

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (915) 534-6251.**

U.S. Department of Labor

Occupational Safety and Health Administration
4849 North Mesa Suite 200
El Paso, TX 79912
Phone: (915) 534-6251 Fax: (915) 534-6259



July 15, 2021

Dear Employer,

On 03 / 03 / 2021, an OSHA compliance officer met with you or your representative as part of an inspection at 1330 Pullman El Paso, TX 79936. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

Diego Alvarado Jr., Area Director

Your Citation Summary
D&D Manufacturing, Inc.
Inspection Number: 1518231

Total Amount Due: \$54612.00
Payment Due Date: 15 working days
after receipt of
this letter

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

Total Number of Violations : 5
Your First Correction Deadline is:
8 / 3 / 2021

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

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

Option #1 – Discuss with OSHA

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

Option #2 – Correct and Pay

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

Option #3 – Contest the Citation

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

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (915) 534-6251.

Step 2 – Complete One Option Checklist

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

Option #1 – Discuss with OSHA

I will complete by:



1. Call: Diego Alvarado Jr., Area Director, at (915) 534-6251 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****

___ / ___



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

___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:



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

___ / ___



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

___ / ___

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

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

Option #3 – Contest the Citation

I will complete by:



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

___ / ___

U.S. Department of Labor
Occupational Safety and Health Administration
4849 North Mesa
Suite 200
El Paso, TX 79912



Citation and Notification of Penalty

To:
D&D Manufacturing, Inc.
and its successors
1330 Pullman Dr.
El Paso, TX 79936

Inspection Number: 1518231
Inspection Date(s): 03/03/2021 -
Issuance Date: 07/15/2021

Inspection Site:
1330 Pullman
El Paso, TX 79936

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 by calling (915) 534-6251. 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. At the top of the 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. 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 07/15/2021. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1518231

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936
Issuance Date: 07/15/2021

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, 4849 North Mesa, Suite 200, El Paso, TX 79912.**

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: 1518231
Inspection Date(s): 03/03/2021 -
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

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

29 CFR 1910.95(g)(1):The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels.

On or about March 03, 2021, the employer did not maintain an audiometric testing program (established in 2014) by making the audiometric test available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 87 decibels. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$13,653.00

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: 1518231
Inspection Date(s): 03/03/2021 -
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.95(g)(6): At least annually after obtaining the baseline audiogram, the employer did not obtain a new audiogram for each employee exposed at or above an 8-hour time-weighted average of 85 decibels.

On or about March 03, 2021, the employer did not obtain a yearly audiogram for each employee currently exposed at or above 8 hour time weighted averaged "TWA" of 87 decibels. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$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: 1518231
Inspection Date(s): 03/03/2021 -
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.95(g)(5)(i): The employer did not establish, within 6 months of an employee's first exposure at or above the action level, a valid baseline audiogram against which subsequent audiograms can be compared:

On or about March 03, 2021, the employer did not establish, within 6 month's of an employee's first exposure at or above the action level, a valid baseline audiogram against which subsequent audiograms can be compared. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$13,653.00

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: 1518231
Inspection Date(s): 03/03/2021 -
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.95(i)(2)(i): The employer did not ensure that hearing protectors are worn by an employee who is required by 29 CFR 1910.95(b)(1) to wear personal protective equipment in the following instances:

- 1) On January 22, 2021, an employee at the grinding station standing next to Press #111 was observed not using hearing protection while the grinding and the press were in operation.
- 2) On February 24, 2021, 2-press operators Press #10 were observed not using hearing protection while the press was operating, 2-press operators at Press #30 were observed not using hearing protection while the press was operating.
- 3) On April 13 2021, two employees at the grinding station standing next to Press #111 were observed not using hearing protection while the grinding and the press were in operation.
- 4) On June 14, 2021, Press operator at #112 was observed without any hearing protection, Press operator on Press #30 was observed not wearing any hearing protection while press was in operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$13,653.00

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: 1518231
Inspection Date(s): 03/03/2021 -
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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


29 CFR 1910.95(k)(1): The employer did not train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with the requirements of 29 CFR 1910.95(k).

