

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (920) 734-4521.**

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: (920) 734-4521 Fax: (920) 734-2661



August 22, 2019

Dear Dave Koller,

On 02/26/2019, an OSHA compliance officer met with you or your representative as part of an inspection at 1191 County Road B. Niagara, WI 54151. 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,

Robert J. Bonack, Area Director

Your Citation Summary

Koller Industries

Inspection Number: 1381046

Total Amount Due: \$202,123.00

**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 : 13

**Your First Correction Deadline is:
09/20/2019**

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 (920) 734-4521.

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: Robert J. Bonack, Area Director, at (920) 734-4521 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**.

┌ ___ / ___



Citation and Notification of Penalty

To:
Koller Industries, dba Aurora Casting Services
and its successors
P.O. Box 2561
Kingsford, MI 49802

Inspection Number: 1381046
Inspection Date(s): 02/26/2019 - 02/26/2019
Issuance Date: 08/22/2019

Inspection Site:
1191 County Road B.
Niagara, WI 54151

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 920-734-4521. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/22/2019. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1381046

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151
Issuance Date: 08/22/2019

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, 1648 Tri Park Way, Appleton, WI 54914**

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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 1910.147(c)(5)(i): Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware shall be provided by the employer for isolating, securing or blocking of machines or equipment from energy sources.

The employer did not provide lockout tagout devices for employees engaging in servicing and maintenance work on pneumatic bench grinders, stand grinders, air compressors, outdoor wood boiler, dust collector, and other equipment throughout the facility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$5834.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.147(d): Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence as required by 29 CFR 1910.147(d)(1)-(6):

- (a) Employees were exposed to machine hazards associated with rotating parts, ingoing nip points, and caught-in hazards when engaged in servicing and maintenance activities on the 12 pneumatic grinding wheels throughout the facility. The employer did not ensure that energy control application steps to control the pneumatic energy sources were implemented prior to allowing employees to change the grinding wheels on the bench grinders. The machines were not shut down or properly turned off prior to engaging in the servicing and maintenance activity.
- (b) Employees were exposed to machine hazards associated with rotating parts, ingoing nip points, and caught-in hazards when engaged in servicing and maintenance activities on the 4 stand grinding machines throughout the facility. The employer did not ensure that energy control application steps to control the electrical energy sources were implemented prior to allowing employees to change the grinding wheels on the stand grinders. The machines were not shut down or properly turned off prior to engaging in the servicing and maintenance activity.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine servicing hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/20/2019

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: 1381046
Inspection Date(s): 02/26/2019 - 02/26/2019
Issuance Date: 08/22/2019



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.147(c)(6)(i): The employer shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed.

The employer was not conducting periodic inspections of their energy control procedures including performing servicing and maintenance tasks on their stand grinders, pneumatic bench grinders, air compressors, outdoor wood boiler, dust collectors, and electrical equipment among others.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$5834.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.215(d)(1): Inspection. Immediately before mounting, all wheels shall be closely inspected and sounded by the user (ring test) to make sure they have not been damaged in transit, storage, or otherwise. The spindle speed of the machine shall be checked before mounting of the wheel to be certain that it does not exceed the maximum operating speed marked on the wheel. Wheels should be tapped gently with a light nonmetallic implement, such as the handle of a screwdriver for light wheels, or a wooden mallet for heavier wheels. If they sound cracked (dead), they shall not be used. This is known as the "Ring Test".

Employees at the facility were exposed to grinding wheels that had not been ring tested prior to their installation, thereby exposing them to struck-by and impalement hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$5834.00



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.243(c)(1): General requirements. Abrasive wheels shall be used only on machine provided with safety guards as defined in paragraph (c) (1) through (4) of this section.

- (a) On or about February 26, 2019, a Dewalt 4.5 inch angle grinder located at grinding station #6 was operated with the safety guard removed to grind castings.
- (b) On or about February 26, 2019, a Dewalt 4.5 inch angle grinder located at grinding station #10 was operated with the safety guard removed to grind castings.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$4168.00



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.

