

U.S. Department of Labor
Occupational Safety and Health Administration
444 Regency Parkway Drive
Suite 303
Omaha, NE 68114
Phone: 402-553-0171 Fax: 402-551-1288



Citation and Notification of Penalty

To:
Prinz Grain & Feed
and its successors
575 S Main St.
West Point, NE 68788

Inspection Number: 1149329
Inspection Date(s): 05/19/2016 - 11/03/2016
Issuance Date: 11/03/2016

Inspection Site:
575 S Main St.
West Point, NE 68788

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/03/2016. The conference will be held by telephone or at the OSHA office located at 444 Regency Parkway Drive, Suite 303, Omaha, NE 68114 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1149329

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788
Issuance Date: 11/03/2016

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, 444 Regency Parkway Drive, Suite 303, Omaha, NE 68114**

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: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

The employer is failing to protect employees from the physical hazard of being struck in the eye by flying particles of metal and sparks. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska 68788 on or about May 11, 2016. Employee(s) cut into the metal side of the Roll Corn Bin on the roof of the North Feed Mill, using DeWalt Reciprocating Saw and a DeWalt Angle Grinder without using personal protective eyewear. The employees were cutting an access hole in the side of the bin.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with these citations.

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$7839.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.178(q)(7): Industrial trucks were not examined before being placed in service:

The employer is failing to protect employees from the physical hazard of struck-by injuries by not ensuring that inspections are taking place prior to operating a forklift each time that they are used. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska 68788 on May 19, 2016. Employee(s) are operating a forklift on a daily basis. The forklift is being inspected on approximately a weekly basis.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$7839.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(e)(1): The employer did not provide training to employees at least annually and when changes in job assignments would expose them to new hazards in the grain handling facilities:

The employer is failing to ensure that employees who worked at the grain facility were trained at least annually. This violation was most recently observed at 575 South Main St., West Point, Nebraska 68788 on May 19, 2016. Employees have been working and doing various tasks, including but not limited to; entering grain bins, hot work, and general maintenance without receiving training on an annual basis.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$12471.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(f)(1): The employer did not issue a permit for all hot work performed in the grain handling facility:

The employer is failing to protect employees from the physical hazard of an explosion or fire. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska 68788 on or about May 11th, 2016. An employee was cutting into the Roll Corn Bin #1 at the Hog Feed Mill) with a DeWalt Reciprocating Saw and a DeWalt Angle Grinder without a hot work permit being issued or the employer being present for the duration of the work.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$12471.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(g)(1)(ii): Prior to entry, all mechanical, electrical, hydraulic, and pneumatic equipment which presented a danger to employees inside grain storage structures in the grain handling facility were not disconnected, locked out and tagged:

The employer is failing to protect employees from the physical hazard of grain engulfment. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska 68788 on May 18, 2016. Employees were working inside of a grain bin without utilizing lockout or tagout devices and affixing them to each energy isolating device.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$12471.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(g)(4): The employer did not provide equipment for rescue operations, which was specifically suited for the bin, silo, or tank being entered:

The employer is failing to protect employees from the physical hazard of crushing/asphyxiation by grain engulfment. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska, 68788 on May 18, 2016. Employee(s) employees working at a grain handling facility were not provided rescue equipment that was specifically suited for the bin, silo, or tank being entered. Employees entered Roll Corn Bin #1 without a mechanical retrieval system to ensure rescue in the event of entrapment by collapsing grain. The grain collapsed on one of the employees inside of the bin, which resulted in fatal injuries.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$12471.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(g)(6): Employees at the grain handling facility entered bins, silos, or tanks underneath a bridging condition, or where a buildup of grain products on the side could fall and bury them:

The employer is failing to protect employees from the physical hazard of crushing by grain engulfment. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska, 68788 on May 18, 2016. Employee(s) entered Roll Corn Bin #1 on approximately May 11, 2016 while crusted grain product was along the sides of the bin to evaluate the quantity of crusted grain. An employee entered the bin to place an 11 inch wide x 8 foot long plank in the base of the bin in order to stand on while the crusted condition existed.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$12471.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(m)(3): The employer did not maintain a certification record of each preventive maintenance inspection, performed in accordance with this paragraph (m), containing the date of the inspection, the name of the person who performed the inspection and the serial number, or other identifier, of the equipment specified in paragraph (m)(1)(i) of this section that was inspected:

The employer is failing to protect employees from fire hazards which can result from friction and sparks created by inadequately maintained grain handling equipment. This was most recently observed on or about May 11, 2016 and at times thereafter at the north feed mill located at 575 S Main Street, West Point, Nebraska, 68788. Records certifying each preventative maintenance inspection performed on grain handling equipment including but not limited bearings, belts and other moving parts, are not maintained by the employer.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated: 12/19/2016
Proposed Penalty: \$9799.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(m)(4): The employer failed to implement procedures for the use of tags and locks which will prevent the inadvertent application of energy or motion to equipment being repaired, serviced, or adjusted, which could result in employee injury. Such locks and tags shall be removed in accordance with established procedures only by the employee installing them or, if unavailable, by his or her supervisor:

The employer is failing to protect employees from the dangers of unexpected energization or start-up of equipment by not ensuring that specific lockout procedures are developed and utilized in the facility. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska, 68788 on May 19, 2016. Employee(s) are locking out equipment without specific procedures.

Abatement certification and abatement documentation is required for this violation. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$9799.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(g)(1)(i): The employer did not issue a permit for entering bins, silos or tanks in the grain handling facility before the employees entered the bins, silos, or tanks:

The employer is failing to protect employees from the hazards of asphyxia and crushing by grain engulfment. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska 68788 on May 18, 2016. Employees entered Roll Corn Bin #1 without a permit which certifies that the precautions contained in 1910.272(g) are implemented prior to employees entering bins, silos or tanks.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$124709.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(g)(1)(iii): The atmosphere within a bin, silo, or tank in the grain handling facility was not tested for the presence of combustible gases, vapors, toxic agents and oxygen content prior to employee entry:

The employer is failing to protect employees from the hazard of asphyxiation due to a toxic or oxygen deficient atmosphere. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska, 68788 on May 18, 2016. Employees entered Roll Corn Bin #1 without testing the atmosphere to ensure that it was safe to enter.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$124709.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.272(g)(6): Employees at the grain handling facility entered bins, silos, or tanks underneath a bridging condition, or where a buildup of grain products on the side could fall and bury them:

The employer is failing to protect employees from the physical hazard of crushing by grain engulfment. This violation was most recently documented at a worksite located at or near 575 South Main St., West Point, Nebraska, 68788 on May 18, 2016. Employee(s) entered Roll Corn Bin #1 on May 18, 2016 while crusted grain product was along the sides of the bin. Employee #1 went into the grain bin to chip away at the grain to get it to flow into a gravity hopper in order to clean the bin. Employee #2 went into the grain bin to relieve Employee #1 and passed Employee#1 shortly before Employee #1 exited the grain bin. Employee#1 stayed at the door of the grain bin acting as an attendant. Employee #3 then came up to the grain bin and assumed attendant duties. Employee #1 then left the area to check on other clean-up activities. Employee #3 then relieved Employee #2 and began to resume chipping away at the crusted grain on the sides. The grain suddenly collapsed on Employee #3 while inside of the bin. Employee #3 was engulfed in grain and was retrieved from the engulfment. Employee # 3 died from fatal injuries due to asphyxiation and crushing.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$124709.00

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: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

The employer is failing to ensure exit routes are kept free of obstructions. This most recently occurred on or about May 4, 2016 and at times thereafter in the north feed mill warehouse located at 575 S Main Street, West Point, Nebraska, 68788. The exterior exit door on the north side of the building was blocked by a stack of pallets.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	12/19/2016
Proposed Penalty:	\$0.00



Citation and Notification of Penalty

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.157(e)(2): Portable fire extinguishers were not visually inspected at least monthly:

The employer is failing to ensure portable fire extinguishers are visually inspected at least monthly. This most recently occurred on or about May 4, 2016 and at times thereafter in the north feed mill located at 575 S Main Street, West Point, Nebraska, 68788. The fire extinguishers were last visually inspected in August 2014.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:

12/19/2016

Proposed Penalty:

\$0.00



Jeff Funke
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
444 Regency Parkway Drive
Suite 303
Omaha, NE 68114
Phone: 402-553-0171 Fax: 402-551-1288



INVOICE / DEBT COLLECTION NOTICE

Company Name: Prinz Grain & Feed
Inspection Site: 575 S Main St., West Point, NE 68788
Issuance Date: 11/03/2016

Summary of Penalties for Inspection Number	1149329
Citation 1, Serious	\$97631.00
Citation 2, Willful	\$374127.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$471758.00

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.



Jeff Funke
Area Director

11/3/16
Date