On or about March 03, 2021, employees exposed to noise at or above an 8-hour time-weighted average "TWA" of 87 decibels did not receive training in accordance with the requirements of 29 CFR 1910.95(k). This condition exposed employees to health hazards such as but not limited to hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$13,653.00


Diego Alvarado Jr.
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
4849 North Mesa
Suite 200
El Paso, TX 79912



INVOICE / DEBT COLLECTION NOTICE

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936
Issuance Date: 07/15/2021

Summary of Penalties for Inspection Number: 1518231

Citation 1 Item 1a, Serious	\$13,653.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 2, Serious	\$13,653.00
Citation 1 Item 3, Serious	\$13,653.00
Citation 1 Item 4, Serious	\$13,653.00

TOTAL PROPOSED PENALTIES:	\$54,612.00
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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. 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.



Diego Alvarado Jr.

Area Director

7/15/21

Date

U.S. Department of Labor
Occupational Safety and Health Administration
4849 North Mesa
Suite 200
El Paso, TX 79912



Citation and Notification of Penalty

To:
D&D Manufacturing, Inc.
and its successors
1330 Pullman Dr.
El Paso, TX 79936

Inspection Number: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021

Inspection Site:
1330 Pullman
El Paso, TX 79936

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 by calling (915) 534-6251. 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. 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. 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 07/15/2021. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1510477

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936
Issuance Date: 07/15/2021

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, 4849 North Mesa, Suite 200, El Paso, TX 79912.**

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: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee used appropriate protective eye or face equipment where there was a reasonable probability of injury that could be prevented by such equipment.

On the production floor, employees not wearing safety glasses and/or appropriate eye protection were exposed to impact hazards (flying metal particles) in the following areas:

- 1) January 22, 2021, behind Press #30, Day-Shift Production Manager, was observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-87) rated safety eyewear.
- 2) February 24, 2021, two Press Operators on Press#10 were observed not wearing any type of safety glasses.
- 3) February 24, 2021, three Press Operators on Press #30 were observed not wearing any type of safety glasses.
- 4) February 25, 2021, the Toolmaker, operating a Hyster forklift on the southeast corner of the production floor not wearing safety glasses (the employee was observed wearing the safety glasses on his head).
- 5) April 13, 2021, Press Operator at Press #111 was observed wearing prescription eyewear without side shields and not American ANSI-87 rated safety eyewear.
- 6) June 14, 2021, Press Operator at Press #104 was observed wearing prescription eyewear without side shields and not American ANSI-87 rated safety eyewear.
- 7) June 14, 2021, behind Press #106 Press Operator was observed wearing prescription eyewear without side shields and not American ANSI-87 rated safety eyewear.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 21, 2021
\$13,653.00

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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.136(a): The employer did not ensure that each affected employee used protective footwear when working in areas where there was a danger of foot injuries due to falling or rolling objects, or objects piercing the sole:

On or about January 22, 2021, on the production floor; employees were observed not wearing protective footwear. Employees were responsible for picking up all the sharp scrap metal in and around the hydraulic and mechanical presses. This condition exposed employees to struck-by and impalement hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$10,728.00

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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.157(c)(1):The employer did not provide portable fire extinguishers and did not mount, locate and identify them so that they were readily accessible to employees without subjecting the employees to possible injury.

On or about February 24, 2021, on the production floor next to Press #112; a portable fire extinguisher was not located so that it was readily accessible to employees. This condition exposed employees to fire hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$6,436.00

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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

On or about February 24, 2021, in the production area, Hyster forklift (Model S120XLS / Serial No. D004V08735R) was being operated with tires that were cracked and worn (down to the metal). This condition exposed employees to a tip-over hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$13,653.00

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: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.217(e)(1)(i)(A): Periodic and regular inspections of each power press were not conducted to ensure that all of its parts, auxiliary equipment, and safeguards, including clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism, are in safe operating condition and adjustment:

On or about January 22, 2021, the employer did not ensure that periodic and regular inspections of each mechanical press were conducted for the following instances.