(a) On or about February 26, 2019, a metallic outlet box (handy box) was not installed in accordance with the UL identifier QCIT which states the boxes shall be mounted in or on a surface. The handy box was attached to metal clad wire to form a hard wired extension cord behind bench #10.

(b) On or about February 26, 2019, a metal clad cable was not used in accordance with the UL Listing 1569 for Metal-Clad Cables as it was used as an extension cord on the ground where it was subjected to damage to power the tilt-table for stand grinder #4.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$4168.00

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: Koller Industries, dba Aurora Casting Services

Inspection Site: 1191 County Road B., Niagara, WI 54151

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 6 a Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings shall be protected from abrasion, and openings through which conductors enter shall be effectively closed.

- (a) On or about February 26, 2019, conduit above grinding station #2 was pulled apart from the junction box and not effectively closed exposing the conductors to strain and abrasion.
- (b) On or about February 26, 2019, conduit above grinding station #8 was pulled apart from the junction box and not effectively closed exposing the conductors to strain and abrasion.
- (c) On or about February 26, 2019, conduit above grinding station #9 was pulled apart from the junction box and not effectively closed exposing the conductors to strain and abrasion.
- (d) On or about February 26, 2019, conduit above grinding station #10 was pulled apart from the junction box and not effectively closed exposing the conductors to strain and abrasion.
- (e) On or about February 26, 2019, conduit above grinding station #12 was pulled apart from the junction box and not effectively closed exposing the conductors to strain and abrasion.
- (f) On or about February 26, 2019, the junction box providing power to the electric motor powering the Fox Model 630R4 stand grinder was not closed to the motor, placing strain on the conductors and exposing them to strain and abrasion.
- (g) On or about February 26, 2019, conduit on the east wall near the exit door was pulled away from the junction box and not effectively closed exposing the conductors to strain and abrasion.
- (h) On or about February 26, 2019, conduit fittings for the main power supply entering the building were damaged by forklifts and not effectively closed, exposing the conductors to strain and abrasion.

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: 1381046
Inspection Date(s): 02/26/2019 - 02/26/2019
Issuance Date: 08/22/2019



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$4168.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings shall be effectively closed.

- (a) On or about February 26, 2019, two unused knockout openings on a junction box providing power to the grinding lines above station #10 were not effectively closed.
- (b) On or about February 26, 2019, an unused opening on the bottom of a 240 volt receptacle on the east wall near the exit door was missing a knockout plug.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/20/2019



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.305(i)(3): Uses not permitted. Fixture wires may not be used as branch-circuit conductors except as permitted for Class 1 power limited circuits and for fire alarm circuits.

(a) On or about February 26, 2019, fixture wire was used as a branch-circuit conductor on bench #11 to power electrical outlets, lights, and fans.

(b) On or about February 26, 2019, fixture wire was hard wired into a junction box on bench #6 with live electrical ends that were covered with electrical tape. The fixture wire used to power a fan.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$4168.00



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.215(a)(2): Guard design. The safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard, except:

- (a) The employer does not ensure a safety guard covering the spindle end, nut, and flange projection on the pneumatic bench grinder #2 is mounted and utilized, exposing employees to struck by hazards if the nut and wheel were to become loose and project off the equipment along with entanglement hazards. This hazard was most recently observed on February 26, 2019.
- (b) The employer does not ensure a safety guard covering the spindle end, nut, and flange projection on the pneumatic bench grinder #6 is mounted and utilized, exposing employees to struck by hazards if the nut and wheel were to become loose and project off the equipment along with entanglement hazards. This hazard was most recently observed on February 26, 2019.
- (c) The employer does not ensure a safety guard covering the spindle end, nut, and flange projection on the pneumatic bench grinder #8 is mounted and utilized, exposing employees to struck by hazards if the nut and wheel were to become loose and project off the equipment along with entanglement hazards. This hazard was most recently observed on February 26, 2019.
- (d) The employer does not ensure a safety guard covering the spindle end, nut, and flange projection on the pneumatic bench grinder #10 is mounted and utilized, exposing employees to struck by hazards if the nut and wheel were to become loose and project off the equipment along with entanglement hazards. This hazard was most recently observed on February 26, 2019.
- (e) The employer does not ensure a safety guard covering the spindle end, nut, and flange projection on the pneumatic bench grinder #12 is mounted and utilized, exposing employees to struck by hazards if the nut and wheel were to become loose and project off the equipment along with entanglement hazards. This hazard was most recently observed on February 26, 2019.

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: 1381046
Inspection Date(s): 02/26/2019 - 02/26/2019
Issuance Date: 08/22/2019



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number two, item number one, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$72929.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.

The employer did not train authorized employees performing servicing and maintenance activities on their energy control procedures and lockout tagout program for covered equipment including stand grinders, pneumatic powered bench grinders, air compressors, outdoor wood boilers, dust collector, and electrical equipment among others.

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number one, item number two, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$11669.00



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services

Inspection Site: 1191 County Road B., Niagara, WI 54151

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

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

29 CFR 1910.215(a)(4): Work rests. On offhand grinding machines, work rests shall be used to support the work. They shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted closely to the wheel with a maximum opening of one-eighth inch to prevent the work from being jammed between the wheel and the rest, which may cause wheel breakage. The work rest shall be securely clamped after each adjustment. The adjustment shall not be made with the wheel in motion.

(a) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on pneumatic bench grinder #2. The work rest was over one-eighth of an inch away from the wheel, exposing employee to struck by hazards during wheel failure and caught in hazards between the work rest and wheel.

(b) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on pneumatic bench grinder #6. The work rest was adjusted to point downward and was not used to support the work during grinding of parts, exposing employees to abrasion hazards if they were to drop the part and inadvertently contact the wheel and struck by hazards if the wheel were to fail.

(c) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on pneumatic bench grinder #8. The work rest was over one-eighth of an inch away from the wheel, exposing employee to struck by hazards during wheel failure and caught in hazards between the work rest and wheel.

(d) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on pneumatic bench grinder #10. The work rest was over one-eighth of an inch away from the wheel, exposing employee to struck by hazards during wheel failure and caught in hazards between the work rest and wheel.

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

(e) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on pneumatic bench grinder #12. The work rest was over one-eighth of an inch away from the wheel, exposing employee to struck by hazards during wheel failure and caught in hazards between the work rest and wheel.

(f) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on stand grinder #2. The work rest was over one-eighth of an inch away from the wheel, exposing employee to struck by hazards during wheel failure and caught in hazards between the work rest and wheel.

(g) The employer did not ensure work rests were utilized and adjusted to within one-eighth inch of the wheel on stand grinder #3. The work rest was over one-eighth of an inch away from the wheel, exposing employee to struck by hazards during wheel failure and caught in hazards between the work rest and wheel.

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number two, item number one, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$29172.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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

29 CFR 1910.215(b)(9): Exposure adjustment. Safety guards of the types described in Subparagraphs (3) and (4) of this paragraph, where the operator stands in front of the opening, shall be constructed so that the peripheral protecting member can be adjusted to the constantly decreasing diameter of the wheel. The maximum angular exposure above the horizontal plane of the wheel spindle as specified in paragraphs (b)(3) and (4) of this section shall never be exceeded, and the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch. (See Figures O-18, O-19, O-20, O-21, O-22, and O-23.)

(a) The employer did not ensure the adjustable tongue guard was utilized and adjusted to within one-fourth inch of the wheel on pneumatic bench grinder #2. The adjustable tongue guard was adjusted beyond one-fourth inch of the wheel exposing employees to stuck by hazards during wheel failure.

(b) The employer did not ensure the adjustable tongue guard was utilized and adjusted to within one-fourth inch of the wheel on pneumatic bench grinder #6. The adjustable tongue guard was adjusted beyond one-fourth inch of the wheel exposing employees to stuck by hazards during wheel failure.

(c) The employer did not ensure the adjustable tongue guard was utilized and adjusted to within one-fourth inch of the wheel on pneumatic bench grinder #8. The adjustable tongue guard was adjusted beyond one-fourth inch of the wheel exposing employees to stuck by hazards during wheel failure.

(d) The employer did not ensure the adjustable tongue guard was utilized and adjusted to within one-fourth inch of the wheel on pneumatic bench grinder #10. The adjustable tongue guard was adjusted beyond one-fourth inch of the wheel exposing employees to stuck by hazards during wheel failure.

(e) The employer did not ensure the adjustable tongue guard was utilized and adjusted to within one-fourth inch of the wheel on pneumatic bench grinder #12. The adjustable tongue guard was removed from the grinder exposing employees to stuck by hazards during wheel failure.

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: 1381046
Inspection Date(s): 02/26/2019 - 02/26/2019
Issuance Date: 08/22/2019



Citation and Notification of Penalty

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number two, item number one, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/20/2019

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

Citation 3 Item 3 Type of Violation: **Repeat**

29 CFR 1910.303(g)(1): Space about electric equipment. Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

(a) On or about February 26, 2019, the employer did not ensure employees had access to panel b located on the west wall of the shop. The electrical panel was surrounded with part baskets that were stacked in the working space of the equipment.

(b) On or about February 26, 2019, the employer did not ensure the electrical disconnects located on the east wall powering the stand grinder were provided sufficient working space and access. Employees stored their tool boxes in front of the equipment.

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number two, item number two, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$4169.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

Citation 3 Item 4 Type of Violation: **Repeat**

29 CFR 1910.305(b)(2)(i): All pull boxes, junction boxes, and fittings shall be provided with covers identified for the purpose. If metal covers are used, they shall be grounded. In completed installations, each outlet box shall have a cover, faceplate, or fixture canopy. Covers of outlet boxes having holes through which flexible cord pendants pass shall be provided with bushings designed for the purpose or shall have smooth, well-rounded surfaces on which the cords may bear.

- (a) On or about February 26, 2019, the cover for the bottom of a junction box on grinding station #6 was removed exposing the conductors and connections.
- (b) On or about February 26, 2019, the outlet cover for a junction box on grinding station #8 was removed exposing the conductors and connections.
- (c) On or about February 26, 2019, the outlet cover for a junction box powering the outdoor boilers on the east wall was removed exposing the conductors and connections inside.

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number two, item number three, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/20/2019
Proposed Penalty:	\$20838.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

Citation 3 Item 5 Type of Violation: **Repeat**

29 CFR 1910.334(a)(2)(ii): If there is a defect or evidence of damage that might expose an employee to injury, the defective or damaged item shall be removed from service, and no employee may use it until repairs and tests necessary to render the equipment safe have been made.

- (a) On or about February 26, 2019, the employer did not remove a damaged extension cord with a missing ground pin from service that was powering a Dewalt angle grinder located at grinding station #10.
- (b) On or about February 26, 2019, the employer did not remove a Dewalt 4.5 inch angle grinder from service that had a damaged cord located at grinding station #10.

Koller Industries was previously cited for a violation of this Occupational Safety and Health Standard, which was contained in OSHA inspection number 1106600, citation number two, item number four, and was affirmed as final order on April 19, 2016, with respect to a workplace located at 1191 County Road B. Niagara, WI 54151.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/20/2019
Proposed Penalty: \$29172.00

A handwritten signature in blue ink that reads "Robert J. Bonack".

Robert J. Bonack
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
1648 Tri Park Way
Appleton, WI 54914



INVOICE / DEBT COLLECTION NOTICE

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151
Issuance Date: 08/22/2019

Summary of Penalties for Inspection Number	1381046
Citation 1, Serious	\$34174.00
Citation 2, Willful	\$72929.00
Citation 3, Repeat	\$95020.00
TOTAL PROPOSED PENALTIES	\$202123.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Robert J. Bonack

Area Director

August 22, 2019

Date

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (920) 734-4521.**

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: (920) 734-4521 Fax: (920) 734-2661



August 22, 2019

Dear Dave Koller,

On 02/26/2019, an OSHA compliance officer met with you or your representative as part of an inspection at 1191 County Road B. Niagara, WI 54151. 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,

Robert J. Bonack, Area Director

Your Citation Summary

Koller Industries

Inspection Number: 1381005

Total Amount Due: \$4,168.00

**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 : 1

**Your First Correction Deadline is:
11/01/2019**

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 (920) 734-4521.

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: Robert J. Bonack, Area Director, at (920) 734-4521 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**.

┌ ___ / ___



Citation and Notification of Penalty

To:
Koller Industries, dba Aurora Casting Services
and its successors
P.O. Box 2561
Kingsford, MI 49802

Inspection Number: 1381005
Inspection Date(s): 02/26/2019 - 04/19/2019
Issuance Date: 08/22/2019

Inspection Site:
1191 County Road B.
Niagara, WI 54151

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 920-734-4521. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/22/2019. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1381005

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151
Issuance Date: 08/22/2019

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, 1648 Tri Park Way, Appleton, WI 54914**

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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 shall establish and maintain an audiometric testing program as provided in this paragraph by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

At a facility located at 1191 County Road B, Niagara, WI 54151; the employer did not maintain an audiometric testing program by making annual audiometric testing available to all employees when:

- a) On April 19, 2019, an employee at a Chip & Spool station was exposed to an 8-hour time-weighted average (TWA) sound level of 90.1 decibels measured on the A scale (dBA), or equivalently, a noise dose of 102.4%. This exceeds an 8-hour TWA of 85 dBA, or equivalently, a noise dose of 50%. The sampling was performed for 269 minutes during one shift on April 19, 2019.
- b) On April 19, 2019, an employee at a Pedestal Grinder was exposed to an 8-hour time-weighted average (TWA) sound level of 87.2 decibels measured on the A scale (dBA), or equivalently, a noise dose of 67.9%. This exceeds an 8-hour TWA of 85 dBA, or equivalently, a noise dose of 50%. The sampling was performed for 290 minutes during one shift on April 19, 2019.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/01/2019
Proposed Penalty:	\$4168.00

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: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151

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 shall obtain a new audiogram for each employee exposed at or above an 8-hour time-weighted average of 85 decibels:

At a facility located at 1191 County Road B, Niagara, WI 54151; the employer did not obtain, at least annually, new audiograms for each employee when:

- a) On April 19, 2019, an employee at a Chip & Spool station was exposed to an 8-hour time-weighted average (TWA) sound level of 90.1 decibels measured on the A scale (dBA), or equivalently, a noise dose of 102.4%. This exceeds an 8-hour TWA of 85 dBA, or equivalently, a noise dose of 50%. The sampling was performed for 269 minutes during one shift on April 19, 2019.
- b) On April 19, 2019, an employee at a Pedestal Grinder was exposed to an 8-hour time-weighted average (TWA) sound level of 87.2 decibels measured on the A scale (dBA), or equivalently, a noise dose of 67.9%. This exceeds an 8-hour TWA of 85 dBA, or equivalently, a noise dose of 50%. The sampling was performed for 290 minutes during one shift on April 19, 2019.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/01/2019

A handwritten signature in blue ink that reads "Robert J. Bonack".

Robert J. Bonack
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
1648 Tri Park Way
Appleton, WI 54914



INVOICE / DEBT COLLECTION NOTICE

Company Name: Koller Industries, dba Aurora Casting Services
Inspection Site: 1191 County Road B., Niagara, WI 54151
Issuance Date: 08/22/2019

Summary of Penalties for Inspection Number	1381005
Citation 1, Serious	\$4168.00
TOTAL PROPOSED PENALTIES	\$4168.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Robert J. Bonack
Area Director

August 22, 2019

Date