

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215



Citation and Notification of Penalty

To:
Prestress Services Industries of Ohio LLC
and its successors
410 Howard Street
Mount Vernon, OH 43050

Inspection Number: 1393269
Inspection Date(s): 04/15/2019 - 07/10/2019
Issuance Date: 07/15/2019

Inspection Site:
410 Howard Street
Mount Vernon, OH 43050

7016 3560 0000 1213 0502

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 614-469-5582. 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 07/15/2019. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1393269

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050
Issuance Date: 07/15/2019

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, 200 N. High Street, Room 620, Columbus, OH 43215**

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

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
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Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.95(b)(1): When employees are subjected to sound exceeding those listed in Table G-16, feasible administrative or engineering controls shall be utilized. If such controls fail to reduce sound levels within the levels of Table G-16, personal protective equipment shall be provided and used to reduce sound levels within the levels of the table.

a. The employer did not develop and implement engineering and/or administrative controls for employees working in the sandblasting area. A sandblaster employee was exposed to continuous noise at 402.5% on February 7, 2019, which exceeded the action limit (AL) of 50%, an 8-hour TWA (time weighted average) sound level of 85 dBA. The employee's 8-hour TWA sound level was approximately 100.1 dBA during the 478 minute sampling period. Time weighted average includes a zero increment for the 29 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/19/2019
Proposed Penalty: \$11934.00

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

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

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

29 CFR 1910.95(d)(1): When information indicates that any employee's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, the employer shall develop and implement a monitoring program.

a. The employer did not develop and implement a noise monitoring program for employees working in the sandblasting area. A sandblaster employee was exposed to continuous noise at 402.5% on February 7, 2019, which exceeded the action limit (AL) of 50%, an 8-hour TWA (time weighted average) sound level of 85 dBA. The employee's 8-hour TWA sound level was approximately 100.1 dBA during the 478 minute sampling period. Time weighted average includes a zero increment for the 29 minutes not sampled.

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Company Name: Prestress Services Industries of Ohio LLC
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Citation 1 Item 3 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.

a. The employer did not develop and implement an audiometric testing program for employees working in the sandblasting area. A sandblaster employee was exposed to continuous noise at 402.5% on February 7, 2019, which exceeded the action limit (AL) of 50%, an 8-hour TWA (time weighted average) sound level of 85 dBA. The employee's 8-hour TWA sound level was approximately 100.1 dBA during the 478 minute sampling period. Time weighted average includes a zero increment for the 29 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

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

29 CFR 1910.95(k)(1): The employer shall 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 this section. The employer shall institute a training program and ensure employee participation in the program.

a. The employer did not develop and implement a noise training program for employees working in the sandblasting area. A sandblaster employee was exposed to continuous noise at 402.5% on February 7, 2019, which exceeded the action limit (AL) of 50%, an 8-hour TWA (time weighted average) sound level of 85 dBA. The employee's 8-hour TWA sound level was approximately 100.1 dBA during the 478 minute sampling period. Time weighted average includes a zero increment for the 29 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$11934.00

U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

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

29 CFR 1910.134(k): Training and information. This paragraph requires the employer to provide effective training to employees who are required to use respirators. The training must be comprehensive, understandable, and recur annually, and more often if necessary. This paragraph also requires the employer to provide the basic information on respirators in Appendix D of this section to employees who wear respirators when not required by this section or by the employer to do so.

a. On or about April 15, 2019, the employer did not provide each employee who was required to wear a respirator with training and information on the proper use and care of the respirator.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6819.00

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
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Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.146(c)(1): The employer shall evaluate the workplace to determine if any spaces are permit-required confined spaces.

NOTE: Proper application of the decision flow chart in Appendix A to section 1910.146 would facilitate compliance with this requirement.

a. On or about April 15, 2019, the employer did not evaluate the workplace to determine if permit required confined spaces were present.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$8525.00

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

1910.147(c)(4)(ii) The procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

29 CFR 1910.147(c)(4)(ii)(B): Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy;

a. On or about April 15, 2019, the employer's written energy control procedures did not include steps that specifically identified how to control all sources of hazardous energy.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$11934.00

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

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

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

1910.147(c)(4)(ii) The procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

29 CFR 1910.147(c)(4)(ii)(A): A specific statement of the intended use of the procedure;

a. On or about April 15, 2019, the employer's written energy control procedures did not include a statement of the intended use of the procedure.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/19/2019