- 1) 80-Ton Stamtec Mechanical Press #102 (Serial No. S70566, Model G1-80)
- 2) 110-Ton Stamtec Mechanical Press #104 (Serial No. S70586, Model G1-110)
- 3) 250-Ton Dryes & Krump Mechanical Press #106 (Serial P-9879, Model SS-250)
- 4) 600-Ton Niagara Mechanical Press #108 (Serial No. 48315, Model WE-N603)
- 5) 800-Ton Rovetta Mechanical Press # 111 (Serial No. Matricola #1181, Model Series 1)
- 6) 600-Ton CMC Clearing Mechanical Press # 112 (Serial No. S4-600-1080-72, Model S1-17261P)

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$13,653.00

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

Inspection Number: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.303(b)(7)(iv): Equipment with damaged parts that may adversely affect its safe operation or its mechanical strength, such as broken, bent, cut, or deteriorated by corrosion, chemical action, or overheating parts were used:

On or about February 24, 2021, on the production floor, electrical equipment with damaged parts that may adversely affect its safe operation or its mechanical strength were being used and exposing employees to electrical hazards in the following instances;

- a) Hydraulic Press #30, just below the slide (point of operation), an electrical box had it's cover opened exposing live electrical wires. The electrical box was damaged, the cover was bent and would not close.
- b) Hydraulic Press #10, part of the motor housing assembly (BMS #29767, 230/460 volts) providing energy to the press had it's cover damaged and live electrical parts were exposed.

Date By Which Violation Must be Abated:
Proposed Penalty:

July 27, 2021
\$6,436.00

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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

On or February 24, 2021, on production floor at Hydraulic Press #10; the cable coming out from below the Two-Hand Palm Control Panel had its strain relief broken and outer jacket damaged. This condition exposed employees to electric shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 27, 2021
\$6,436.00

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: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.1200(f)(6):The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the information specified under paragraphs (f)(6)(i) through (ii) of this section:

- 1) On January 22, 2021 , in front of Sutherland Press #30, a total of six plastic bottles (1 Dr. Pepper, 3 unlabeled soda bottles, and 2 other unknown unlabeled plastic bottles) were on top of a metal table containing Perdraw 2512-R hydraulic oil.
- 2) On January 22, 2021, at Sutherland Press #30, an unlabeled plastic bottle containing Perdraw 2512-R hydraulic oil was on the press bed.
- 3) On February 24, 2021, at hydraulic Press #10, there were approximately three plastic unlabeled bottles on the press bed containing Perdraw 9025 hydraulic fluid.
- 4) On February 24, 2021, at hydraulic Press #30, there were two plastic unlabeled bottles on a metal work bench near two hand control and one (1) unlabeled plastic bottle on the press bed.
- 5) On February 24, 2021, at Press 102, there was an unlabeled plastic spray bottle containing Perdraw 2512-R hydraulic oil on press bed.
- 6) On April 13, 2021, at hydraulic Press #30, there were (1) plastic unlabeled bottle on a metal work bench and (1) unlabeled plastic bottle that EE was refilling with Perdraw 9025.
- 7) On June 14, 2021, at hydraulic Press #30, there were (5) plastic unlabeled bottles on a metal work bench and (1) unlabeled plastic bottle on side of left side towards the rear of the press.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$10,728.00

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: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck-by and/or caught-between hazards in the following instances:

The employer failed to conduct periodic and regular inspections of its power presses to ensure they are in safe operating condition by completing necessary maintenance and repairs before operating them as follows:

- 1) On January 19, 2021, at the 500-Ton Sutherland Hydraulic Press #30 (Model No. HD-500 Serial No. 29065), the Ram was not functioning properly and was drifting downward on its own exposing employees to struck-by and/or caught-between hazards.
- 2) On January 22, 2021, The semi-automatic Perdraw lube nozzle spray system attached to the 500-Ton Sutherland Hydraulic Press #30 (Model No. HD-500 Serial No. 29065) was non-operational. Employees performed the operation manually exposing employees to struck-by and caught-between hazards.

Among other methods, feasible and acceptable abatement methods to correct these hazards are outlined in: (1). ANSI B 11.2-1995, Standard for Machine Tools Hydraulic Power Presses-Safety Requirements for Construction, Care and Use, including: 1. Establishing and following a program of periodic and regular inspections and maintenance by competent persons on the hydraulic press, including documentation of those inspections as outlined in paragraph 7.3; 2. maintaining the original and continuing competence of maintenance personnel responsible for maintaining the press as outlined in paragraph 7.2. (2). Manufacturer's (Sutherland Presses) Instruction Manual, Section 4. Maintenance and inspection, 4.1 - Inspection for daily operation, 4.2- Inspection for regular operation, 4.3 - maintenance and inspection table.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$136,532.00

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: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

On or about January 22, 2021, on the production floor; the employer exposed employees to struck-by and/or caught-in hazards in the following instances;

- 1) Guards were not affixed to the sides of the machine to prevent employees from reaching into the point of operation on the 500-Ton St. Lawrence Hydraulic Press #10 (Serial No. 5089-2).
- 2) Guards were not affixed to the sides of the machine to prevent employees from reaching into the point of operation on the 500-Ton Sutherland Hydraulic Press #30 (Model No. HD-500 Serial No. 29065).
- 3) On the 500-Ton Sutherland Hydraulic Press #30 (Model No. HD-500 Serial No. 29065), press operators were inserting makeshift devices into the operator's two-hand control pockets to circumvent the controls.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 03, 2021
\$136,532.00



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

Citation 2 Item 2 b Type of Violation: Willful - Serious

29 CFR 1910.217(c)(3)(i)(e): Point of operation devices did not protect the operator by requiring application of both of the operator's hands to machine operating controls and locating such controls at such a safety distance from the point of operation that the slide completes the downward travel or stops before the operator can reach into the point of operation with his hands:

On or about February 24, 2021, palm buttons controls were altered by using heavy metal devices and/or tying down the palm buttons controls, exposing press operators to caught-in/between hazards in the following instances:

- 1) On Mechanical Press #102 (Stamtec 80-Ton / Serial# S70566 / Model # G1-80) , press operators were using plastic wrap and/or gloves and t-shirt to tie down the palm buttons controls.
- 2) On Mechanical Press #104 (Stamtec 110-Ton / Serial #S70586 / Model # G1-110), press operators were using heavy metal devices and/or tying down the palm buttons controls.
- 3) On Mechanical Press #108, (Niagra 600-Ton / Serial #48315 / Model # WE-N603) press operators were using heavy metal devices to hold down the palm buttons controls.
- 4) On Mechanical Press #111, (Rovetta 800-Ton / Serial # Matricola #1181 / Model # Series 1) press operators were using plastic wrap and/or gloves and t-shirt to tie down the palm buttons controls.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	August 03, 2021
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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1904.32(b)(3): The person who certified the annual summary was not a company executive as defined in 29 CFR 1904.32(b)(4):

On or about January 22, 2021, the person who certified the annual summary was not a company executive nor the owner of the company.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 27, 2021
Proposed Penalty:	\$2,146.00

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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

On or about February 24, 2021, at the Telecommunications Area, a relocatable power tap was not used or installed in accordance with instructions included in the listing or labeling. The employer installed and secured a relocatable power tap to the building wall. This condition exposed employees to heat and burn hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	July 27, 2021
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: 1510477
Inspection Date(s): 01/22/2021 - 01/22/2021
Issuance Date: 07/15/2021



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

On or about February 24, 2021, junction and outlet boxes did not have a cover or faceplate, exposing employees to electrical hazards in the following instances:

- 1) On the east wall, two 277/480V circuit breaker panels were missing their panel covers.
- 2) Behind 600 Ton CMC Clearing Mechanical Press #112 (Serial # S4-600-1080-72, Model# S1-17261P) and near the south wall, the Chiller was missing its side and front panels.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 27, 2021
\$1,205.00


Diego Alvarado Jr.
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
4849 North Mesa
Suite 200
El Paso, TX 79912



INVOICE / DEBT COLLECTION NOTICE

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman, El Paso, TX 79936
Issuance Date: 07/15/2021

Summary of Penalties for Inspection Number: 1510477

Citation 1 Item 1, Serious	\$13,653.00
Citation 1 Item 2, Serious	\$10,728.00
Citation 1 Item 3, Serious	\$6,436.00
Citation 1 Item 4, Serious	\$13,653.00
Citation 1 Item 5, Serious	\$13,653.00
Citation 1 Item 6, Serious	\$6,436.00
Citation 1 Item 7, Serious	\$6,436.00
Citation 1 Item 8, Serious	\$10,728.00
Citation 2 Item 1, Willful - Serious	\$136,532.00
Citation 2 Item 2a, Willful - Serious	\$136,532.00
Citation 2 Item 2b, Willful - Serious	\$0.00
Citation 3 Item 1, Other-than-Serious	\$2,146.00
Citation 3 Item 2, Other-than-Serious	\$0.00
Citation 3 Item 3, Other-than-Serious	\$1,205.00

TOTAL PROPOSED PENALTIES: **\$358,138.00**

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. 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.



Diego Alvarado Jr.

Area Director

7/15/21
Date