 10, 2016 where the employee was welding in the conveyor tunnel. The employee was exposed to iron oxide fume at an 8-hour time weighted average (TWA) of 6.9224 milligrams per cubic meter (mg/m3) of air, approximately 0.69 times the permissible exposure limit (PEL) of 10 mg/m3; copper fume at an 8-hour TWA of 0.0132 mg/m3 of air, approximately 0.13 times the PEL of 0.1 mg/m3; lead at an 8-hour TWA of 0.0145 mg/m3 of air, approximately 0.29 times the PEL of 0.05 mg/m3, and zinc oxide fume at an 8-hour TWA of 0.0936 mg/m3 of air, approximately 0.019 times the PEL of 5.0 mg/m3.The exposure concentration was approximately 1.13 times the permissible 8-hour TWA concentration for the mixture. Sampling was performed for 374 minutes. Zero exposure was assumed for the 106 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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 10 a Type of Violation: **Serious**

29 CFR 1915.1026(d)(1): The employer with a workplace or work operation covered by this standard did not determine the 8-hour time-weighted average exposure for each employee exposed to chromium (VI):

(a) Herbert C. Jackson; Initial monitoring was not performed to quantify employees exposure to chromium (VI) while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$5000.00

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: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1915.1026(g)(1): Where a hazard was present or was likely to be present from skin or eye contact with chromium (VI); the employer did not provide appropriate personal protective clothing, and did not ensure that employees used such clothing and equipment:

(a) Herbert C. Jackson; The employer did not provide appropriate protective clothing for employees exposed to chromium (VI) who had the potential for skin or eye contact while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1915.1026(j)(1): The employer did not include chromium (VI) in the program established to comply with the Hazard Communication Standard (HCS) (1910.1200); and did not ensure that each employee was trained in accordance with the provisions of the HCS and paragraph (j)(2) of this section as well as the hazards associated with chromium (VI) exposure such as, but not limited to, cancer, skin sensitization, and eye irritation:

(a) Herbert C. Jackson; The employer did not include chromium (VI) in their Hazard Communication program, and did not ensure employees performing demolition, installation, and fabrication tasks aboard the vessel were trained on the hazards related to chromium (VI).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

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

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on February 10, 2016 when an employee welding in Ballast Tank #5 was exposed to lead at a 10-hour TWA of 466.3 ug/m3 of air, approximately 11.66 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 329 minutes during one shift. Zero exposure was assumed for the 271 minute period not sampled.

(b) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on February 11, 2016 when an employee welding in Ballast Tank #5 was exposed to lead at a 10-hour TWA of 161.9 ug/m3 of air, approximately 4.05 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 466 minutes during one shift. Zero exposure was assumed for the 134 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on February 10, 2016 (exposure to lead at a 10-hour TWA of 466.3 ug/m3 of air, approximately 11.66 times the permissible exposure limit of 40 ug/m3) and on February 11, 2016 (exposure to lead at a 10-hour TWA of 161.9 ug/m3 of air, approximately 4.05 times the permissible exposure limit of 40 ug/m3) while welding in ballast tank #5.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on February 10, 2016 (exposure to lead at a 10-hour TWA of 466.3 ug/m3 of air, approximately 11.66 times the permissible exposure limit of 40 ug/m3) and on February 11, 2016 (exposure to lead at a 10-hour TWA of 161.9 ug/m3 of air, approximately 4.05 times the permissible exposure limit of 40 ug/m3) while welding in ballast tank #5.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

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

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching/grinding in the tunnel entrance area was exposed to lead at a 10-hour TWA of 831.7 ug/m3 of air, approximately 20.79 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 474 minutes during one shift. Zero exposure was assumed for the 126 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 831.7 ug/m3 of air, approximately 20.79 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the tunnel entrance area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 831.7 ug/m3 of air, approximately 20.79 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the tunnel entrance area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 3 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching in the engine room was exposed to lead at a 10-hour TWA of 729.6 ug/m3 of air, approximately 18.24 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 451 minutes during one shift. Zero exposure was assumed for the 149 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 3 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 729.6 ug/m3 of air, approximately 18.24 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 3 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 729.6 ug/m3 of air, approximately 18.24 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 4 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching in the engine room was exposed to lead at a 10-hour TWA of 568.2 ug/m3 of air, approximately 14.21 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 506 minutes during one shift. Zero exposure was assumed for the 94 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 4 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 568.2 ug/m3 of air, approximately 14.21 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 4 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 568.2 ug/m3 of air, approximately 14.21 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 5 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching in the engine room was exposed to lead at a 10-hour TWA of 560.6 ug/m3 of air, approximately 14.02 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 495 minutes during one shift. Zero exposure was assumed for the 105 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 5 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 560.6 ug/m3 of air, approximately 14.02 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 5 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 560.6 ug/m3 of air, approximately 14.02 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 6 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching in the side tank was exposed to lead at a 10-hour TWA of 373.5 ug/m3 of air, approximately 9.34 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 473 minutes during one shift. Zero exposure was assumed for the 127 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 6 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 373.5 ug/m3 of air, approximately 9.34 times the permissible exposure limit of 40 ug/m3) while welding/torching in the side tank.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 6 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 373.5 ug/m3 of air, approximately 9.34 times the permissible exposure limit of 40 ug/m3) while welding/torching in the side tank.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 7 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching/grinding in the engine room was exposed to lead at a 10-hour TWA of 303.0 ug/m3 of air, approximately 7.58 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 430 minutes during one shift. Zero exposure was assumed for the 170 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

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: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 7 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 303.0 ug/m3 of air, approximately 7.58 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 7 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 303.0 ug/m3 of air, approximately 7.58 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 8 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching in the engine room was exposed to lead at a 10-hour TWA of 222.3 ug/m3 of air, approximately 5.56 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 425 minutes during one shift. Zero exposure was assumed for the 175 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 8 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 222.3 ug/m3 of air, approximately 5.56 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room .

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 8 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 222.3 ug/m3 of air, approximately 5.56 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room .

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 9 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on February 11, 2016 when an employee welding/torching in the engine room was exposed to lead at a 10-hour TWA of 111.3 ug/m3 of air, approximately 2.78 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 387 minutes during one shift. Zero exposure was assumed for the 213 minute period not sampled.

(b) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching in the engine room was exposed to lead at a 10-hour TWA of 120.2 ug/m3 of air, approximately 3.01 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 304 minutes during one shift. Zero exposure was assumed for the 296 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 9 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on February 11, 2016 (exposure to lead at a 10-hour TWA of 111.3 ug/m3 of air, approximately 2.78 times the permissible exposure limit of 40 ug/m3) and on March 23, 2016 (exposure to lead at a 10-hour TWA of 120.2 ug/m3 of air, approximately 3.01 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 9 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on February 11, 2016 (exposure to lead at a 10-hour TWA of 111.3 ug/m3 of air, approximately 2.78 times the permissible exposure limit of 40 ug/m3) and on March 23, 2016 (exposure to lead at a 10-hour TWA of 120.2 ug/m3 of air, approximately 3.01 times the permissible exposure limit of 40 ug/m3) while welding/torching in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 10 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on February 11, 2016 when an employee welding in the shell area was exposed to lead at a 10-hour TWA of 103.7 ug/m3 of air, approximately 2.60 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 336 minutes during one shift. Zero exposure was assumed for the 264 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 10 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on February 11, 2016 (exposure to lead at a 10-hour TWA of 103.7 ug/m3 of air, approximately 2.60 times the permissible exposure limit of 40 ug/m3) while welding in the shell plate area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 10 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on February 11, 2016 (exposure to lead at a 10-hour TWA of 103.7 ug/m3 of air, approximately 2.60 times the permissible exposure limit of 40 ug/m3) while welding in the shell plate area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 11 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching/grinding in the ballast tanks/cargo hold areas was exposed to lead at a 10-hour TWA of 181.6 ug/m3 of air, approximately 4.54 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 473 minutes during one shift. Zero exposure was assumed for the 127 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 11 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 181.6 ug/m3 of air, approximately 4.54 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the ballast tanks/cargo hold areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 11 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 181.6 ug/m3 of air, approximately 4.54 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the ballast tanks/cargo hold areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 12 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching/grinding in the ballast tanks/cargo hold areas was exposed to lead at a 10-hour TWA of 136.4 ug/m3 of air, approximately 3.41 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 471 minutes during one shift. Zero exposure was assumed for the 129 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

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: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 12 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 136.4 ug/m3 of air, approximately 3.41 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the ballast tanks/cargo hold areas .

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 12 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 136.4 ug/m3 of air, approximately 3.41 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the ballast tanks/cargo hold areas .

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 13 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/torching/grinding in the shell area was exposed to lead at a 10-hour TWA of 132.8 ug/m3 of air, approximately 3.32 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 512 minutes during one shift. Zero exposure was assumed for the 88 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 13 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 132.8 ug/m3 of air, approximately 3.32 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the shell area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 13 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 132.8 ug/m3 of air, approximately 3.32 times the permissible exposure limit of 40 ug/m3) while welding/torching/grinding in the shell area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

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

Inspection Number: 1125468
Inspection Date(s): 02/10/2016 - 07/25/2016
Issuance Date: 07/29/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 14 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead for more than 8 hours during the work day in excess of the reduced permissible exposure limit:

(a) Herbert C. Jackson; The employer did not ensure that employee(s) exposure to lead did not exceed 40 micrograms per cubic meter (ug/m3) of air, as a reduced 10-hour time weighted average (TWA) for the extended work shift. This violation occurred on March 23, 2016 when an employee welding/grinding in the ballast tanks/storm tunnels/cargo hold areas was exposed to lead at a 10-hour TWA of 93.0 ug/m3 of air, approximately 2.33 times the permissible exposure limit of 40 ug/m3. Sampling was performed for 486 minutes during one shift. Zero exposure was assumed for the 114 minute period not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 14 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(ii): For any employee who is exposed to lead above the permissible exposure limit for 30 days or less per year, where the employer has implemented engineering controls to reduce exposures to 200 micrograms per cubic meter, the employer did not implement any combination of engineering, work practice and respiratory controls to reduce and maintain employee exposure to or below 50 micrograms per cubic meter or less:

(a) Herbert C. Jackson; The employer failed to implement an effective combination of engineering, work practice, and respiratory controls to reduce and maintain employee(s) exposures to or below 40 micrograms per cubic meter or less. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 93.0 ug/m3 of air, approximately 2.33 times the permissible exposure limit of 40 ug/m3) while welding/grinding in the ballast tanks/storm tunnels/cargo hold areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 14 c Type of Violation: **Willful**

29 CFR 1915.53(d)(1): In enclosed spaces, where surfaces covered with toxic preservatives were not stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, employees were not protected by air line respirators meeting the requirements of 1915.154:

(a) Herbert C. Jackson; Surfaces were not stripped of all toxic preservative coatings for a distance of at least 4 inches before hot work was performed, nor were employees required to wear air line respirators. An employee was overexposed to lead on March 23, 2016 (exposure to lead at a 10-hour TWA of 93.0 ug/m3 of air, approximately 2.33 times the permissible exposure limit of 40 ug/m3) while welding/grinding in the ballast tanks/storm tunnels/cargo hold areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 15 Type of Violation: **Willful**

29 CFR 1910.1025(d)(2): An initial determination was not made to determine if any employee may be exposed to lead at or above the action level:

(a) Herbert C. Jackson; Initial monitoring was not performed to quantify employees exposure to lead while performing demolition, installation, and fabrication tasks aboard the vessel. Air sampling performed on February 10, 2016, February 11, 2016, and on March 23, 2016 indicated 14 employee exposures to lead at or above the action level.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 16 a Type of Violation: **Willful**

29 CFR 1910.1025(e)(3)(i): The employer did not implement a written compliance program to reduce exposures to or below the permissible exposure limit, solely by means of engineering and work practice controls:

(a) Herbert C. Jackson; The employer did not implement their written lead compliance program to ensure employees were not exposed to lead above the permissible exposure limit while performing demolition, installation, and fabrication tasks aboard the vessel. Air sampling performed on February 10, 2016, February 11, 2016, and on March 23, 2016 indicated 14 employee exposures to lead above the permissible exposure limit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

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: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 b Type of Violation: **Willful**

29 CFR 1910.1025(g)(1): Appropriate protective work clothing and equipment was not provided at no cost, and utilized, when employee(s) were exposed to lead above the permissible exposure limit (PEL), without regard of the use of respirators, or where the possibility of skin or eye irritation exists:

(a) Herbert C. Jackson; The employer did not provide appropriate protective clothing, including but not limited to, coveralls, shoes or disposable shoe coverlets, at no cost, for employees exposed to lead above the permissible exposure limit while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

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

Inspection Number: 1125468
Inspection Date(s): 02/10/2016 - 07/25/2016
Issuance Date: 07/29/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 c Type of Violation: **Willful**

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

(a) Main Lunch Room; The employer did not ensure that the employee lunchroom surfaces, including but not limited to counters, tables, microwaves, and the soda dispensing machine, were maintained as free as practicable of lead contamination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 d Type of Violation: **Willful**

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

(a) Herbert C. Jackson; Employees utilized shoveling, sweeping, or brushing methods to remove lead accumulations in locations, not limited to, the engine room, bulk heads, tunnels, and the cargo hold areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 e Type of Violation: **Willful**

29 CFR 1910.1025(i)(1): The employer did not ensure that food or beverage was not present, or consumed; tobacco products were not present in areas where employees were exposed to lead in excess of the permissible exposure limit:

(a) Herbert C. Jackson; The employer did not prohibit the presence or consumption of beverages where employees were exposed lead in excess of the permissible exposure limit; a water cooler and cups were located and utilized in the engine room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 f Type of Violation: **Willful**

29 CFR 1910.1025(i)(2)(i): Clean change rooms were not provided for employees exposed to lead in excess of the permissible exposure limit, without regard to the use of respirators:

(a) Herbert C. Jackson; The employer did not provide clean change rooms for employees exposed to lead in excess of the permissible exposure limit during demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 g Type of Violation: **Willful**

29 CFR 1910.1025(i)(2)(ii): Change rooms were not equipped with separate storage facilities for protective work clothing, equipment, and for street clothes to prevent cross contamination from lead:

(a) Herbert C. Jackson; The employer did not provide change rooms that had separate storage facilities for dirty and clean items such as protective work clothing, equipment, and street clothes to prevent cross contamination from lead. Employees had lead overexposures above the permissible exposure limit while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 h Type of Violation: **Willful**

29 CFR 1910.1025(i)(3)(i): Employee(s) exposed to lead in excess of the permissible exposure limit, without regard to the use of respirators, were not required to shower at the end of the work shift:

(a) Herbert C. Jackson; The employer did not require employees with exposure to lead in excess of the permissible exposure limit, to shower at the end of their work shift which involved demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 i Type of Violation: **Willful**

29 CFR 1910.1025(i)(4)(iii): Employee(s) exposed to lead in excess of the permissible exposure limit, without regard to the use of respirators, were not required to wash their hands and face prior to eating, drinking, or smoking:

(a) Herbert C. Jackson; The employer did not ensure that employees involved in demolition, installation, and fabrication tasks aboard the vessel, and exposed to lead above the permissible exposure limit washed their hands and face prior to eating, drinking, and smoking.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/08/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 16 j Type of Violation: **Willful**

29 CFR 1910.1025(i)(4)(iv): Employees entering lunchroom facilities with protective work clothing or equipment were not required to remove surface lead dust by vacuuming, downdraft booth, or other cleaning method(s):

(a) Main Lunch Room; Employees exposed to lead while performing demolition, installation, and fabrication tasks aboard the vessel were not required to remove lead dust contamination before entering the lunch room. Lead was found on several surfaces within the lunch room including, but not limited to, tables, microwaves, and the soda machine buttons.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 17 Type of Violation: **Willful**

29 CFR 1910.1025(f)(2)(i): The employer did not implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m) for each employee required by 29 CFR 1910.1025 to use a respirator:

(a) Herbert C. Jackson; The employer did not ensure the elements of the respiratory protection program were being implemented for each affected employee exposed to lead while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

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

Inspection Number: 1125468
Inspection Date(s): 02/10/2016 - 07/25/2016
Issuance Date: 07/29/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

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

Citation 2 Item 18 a Type of Violation: **Willful**

29 CFR 1910.1025(l)(1)(i): Employee(s) working in an area where there is potential exposure to airborne lead at any level were not informed of the content of Appendices A and B of 29 CFR 1910.1025:

(a) Herbert C. Jackson; Employees were exposed to lead hazards while performing demolition, installation, and fabrication tasks aboard the vessel and were not informed of Appendices A and B of 29 CFR 1910.1025.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 18 b Type of Violation: **Willful**

29 CFR 1910.1025(l)(1)(ii): The employer did not train each employee who is subject to exposure to lead at or above the action level, or for whom the possibility of skin or eye irritation exists, in accordance with the requirements of 29 CFR 1910.1025:

(a) Herbert C. Jackson; The employer did not train each employee who was exposed to lead at or above the action level while performing demolition, installation, and fabrication tasks aboard the vessel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016

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

Inspection Number: 1125468
Inspection Date(s): 02/10/2016 - 07/25/2016
Issuance Date: 07/29/2016

Citation and Notification of Penalty

Company Name: Fraser Shipyards, Inc.
Inspection Site: 1 Clough Avenue, Superior, WI 54880

Citation 2 Item 19 Type of Violation: **Willful**

29 CFR 1915.1001(k)(3)(i): Before work in areas containing ACM and PACM began, the employer did not identify the presence, location, and quantity of ACM, and/or PACM, as required by 29 CFR 1915.1001(k)(1) Communication of Hazards:

(a) Herbert C. Jackson; The employer did not identify and inform employees of the presence, location, and quantity of ACM and/or PACM in areas of the vessel, including but not limited to, the engine room, where employees performed demolition.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2016
Proposed Penalty:	$70000.00

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: **Fraser Shipyards, Inc.**
Inspection Site: **1 Clough Avenue, Superior, WI 54880**
Issuance Date: **07/29/2016**

Summary of Penalties for Inspection Number	**1125468**
Citation 1, Serious	**$65,000.00**
Citation 2, Willful	**$1,330,000.00**
TOTAL PROPOSED PENALTIES	**$1,395,000.00**

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

07/29/2016
Date