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

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Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 1 Item 8 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.

a. On or about April 15, 2019, the employer did not conduct a periodic inspection of the energy control procedures.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$8525.00

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
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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

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

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.

a. On or about April 15, 2019, the employer did not provide each employee who performed servicing and maintenance of equipment with authorized employee lockout training.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$11934.00

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: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

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

29 CFR 1910.333(a):

"General." Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.

a. At the workplace, for employees who routinely perform work on or near energized parts (460 VAC) such as testing, troubleshooting, voltage measuring, and other tasks in and around the electrical components of the cranes, neither a flash hazard analysis was conducted to determine the proper protection required nor was a flash protection boundary established to protect employees from shock, arc flash, or arc blast.

ABATEMENT NOTE: One method of abatement, among others, includes conducting a flash hazard analysis in compliance with NFPA 70E Standard for Electrical Safety in the Workplace to determine the flash protection boundary and the use of electrical protective equipment as necessary for the specific related hazards of each task.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$11934.00



Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.333(c)(2):

"Work on energized equipment." Only qualified persons may work on electric circuit parts or equipment that have not been deenergized under the procedures of paragraph (b) of this section. Such persons shall be capable of working safely on energized circuits and shall be familiar with the proper use of special precautionary techniques, personal protective equipment, insulating and shielding materials, and insulated tools.

a. At the workplace, for employees who routinely perform work on or near energized parts (460 VAC) such as testing, troubleshooting, voltage measuring, and other tasks in and around the electrical components for the cranes, employees were not provided with information and training on the proper use of special precautionary techniques, personal protective equipment, and insulating and shielding materials to protect employees from shock, arc flash, or arc blast.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$11934.00

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(i):

Employees working in areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed. Note: Personal protective equipment requirements are contained in subpart I of this part.

a. At the workplace, for employees who routinely perform work on or near energized parts (460 VAC) such as testing, troubleshooting, voltage measuring, and other tasks in and around the cranes, employees did not wear and were not provided with the necessary personal protective equipment to protect employees from shock, arc flash, or arc blast.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$11934.00

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

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.1053(d)(1): Exposure assessment-(1) General. The employer shall assess the exposure of each employee who is or may reasonably be expected to be exposed to respirable crystalline silica at or above the action level in accordance with either the performance option in paragraph (d)(2) or the scheduled monitoring option in paragraph (d)(3) of this section.

a. On or about April 15, 2019, the employer did not assess the silica exposure for employees performing tasks such as, but not limited to, sandblasting, patching of concrete products, and chipping out the concrete build up inside of mixer trucks.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.1053(j)(3)(i): Employee information and training. (i) The employer shall ensure that each employee covered by this section can demonstrate knowledge and understanding of at least the following:

- a. On or about April 15, 2019, the employer did not ensure that each employee who was covered by the silica standard received information and training on the hazards of silica, which job tasks could result in silica exposure, protective measures in place, and the contents of this section.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$8525.00

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

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets.

a. On or about April 15, 2019, the employer did not provide training to employees on hazardous chemicals in their work area such as, but not limited to, silica, solvents, and brake cleaners.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5115.00

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

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): What do I need to do to complete the OSHA 300 Log? You must enter information about your business at the top of the OSHA 300 Log, enter a one or two line description for each recordable injury or illness, and summarize this information on the OSHA 300-A at the end of the year.

a. On or about April 24, 2019, all entries in Column "F" of the OSHA Form 300 for calendar year 2019 did not describe the parts of the body affected and the object/substance that directly harmed the employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/25/2019
\$1706.00

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Citation and Notification of Penalty

Company Name: Prestress Services Industries of Ohio LLC
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Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(f)(2): The employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

a. On or about April 15, 2019, the employer did not ensure that each employee who was required to wear a tight-fitting facepiece respirator received a fit test.

Date By Which Violation Must be Abated:
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\$0.00

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Company Name: Prestress Services Industries of Ohio LLC
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Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.1030(c)(2)(i): Each employer who has an employee(s) with occupational exposure as defined by paragraph (b) of this section shall prepare an exposure determination. This exposure determination shall contain the following:

- a. On or about April 15, 2019, the employer did not develop an exposure determination that identified job classifications that may have occupational exposure to blood and the tasks performed that may result in exposure.

