

**U.S. Department of Labor** Occupational Safety and Health Administration  
2300 Main Street  
Suite 10071  
Kansas City, MO 64108



07/05/2023

BCP Ingredients, Inc.  
and its successors  
299 Extension Street  
Verona, MO 65769

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (816) 483-9531.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

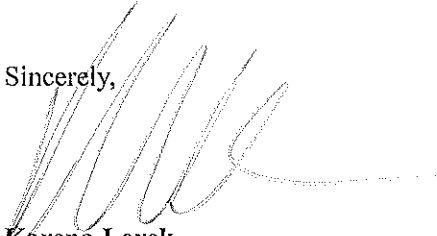
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Karena Lorek', written over a light gray dotted line.

**Karena Lorek**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2300 Main Street  
Suite 10071  
Kansas City, MO 64108



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## Citation and Notification of Penalty

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**To:**  
BCP Ingredients, Inc.  
and its successors  
299 Extension Street  
Verona, MO 65769

**Inspection Number:** 1643586  
**Inspection Date(s):** 01/10/2023 - 01/13/2023  
**Issuance Date:** 07/05/2023

**Inspection Site:**  
299 Extension Street  
Verona, MO 65769

*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.*

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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 by calling (816) 483-9531. 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 at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type “OSHA” in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/05/2023. The conference will be held by telephone or at the OSHA office located at 2300 Main Street, Suite 10071, Kansas City, MO 64108 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1643586**

Company Name: BCP Ingredients, Inc.  
Inspection Site: 299 Extension Street, Verona, MO 65769  
Issuance Date: 07/05/2023

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, 2300 Main Street, Suite 10071, Kansas City, MO 64108.**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review

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

Inspection Number: 1643586  
Inspection Date(s): 01/10/2023 - 01/13/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.119(l)(1): The employer did not establish or implement written procedures to manage changes to process chemicals, technology, equipment, and procedures, and changes to facilities that affect a covered process.

The employer is failing to protect employees from hazards related to exposures to highly hazardous chemicals. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not implement a written management of change procedures when replacing a vessel in Area B with a new vessel. The employer removed a glass lined vessel from Area B, in building V10 and replaced it with a stainless-steel vessel. The stainless-steel vessel is not a "replacement in kind," as the size of the stainless-steel vessel was larger than the glass lined vessel, thus increasing the capacity of the vessel, which leads to an increase in the amount of the highly hazardous chemicals used to manufacture choline chloride and/or choline bitartrate.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$15,625.00

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



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

Inspection Number: 1643586  
Inspection Date(s): 01/10/2023 - 01/13/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

Company Name: BCP Ingredients, Inc.  
Inspection Site: 299 Extension Street, Verona, MO 65769

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

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

The employer is failing to protect employees from hazards related to exposure to hazardous chemicals. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. An employer must designate and train employees to assist in a safe and orderly evacuation of other employees. The employer did not implement the written emergency action plan in that employees were not provided with training on the procedures to understand actions to take in the event of a chemical release or flood emergency.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$15,625.00

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

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

Inspection Number: 1643586  
Inspection Date(s): 01/10/2023 - 01/13/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

Company Name: BCP Ingredients, Inc.  
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

The employer is failing to protect employees from electrical hazards that may result in electrical shock, burns, and/or electrocution. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. The conveyor motor cover on the Fishbein bagger was broken and damaged.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	July 31, 2023
Proposed Penalty:	\$15,625.00

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

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

Inspection Number: 1643586  
Inspection Date(s): 01/10/2023 - 01/13/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.119(d)(3)(i)(B): The employer did not include all equipment that was part of the process on piping and instrument diagrams.

The employer is failing to protect employees from hazards related to highly hazardous chemicals onsite. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not ensure that the Process Safety Information depicted on the Piping and Instrumentation Diagram was up-to-date and accurate.

In building V10, GL-2003 was not listed on the P&I Diagram GL-2001 Reactor and Receiver. The original date of the diagram is May 9, 1995. The most recent update on the document is updated per field check on May 6, 2020.

BCP Ingredients, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.119(d)(3)(i)(B), which was contained in OSHA inspection number 1525776, citation number 1, item number 3 and was affirmed as a final order on 10/27/2021, with respect to a workplace located at 299 Extension Street, Verona, Missouri.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

July 31, 2023

Proposed Penalty:

\$85,938.00

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

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

Inspection Number: 1643586  
Inspection Date(s): 01/10/2023 - 01/13/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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**Citation 2 Item 2**    Type of Violation: **Repeat - Serious**

29 CFR 1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices.

The employer is failing to protect employees from exposure to toxic and or highly hazardous chemicals. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not follow their chosen recognized and generally accepted good engineering practices (RAGAGEP) per ASME A13.1. The employer did not label piping containing ethylene oxide, trimethylamine, hydrochloric acid and ethanol throughout area B. Improperly labeled and lack of labeled process equipment can lead to an employee opening an incorrect valve, inadvertent operation of equipment, and human error exposing employees to fires, explosion, and toxic release of hazards.

BCP Ingredients, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.119(d)(3)(ii), which was contained in OSHA inspection number 1525776, citation number 1, item number 4 and was affirmed as a final order on 10/27/2021, with respect to a workplace located at 299 Extension Street, Verona, Missouri.

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

July 31, 2023

Proposed Penalty:

\$85,938.00

  
\_\_\_\_\_  
**Karena Lorek**  
Area Director

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

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**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2300 Main Street  
Suite 10071  
Kansas City, MO 64108



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name:** BCP Ingredients, Inc.  
**Inspection Site:** 299 Extension Street, Verona, MO 65769  
**Issuance Date:** 07/05/2023

Summary of Penalties for Inspection Number: 1643586

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$15,625.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 2 Item 1, Repeat - Serious	\$85,938.00
Citation 2 Item 2, Repeat - Serious	\$85,938.00

**TOTAL PROPOSED PENALTIES:** **\$218,751.00**

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 at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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.

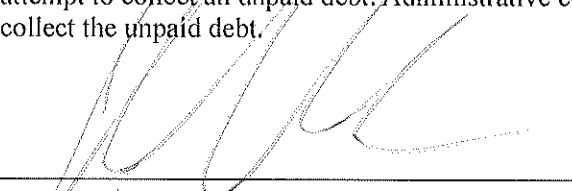
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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 two 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.

  
\_\_\_\_\_

Karena Lorek  
Area Director

  
\_\_\_\_\_

Date

**U.S. Department of Labor** Occupational Safety and Health Administration  
2300 Main Street  
Suite 10071  
Kansas City, MO 64108



07/05/2023

BCP Ingredients, Inc.  
and its successors  
299 Extension Street  
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Dear Employer:

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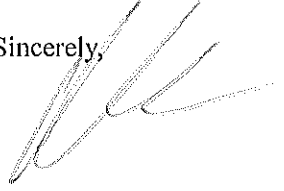
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Sincerely,

A handwritten signature in black ink, appearing to read 'Karena Lorek', written over a dotted line.

**Karena Lorek**  
Area Director

Enclosures



**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2300 Main Street  
Suite 10071  
Kansas City, MO 64108



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## Citation and Notification of Penalty

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**To:**  
BCP Ingredients, Inc.  
and its successors  
299 Extension Street  
Verona, MO 65769

**Inspection Number:** 1643839  
**Inspection Date(s):** 01/10/2023 - 01/10/2023  
**Issuance Date:** 07/05/2023

**Inspection Site:**  
299 Extension Street  
Verona, MO 65769

*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.*

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**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 by calling (816) 483-9531. 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 at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type “OSHA” in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/05/2023. The conference will be held by telephone or at the OSHA office located at 2300

Main Street, Suite 10071, Kansas City, MO 64108 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1643839**

Company Name: BCP Ingredients, Inc.  
Inspection Site: 299 Extension Street, Verona, MO 65769  
Issuance Date: 07/05/2023

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, 2300 Main Street, Suite 10071, Kansas City, MO 64108.**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.134(f)(2): Employee(s) using a tight-fitting facepiece respirator were not annually fit tested:

(a) The employer required employees to work with full face respirators to protect them from hazards associated with exposure to ethylene oxide, which is known to cause health effects such as but not limited to irritation of the eyes, skin, nose, throat, and lungs, and damage to the brain and nervous system. Employees are also required to wear respirators for other tasks which may expose them to chemicals such as but not limited to, trimethylamine. . This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Employees using respirators to handle ethylene oxide were not annually fit tested.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	July 31, 2023
Proposed Penalty:	\$15,625.00

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

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

**Inspection Number:** 1643839  
**Inspection Date(s):** 01/10/2023 - 01/10/2023  
**Issuance Date:** 07/05/2023



**Citation and Notification of Penalty**

**Company Name:** BCP Ingredients, Inc.  
**Inspection Site:** 299 Extension Street, Verona, MO 65769

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**Citation 1 Item 2** 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, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve:

(a) The employer is failing to protect employees from health effects associated with ethylene oxide such as irritation of the eyes, skin, nose, throat, and lungs, and damage to the brain and nervous system. This was most recently documented on April 12, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Two employees' tight-fitting full-face respirators were hung up in a bag in V-25 against the wall where it was exposed to chemicals (ethylene oxide) and deformation of the facepiece.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**July 31, 2023**  
**\$14,733.00**

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

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

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates or markings were maintained in a legible condition:

(a) The employer is failing to protect employees from struck-by, caught under, and crushing hazards. This was most recently documented on April 12, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. A Toyota electric forklift truck (Serial number 10752), operated in V-25, was missing control labels for the control operating hydraulics that moved the height position and clamp actuation.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$9,822.00

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



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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.178(l)(4)(iii):An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

The employer is failing to protect employees from struck-by, caught under, and crushing hazards. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Employees were operating forklifts, manufactured by Doosan and/or Toyota, throughout the plant and did not have an evaluation of their performance at least once every three years.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$0.00

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

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

29 CFR 1910.1047(d)(6)(i): Monitoring was not accurate to a confidence level of 95 percent, to within plus or minus 25 percent for airborne concentrations of ethylene oxide at the 1 parts per million (ppm) time weighted average and to within plus or minus 35 percent for airborne concentrations of ethylene oxide at the action level of 0.5 ppm:

(a) The employer is failing to protect employees from health effects associated with ethylene oxide such as irritation of the eyes, skin, nose, throat, and lungs, and damage to the brain and nervous system. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. The employer's air monitoring results revealed samples that were outside of time parameters, samples not present, and samples not being returned within the manufacturer's maximum recommended holding time. The accuracy of certain samples could not be determined due to these errors.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 21, 2023  
Proposed Penalty: \$15,625.00

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name:** BCP Ingredients, Inc.  
**Inspection Site:** 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.1047(d)(6)(ii):Monitoring was not accurate to a confidence level of 95 percent to within plus or minus 35 percent for airborne concentrations of ethylene oxide at the excursion limit:

(a) The employer is failing to protect employees from health effects associated with ethylene oxide such as irritation of the eyes, skin, nose, throat, and lungs, and damage to the brain and nervous system. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. The employer's air monitoring results revealed samples that were outside of time parameters, samples not present, and samples not being returned within the manufacturer's maximum recommended holding time.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	August 21, 2023
Proposed Penalty:	\$0.00

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

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

**Inspection Number:** 1643839  
**Inspection Date(s):** 01/10/2023 - 01/10/2023  
**Issuance Date:** 07/05/2023



**Citation and Notification of Penalty**

**Company Name:** BCP Ingredients, Inc.  
**Inspection Site:** 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.1047(d)(7)(i): Employees were not notified within 15 working days after receipt of ethylene oxide monitoring results, and in writing either individually, or by posting results in an appropriate location accessible to the affected employees:

(a) The employer is failing to protect employees from health effects associated with ethylene oxide such as irritation of the eyes, skin, nose, throat, and lungs, and damage to the brain and nervous system. This was most recently documented on January 13, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Employees were not notified of the results of air monitoring (ethylene oxide).

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**July 31, 2023**  
**\$12,278.00**

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.1200(f)(6)(ii): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical

The employer is failing to protect employees from chemical contact hazards. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Spray bottles were discovered without labeling or any other marking.

- (a) In V-26, an unlabeled bottle was discovered on a maintenance stand.
- (b) In V-26, an unlabeled bottle was discovered on the equipment Fischbein PBC 6000.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$7,366.00

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.147(c)(5)(ii): Lockout devices and tagout devices were not used for lockout and tagout purposes only:

The employer is failing to protect employees from ethylene oxide health hazards, caught-in, struck-by, and amputation hazards. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Lockout devices were being utilized for other purposes other than controlling energy.

- (a) Two lock-out devices were being used to secure the access panels to the Fischbein PBC 6000 bagger in V-26.
- (b) Lockout devices were being used to lock open several valves in the V-25 compressor room, on, but not limited to, valves HV-147, HV-148, and HV-145.

BCP Ingredients, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 1526237, citation number 1, item number 2, and was affirmed as a final order on October 27, 2021, with respect to a workplace located at 299 Extension Street, Verona, Missouri.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	July 31, 2023
Proposed Penalty:	\$49,110.00

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

Company Name: BCP Ingredients, Inc.  
Inspection Site: 299 Extension Street, Verona, MO 65769

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Citation 2 Item 2 Type of Violation: **Repeat - Serious**

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

(a) The employer is failing to protect employees from serious fire, shock, and burn hazards. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Unused openings in the electrical cabinet located in building v-10 1/2 were open and not effectively closed.

BCP Ingredients, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 1526237, citation number 1, item number 9, and was affirmed as a final order on October 27, 2021, with respect to a workplace located at 299 Extension Street, Verona, Missouri.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$49,110.00

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

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

Inspection Number: 1643839  
Inspection Date(s): 01/10/2023 - 01/10/2023  
Issuance Date: 07/05/2023



**Citation and Notification of Penalty**

**Company Name: BCP Ingredients, Inc.**  
**Inspection Site: 299 Extension Street, Verona, MO 65769**

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

29 CFR 1910.141(g)(4): Food or beverages were stored in area(s) exposed to toxic material(s):

(a) The employer is failing to protect employees from toxic material cross-contamination with drinking water. This was most recently documented on January 10, 2023, at the worksite located at 299 Extension Street, Verona, Missouri. Employer-supplied water jugs were stored in building V-8 in close proximity to chemical overcoats which employees wear when handling lines that contain ethylene oxide, hydrochloric acid, and trimethylamine.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 31, 2023  
\$1,378.00

A handwritten signature in black ink, appearing to read "Karena Lorek", written over a horizontal line.

**Karena Lorek**  
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  
2300 Main Street  
Suite 10071  
Kansas City, MO 64108



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name:** BCP Ingredients, Inc.  
**Inspection Site:** 299 Extension Street, Verona, MO 65769  
**Issuance Date:** 07/05/2023

Summary of Penalties for Inspection Number: 1643839

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$14,733.00
Citation 1 Item 3a, Serious	\$9,822.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 4a, Serious	\$15,625.00
Citation 1 Item 4b, Serious	\$0.00
Citation 1 Item 5, Serious	\$12,278.00
Citation 1 Item 6, Serious	\$7,366.00
Citation 2 Item 1, Repeat - Serious	\$49,110.00
Citation 2 Item 2, Repeat - Serious	\$49,110.00
Citation 3 Item 1, Other-than-Serious	\$1,378.00

**TOTAL PROPOSED PENALTIES:** **\$175,047.00**

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 at [www.pay.gov](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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 two 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.

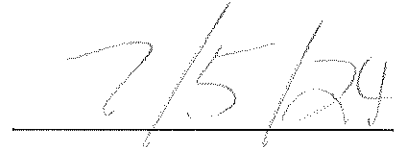
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent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



**Karena Lorek**  
Area Director



Date



July 5, 2023

Terry Anderson  
BCP Ingredients, Inc.  
299 Extension Street  
Verona, MO

Dear Mr. Anderson:

An inspection, #1643839 of your workplace, located at 299 Extension Street, Verona, Missouri., disclosed the following hazard(s):

Employees were discovered to receive medical examinations as part of a yearly checkup of each employee's health. These medical evaluations did not include an assessment for exposures to ethylene oxide.

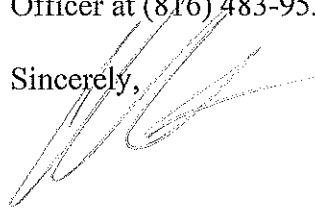
Although our investigation did not reveal sufficient evidence to issue a citation for a violation of Section 5(a) (1), General Duty Clause of the OSH Act or of 1910.1047 Ethylene Oxide, we expect a prudent employer to take the necessary action to remove hazards from the workplace. Pursuant to Section 21 of the Act, which authorizes OSHA to train employer and employees about workplace hazards and appropriate abatement methods, it is recommended that the following steps be taken to eliminate or reduce the hazards described above:

- 1) Medical examinations should include:
  - a. A medical and work history with special emphasis directed to symptoms related to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.
  - b. A physical examination with particular emphasis given to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.
  - c. A complete blood count to include at least a white cell count (including differential cell count), red cell count, hematocrit, and hemoglobin.
  - d. Any laboratory or other test which the examining physician deems necessary by sound medical practice.
- 2) Provide the examining physician the information contained in 1910.1047, the standard and Appendices A, B, and C.

Management commitment and employee involvement are important to assure that the above efforts are implemented in an effective manner. You may provide the Kansas City Area OSHA Office with progress reports on your efforts to address these conditions voluntarily. If you are unable to address the conditions you are advised to seek assistance from an outside third party.

If you have any questions, please feel free to call Zach Dapron, Compliance Safety and Health Officer at (816) 483-9531.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karena Lorek', written over the word 'Sincerely,'.

Karena Lorek  
Area Director