Date By Which Violation Must be Abated:
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\$0.00

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Company Name: Prestress Services Industries of Ohio LLC
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Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.1030(g)(2)(i): The employer shall train each employee with occupational exposure in accordance with the requirements of this section. Such training must be provided at no cost to the employee and during working hours. The employer shall institute a training program and ensure employee participation in the program.

a. On or about April 15, 2019, the employer did not provide designated first responders with bloodborne pathogens training.

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Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050

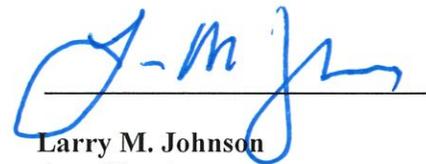
Citation 2 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1910.1053(h)(1): Housekeeping. (1) The employer shall not allow dry sweeping or dry brushing where such activity could contribute to employee exposure to respirable crystalline silica unless wet sweeping, HEPA-filtered vacuuming or other methods that minimize the likelihood of exposure are not feasible.

a. On or about April 15, 2018, the employer allowed employees to perform dry sweeping of dusts in the workplace which could have contributed to silica exposure.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$0.00



Larry M. Johnson
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
200 N. High Street
Room 620
Columbus, OH 43215



INVOICE / DEBT COLLECTION NOTICE

Company Name: Prestress Services Industries of Ohio LLC
Inspection Site: 410 Howard Street, Mount Vernon, OH 43050
Issuance Date: 07/15/2019

Summary of Penalties for Inspection Number	1393269
Citation 1, Serious	\$156849.00
Citation 2, Other-than-Serious	\$1706.00
TOTAL PROPOSED PENALTIES	\$158555.00

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.



Larry M. Johnson
Area Director

15 July 2019

Date

U.S. Department of Labor

Occupational Safety and Health Administration
Columbus Area Office
200 North High Street, Room 620
Columbus, Ohio 43215



July 15, 2019

Prestress Services Industries of Ohio, LLC
John Swiger, Safety Director
410 Howard Street
Mount Vernon, OH 43050

RE: OSHA Inspection No. 1393269

Dear Mr. Swiger,

Enclosed you will find a noise sampling data summary for the inspection conducted at your facility on May 8, 2019. Please post the summary or make it available to affected employees. OSHA regulation 29 CFR 1910.1020(e)(2) provides for disclosure/access of exposure records to employees and their designated representatives. If you have any questions regarding these results, please feel free to call our office.

Sincerely,


Larry M. Johnson, Area Director
Columbus Area Office

Enclosure: Noise sampling results



OSHA REGION V – NOISE DOSIMETRY RESULTS

Company: Prestress Services Industries of Ohio, LLC
Address: 410 Howard Street, Mount Vernon, OH 43050

Inspection #: 1393269
Survey Date: May 8, 2019

EMPLOYEE SAMPLED	OPERATION DESCRIPTION	MINUTES SAMPLED	Hearing Conservation Program (80 dBA Threshold)		Engineering Controls (90 dBA Threshold)	
			DOSE	8 hour TWA (dBA)	DOSE	8 hour TWA (dBA)
Sandblaster	Sandblasting products	451	405.7%	100.1	402.5%	100.0
Patch Man	Patching, grinding, chiseling products in plant	Invalid – Equipment Malfunction	NA	NA	NA	NA
Mixer Driver	Drove mixer truck to deliver concrete to plants	478	13.45%	75.5	4.831%	68.2
Batch Plant Operator	Operated the concrete mixing operation in the batch plant	471	17.18%	77.3	8.635	72.3

Note: These results are considered exposure records and shall be made available to employees in accordance with 1910.1020 (Employee Access to Medical and Exposure Records) and 1910.1200 (Hazard Communication).

A continuing, effective hearing conservation program shall be administered whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 dBA or, equivalently, a dose of 50% [refer to Hearing Conservation Program data].

Feasible administrative or engineering controls are to be utilized whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 90 dBA or, equivalently, a dose of 100% [refer to Engineering Controls data]. If such controls fail to reduce sound levels to below this criteria, hearing protectors must be provided and used to reduce sound levels.

SAMPLE RESULTS GLOSSARY

TWA – The eight-hour time-weighted average sound level (A scale). This includes a ‘zero’ exposure increment for time not sampled. The reported TWA can therefore be less than the equivalent dBA. $TWA = 16.61 \log_{10} \frac{Dose}{100} + 90$

Dose – Percentage of the permissible noise exposures as specified in 29 CFR 1910.95; a sum of the actual times of exposure at each noise level divided by the allowed time at that level.

Note: These results are considered exposure records and shall be made available to employees in accordance with 1910.1020 (Employee Access to Medical and Exposure Records) and 1910.1200 (Hazard Communication).

U.S. Department of Labor

Occupational Safety and Health Administration
Columbus Area Office
200 N. High Street, Room 620
Columbus, OH 43215



July 15, 2019

Randy Harmer
randyharmer41@yahoo.com

RE: OSHA Complaint No. 1443946/ Inspection No. 1393269

Dear Mr. Harmer:

In response to your complaint concerning safety and/or health hazards at Prestress Services Industries of Ohio, LLC, the Occupational Safety and Health Administration (OSHA) conducted an inspection. That inspection was completed on April 15, 2019. The results of our investigation of your complaint items are as follows:

Complaint item(s):

Complaint: Employees are working around concrete dust and are exposed to silica. The employer has not developed a silica exposure control plan, the employer has not performed initial monitoring, exposed employees have not been issued appropriate personal protective equipment, and employees have not been given information on the hazards of respirable silica.

Findings: Silica sampling was performed for employees. One employee was found to be exposed above the Action Limit. Citations issued for silica exposure hazards.

Complaint: Trash, litter and debris on walking working surfaces in the plant are presenting slip, trip and fall hazards for employees.

Findings: No such hazard was observed during the inspection.

Complaint: Employees cleaning the insides of concrete trucks are not protected by a permit required confined space program.

Findings: Employee exposure in the past six months could not be established. Citation issued for confined space evaluation.

Complaint: Employees working in the electrical boxes for the cranes have not received arc flash training and have not been provided proper arc flash personal protective equipment to protect them from arc flash.

Findings: Citations issued for exposure to arc flash and electrical hazards.

Complaint: The company has not implemented a Lock-out/Tag-out program. The company does not have lock-out/tag-out specific procedures for locking out cranes during crane maintenance.

Findings: Citations issued for deficiencies in the lockout program.

Complaint: Critical items on the company's crane annual inspections have not been addressed. The crane cables are defective and cranes are leaking oil. Several of the company's cranes are continually blowing fuses.

Findings: No such hazard was observed during the inspection.

Complaint: Industrial truck operators have not been trained as required. Operators are not performing daily inspections prior to daily operation. The brakes on the industrial trucks are defective. Plant #2s "big red" fork truck is leaking hydraulic fluid and the brakes do not stop the truck.

Findings: No such hazard was observed during the inspection.

Attached for your information is a copy of the OSHA-2, Citation and Notification of Penalty, which was issued to the employer on July 15, 2019 and should have been posted at the workplace for at least three days after receipt. If you do not agree with our inspection results, you may contact me for a clarification of the matter.

Section 11(c) of the Occupational Safety and Health Act protects employees from being discriminated against because of their involvement in protected activities related to safety and health. If you believe you are being treated differently or action is being taken against you because of your safety or health activity, you may file a complaint with OSHA. You should file this complaint as soon as possible, because OSHA normally can accept only those complaints filed within 30 days of the alleged discriminatory action.

Please feel free to contact the office at (614) 469-5582 if you have any questions or concerns.

Your action on behalf of safety and health in the workplace is sincerely appreciated.

Sincerely,


Larry M. Johnson
Area Director

Enclosure(s)

U.S. Department of Labor
Occupational Safety and Health Admin.
200 North High St., Room 620
Columbus, OH 43215

CERTIFIED MAIL[®]



7016 3560 0000 1213 0502

Prestress Services Industries of
Ohio LLC
410 Howard Street
Mount Vernon, OH 43050
Re: 1393269

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Prestress Services Industries of
Ohio LLC
410 Howard Street
Mount Vernon, OH 43050
Re: 1393269



9590 9402 3319 7196 5380 69

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

Agent
 Addressee
C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: NO

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail[®]
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Restricted Delivery
- Priority Mail Express[®]
- Registered Mail[™]
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation[™]
- Signature Confirmation Restricted Delivery

(Over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt